

1.

Abbott, C., D. Howe, and S. Adler. 1994. *Planning the Oregon Way: A Twenty-Year Evaluation*. Corvallis, Ore.: Oregon State University Press.

This is a series of essays on the Oregon planning system--what works and what could work better. Portland State University Professor Deborah Howe contributes a good piece on a research agenda for Oregon planning. She makes the point that evaluative research is generally resisted. ("Declare victory and move on," she quotes one planner as saying.).

2.

Advisory Commission on Intergovernmental Relations. 1973. *Regional Decisionmaking: New Strategies for Substate Districts*, Advisory Commission on Intergovernmental Relations, Washington D.C..

The commission considers substate districting actions taken by the Federal, State, and local governments in response to jurisdictional fragmentation in both urban and rural areas and to the need for area wide solutions to certain public service problems. The focus is on regional councils of local elected officials and substate planning and developing districts. An entire chapter is devoted to five recommendations for intrastate districting mechanisms, procedures, and planning.

3.

Advisory Committee on Planning and Zoning. 1928. *A Standard City Planning Enabling Act (SCPEA)*, U.S. Department of Commerce, Washington, D.C..

This act addresses six subjects: (1) the organization and power of the planning commission, which was directed to prepare and adopt a 'master plan;' (2) the content of the master plan for the physical development of the territory governed by one of the class of local governments authorized to plan; (3) provision for adoption by the governing body of a master street plan and subsequent control of private building in the bed of mapped but unopened streets and of public building in unofficial or unapproved streets; (4) provision for approval by the planning commission, before approval by the legislative body, of all public improvements (the act permits a legislative override of commission vetoes); (5) control of private subdivision of land into building parcels and accompanying streets and other open spaces; and (6) provision for the establishment of a region and regional planning commission, for the making of a regional plan, and for the adoption of that plan by any municipality in the region that desired to do so.

4.

Advisory Committee on Zoning. 1926. *A Standard State Zoning Enabling Act (SZE A)*, U.S. Department of Commerce, Washington, D.C..

This act is the basis for most zoning statutes in the U.S.

5.

Alterman, R. 1989. *Evaluating Linkage, and Beyond: The New Method for Supply of Affordable Housing and Its Impacts*. Cambridge, Mass.: Lincoln Institute of Land Policy.

Based on surveys of existing and proposed linkage policies, this article evaluates the current programs based on their ability to provide low-income housing and their impacts on planning as a whole.

6.

American Law Institute. 1976. *A Model Land Development Code: Complete Text and Reporter's Commentary*, American Law Institute, Philadelphia.

The adopted version of a model code that represented a critical rethinking of American planning and zoning law. The Code includes 12 articles as follows: (1) general provisions (including definitions and a grant of powers to local government) and definitions; (2) local land development regulation; (3) local land development planning; (4) discontinuance of existing land use; (5) acquisition and disposition of land; (6) land banking; (7) state land development regulation (including regulation of areas of critical state concern and development of regional impact); (8) state land development planning; (9) judicial review of orders, rules and ordinances; (10) enforcement of local land development regulation; (11) public records of development regulation; and (12) financing and coordination of governmental development.

7.

---1968. *A Model Land Development Code, (Tenative Draft No. 1)*, American Law Institute, Philadelphia.

A draft of the proposed enabling legislation examining land use controls and development issues regulated under statutes.

8.

American Society of Planning Officials. 1972. *Land Use Controls Annual 1971*. Washington, D.C.: American Society of Planning Officials.

A symposium issue critiquing the draft ALI Model Land Development Code with response by Code Reporters Allison Dunham and Fred Bosselman. Stimulating commentary which is still relevant.

9.

---1966. *New Directions in Connecticut Planning Legislation: A Study of Connecticut Planning, Zoning, and Related Statutes*, American Society of Planning Officials, Chicago.

A landmark study on state planning statute reform. The study recommended a community development program containing three elements: (1) a statement of development policy; (2) a capital improvement program; and (3) adequate professional assistance. Upon satisfactory establishment of such a program, the community would receive additional authorization to exercise several new [at the time] land use control techniques, chief among which are planned unit development regulations, holding zones, official map powers, and conditional zoning. The major recommendation with respect to regional planning agencies was an extension of their jurisdiction to review matters that may have regional significance, such as decisions involving property within specified distances from state highways, and development affecting the region such as water, sewage, and utility projects.

10.

American Society of Planning Officials. 1972. *New Directions in Nevada's Planning, Zoning, Subdivision, and Related Statutes*.

The findings and recommendations on Nevada's statutes take into account innovations in recently enacted planning law among the 50 states as well as sound measures being proposed in state legislatures, in Congress, and by institutions such as the American Law Institute. This study stresses especially recommendations for resolving Nevada's most critical defect in planning legislation -- the failure to assert effective public control over many urban and recreational land subdivisions.

11.

Audirac, I., A. H. Shermeyen, and M. T. Smith. 1990. Ideal Urban Form and Visions of the Good Life: Florida's Growth Management Dilemma. *Journal of the American Planning Association* 56, no. 4: 470-82.

Florida's emerging urban development policy is aimed at solving the urgent problem of how to continue to grow in an environmentally responsible manner within a low-taxation climate. Since there is widespread perception that urban sprawl and its many connotations (e.g., costliness, ugliness, environmental damage) are the source of the problem, the state's prescription is to redirect growth toward a more fiscally efficient and livable compact urban form. The authors contend that this form is part of a repertoire of powerful yet often nostalgic urban imagery and runs counter to residential preference for low-density lifestyles. Further, there is too little empirical evidence to substantiate claims of economic and fiscal benefit of compact form, and definitional ambiguities haunt the literature on urban sprawl. While the environmental argument against sprawl seems convincing, a compact development policy oversimplifies environmental issues and may exacerbate environmental problems in existing urban areas.

12.

Babcock, R. F. 1960. The Chaos of Zoning Administration: One Solution. *Zoning Digest* 12, no. 1: 1-4. The call for a statewide planning commission with control over local planning board actions in response to the 'chaos' of the field.

13.

Babcock, R. F. 1983. The Egregious Invalidity of the Exclusive Single-Family Zone. *Urban Law and Policy* 6, no. 2: 185-97.

This article questions the legality of the single-family detached house zone under police power and discusses the 'success' of zoning in the protection of single-family district.

14.

---1988. Implementing Metropolitan Regional Planning. *Journal of Land Use & Environmental Law* 4, no. 2: 299-307.

15.

---1959. The Unhappy State of Zoning Administration in Illinois. *University of Chicago Law Review* 26, no. 4: 509-41.

An overview of zoning problems in Illinois and a proposal of a statewide zoning commission with the authority to establish rules and to hear all appeals.

16.

Babcock, R. F. 1966. *The Zoning Game: Municipal Practices and Policies*. Madison, Wis.: University of Wisconsin Press.

Seminal work on the field of zoning.

17.

Babcock, R. F., and F. P. Bosselman. 1973. *Exclusionary Zoning: Land Use Regulation and Housing in the 1970s*. New York: Praeger.

18.

Babcock, R. F., J. Z. Krasnowiecki, and D. N. McBride. 1965. The Model State Statute. *University of Pennsylvania Law Review* 114, no. 1: 140-70.

This is a model planned unit development statute with section-by-section commentary.

19.

Babcock, R. F., and C. L. Siemon. 1985. *The Zoning Game Revisited*. Boston: Oelgeschlager, Gunn and Hain in association with the Lincoln Institute of Land Policy.

A collection of 11 land disputes including commentary. Unlike the first book, this edition focuses more detail on each case.

20.

Baker, N. F. 1926. Zoning Legislation. *Cornell Law Quarterly* 11: 164-78.

The Standard Zoning Enabling Act and a review of its provisions.

21.

Baldassare, M. 1984. Predicting Local Concern About Growth: The Roots of Citizen Discontent. *Journal of Urban Affairs* 6, no. 4: 39-49.

The author reports on the results of a survey in Orange County, California. He determined that, contrary to popular conception, demographic variables, such as income, education level, and home-ownership, do not adequately explain citizen support for growth management. Instead such concern is better explained by citizen discontent about community quality of life, including a rapid rate of growth and a poor perception of local governments' ability to manage such growth. He argues that such findings suggest that growth management programs are likely to appear in a wide variety of communities.

22.

---1990. Suburban Support for No-Growth Policies: Implications for the Growth Revolt. *Journal of Urban Affairs* 12, no. 2: 197-206.

This paper reports on the author's continued study of attitudes toward growth and its management in Orange County, California. Here he studies support for no-growth policies and finds that there is little support for such efforts. While there is much support for slow-growth measures, these do not translate into support to stop growth. As with his previous work (noted above), the author found that citizens' perceptions about the growth situation in their community to be the most significant set of variables in explaining concern about growth.

23.

Barker, M., ed. 1984. *Rebuilding America's Infrastructure: An Agenda for the 1980's*. Durham, N.C.: Duke University Press.

Two studies describing the 'infrastructure crisis.' A look at the continuing decay of America's public facilities and steps necessary to resolve the problem.

24.

Barrows, R. L. 1982. *The Roles of Federal, State, and Local Governments in Land-Use Planning*. Washington, D.C.: National Planning Association.

Barrows examines the issue of how much responsibility different levels of government should have in the initiation and implementation of land use planning. He concludes that there is no compelling theoretical or policy reason for any one level of government to have or not have any particular amount of authority.

Instead, he proposes that the appropriate level of government is a function of the land use issue at the time it comes up and the capacities of the respective governments.

25.

Bashaw, J. R. 1985. Vermont Legislation: Formal Enforcement of Act 250. *Vermont Law Review* 10, no. 2: 469-77.

An analysis of the 1985 Act 250 and whether it addresses the problems associated with the pre-1985 Act 250; concluding that the new act provides needed formal enforcement authority but still requires a permit monitoring system in order to be effective.

26.

Bassett, E. M. 1940. *Zoning: The Laws, Administration, and Court Decisions During the First Twenty Years*. New York: Russell Sage Foundation.

The early work summarizing zoning for the height, area and use of buildings as well as zoning ordinances, state enabling acts, and zoning districts.

27.

Bassett, E. M., F. B. Williams, A. Bettman, and R. Whitten. 1935. *Model Laws for Planning Cities, Counties and States, Including Zoning, Subdivision Regulation, and Protection of Official Map*. Cambridge, Mass.: Harvard University Press.

Model planning and zoning statutes drafted by those who participated in the preparation of the Standard City Planning and Zoning Enabling Acts. The Bassett and Williams models tend to be narrowly focused and procedural in nature. Bettman's models tend to have more substantive content.

28.

Berger, J. J., ed. 1990. *Environmental Restoration: Science and Strategies for Restoring the Earth*. Washington, D.C.: Island Press.

Based on a national conference on ecological restoration, this book is divided into three parts: terrestrial restoration, aquatic restoration, and law, planning, land acquisition and conflict resolution. By offering recommendations for restoration in each of these areas, such as wastewater treatment plants, revegetation of overgrazed land and soil refertilization, a valuable collection of restoration techniques has been developed.

29.

Bernard, M. M. 1967. The Comprehensive Plan Concept As a Basis for Legal Reform. *Journal of Urban Law* 44: 611-24.

The author addresses the need for improvement to the comprehensive plan in order to provide essential reform functions to the law of city planning.

30.

Blaesser, B. W., and C. M. Kentopp. 1990. Impact Fees: The 'Second Generation'. *Journal of Urban and Contemporary Law* 38: 55-113.

This article provides an overview of several state approaches to funding the needs of a community brought on by new development.

31.

Blaesser, B. W., and A. C. Weinstein, eds. 1989. *Land Use and the Constitution: Principles for Planning Practice*. Chicago: Planners Press.

A guide to federal constitutional principles for the planning field. A listing of legal terms is provided for reference in analysis of legal issues such as freedom of speech and religion, equal protection and just compensation. An overview of relevant U.S. Supreme Court cases is included.

32.

Bluegrass Tomorrow. 1992. *Planning for a Bluegrass Coordinator: Critical Issues Report*.

The 'Critical Issues' report is a part of a study of a private sector citizen initiated regional planning initiative to develop broad public consensus as to the critical issues facing the central Kentucky Bluegrass region. Report includes description of the study process and a summary of the study results. Additional information is attached, including a newsletter and a vision report.

33.

Blumstein, J. F. 1981. A Prolegomenon to Growth Management and Exclusionary Zoning Issues. *Land Use and Environmental Law Review Annual* 12: 227-332.

This article provides an overview of the evolution of legal issues in growth management with particular emphasis on exclusionary zoning issues. The article reviews the authority of local and state governments to regulate land use and articulation by the courts (particularly state courts) of limitations on that authority

that have formed the basis of litigation challenging local restrictions on land use.

34.

Bollens, S. A. 1990. Constituencies for Limitation and Regionalism: Approaches to Growth Management. *Urban Affairs Quarterly* 26, no. 1: 46-67.

Citizen responses to two successful growth management referenda on Cape Cod, Massachusetts, are analyzed. A development moratorium and the creation of a regional land use management agency represented contrasting strategies for managing growth problems; differences in support between the two approaches are examined. Individuals with direct links to the local economy provided the least support for a moratorium. Regionalism was supported by individuals with strong provincial attitudes because they were aware of the extra-local impacts of development and anticipated tangible benefits from regional land use planning. A two-tier approach was supported by a majority of the respondents, but, generally, regionalism was given greater support than was the moratorium.

35.

Bosselman, F. P. 1975. Property Rights in Land: New Statutory Approaches. *Natural Resources Journal* 15, no. 4: 681-93.

This article analyzes three different approaches to property rights compensation. The first is a technique used in England, the second has been proposed in the American Law Institute's Model Land Development Code and the third describes a system similar to the one developed by the Federal Uniform Relocation Act.

36.

Bosselman, F. P., and D. L. Callies. 1971. *The Quiet Revolution in Land-Use Control*. Washington, D.C.: U.S. Government Printing Office.

Seminal work on the emerging role of the states and regional agencies as players in the land use arena.

37.

Bosselman, F. P., G. M. Raymond, and R. A. Persico. 1976. Some Observations on the American Law Institute's Model Land Development Code. *Urban Lawyer* 8, no. 3: 474-90.

Each author focuses on the sections of the Code they feel deserves comment. Areas of concern include: Article VII defining the criteria for deciding which land use issues require a state role and local government guidelines for developing a plan under the Code.

38.

Bozung, L. J. 1984. Transferable Development Rights: Compensation for Owners of Restricted Property. In *Zoning and Planning Law Handbook* edited by J. B. Gailey. New York: Clark Boardman .

39.

Brion, D. J. 1991. *Essential Industry and the NIMBY Phenomenon*. New York: Quorum Books.

An examination of the ideas behind the NIMBY phenomenon.

40.

Brooks, M. E. 1972. "Planning Advisory Service Report Number 282." *Lower Income Housing: The Planners' Response*, American Society of Planning Officials, Washington, D.C..

A study of selected planning agencies and their responses to the issue of lower income housing. The data was developed to establish a set of guidelines. Using information based on case studies, several recommendations have been created for location of lower income housing, community education and technical assistance.

41.

Brough, M. B. 1985. *A Unified Development Ordinance*. Chicago: Planners Press.

A local government guide for drafting land use ordinances that combine zoning and subdivision regulations. Using examples and commentary, this resource is useful in providing the administrator with background information and anticipation of common issues while developing land use legislation.

42.

Brower, D. J., and D. S. Carol, eds. 1987. *Managing Land-Use Conflicts: Case Studies in Special Area Management*. Durham, N.C.: Duke University Press.

Representing a variety of problems, this collection of case studies describe and evaluate a series of special area management techniques such as coastal management, harbor plans, estuarine reserves programs, and forest preservation.

43.

- Brower, D. J., D. R. Godschalk, and D. R. Porter. 1991. *Understanding Growth Management: Critical Issues and a Research Agenda*. Washington, D.C.: Urban Land Institute and the Center for Urban and Regional Studies of the University of North Carolina at Chapel Hill.
A collection of essays from experts in the field intended to provide data on urban growth trends and to suggest research needs in the growth management field. DeGrove focuses on state growth management programs and the changing role of governance, exploring the first and second waves of state authority levels. Nicholas focuses on the financial costs of growth and claims that growth is occurring throughout the United States in the worst fashion in terms of costs.
- 44.
- Brown, P. G. 1975. *The American Law Institute Model Land Development Code, The Taking Issue and Private Property Rights*. Washington, D.C.: Urban Institute.
In his evaluation of the ALI Code, the author argues that it infringes on the rights of individual with respect to private property. Analyzing the Code, Brown suggests that the courts be the last resort for answering constitutional questions, rather than the first step.
- 45.
- Buchsbaum, P. A. 1994. Federal Regulation of Land Use: Uncle Sam the Permit Man. In *Zoning and Planning Law Handbook* edited by K. H. Young. New York: Clark Boardman .
- 46.
- Buchsbaum, P. A., and L. J. Smith, eds. 1993. *State and Regional Comprehensive Planning: Implementing New Methods for Growth Management*. Chicago: American Bar Association.
This is a collection of articles on state and regional planning. Well-done pieces by Thomas Pelham (Florida), Ed Sullivan (Oregon), Thomas R. Melloni and Robert I. Goetz (Vermont), and Peter Buchsbaum (New Jersey).
- 47.
- Burchell, R. W. 1992. *Regulatory Approaches to Affordable Housing: A Review of State and County Programs*, Center for Urban Policy Research, Rutgers University, New Brunswick, N.J..
Report prepared for the Federal National Mortgage Association (FNMA), Office of Housing Policy Research.
- 48.
- Burchell, R. W., D. Listokin, and A. Pashman. 1994. *Regional Housing Opportunities For Lower-Income Households: An Analysis of Affordable Housing and Regional Mobility Strategies*, Center for Urban Policy Research, Rutgers University, New Brunswick, N.J..
A detailed analysis of state and local programs that promote regional housing opportunities for those least able to afford such housing. The report examines approaches to estimate and plan for local housing needs, stimulate housing production, and provide assistance in housing finance.
- 49.
- Burrows, L. B. 1978. *Growth Management: Issues, Techniques, and Policy Implications*. New Brunswick, N.J.: Center for Urban Policy Research, Rutgers University.
Discussion of 'second generation' planning tools, and the legal implications of such issues as urban growth boundaries, population limits and public facilities programming.
- 50.
- Butler, S. M. 1981. *Enterprise Zones: Greenlining the Inner Cities*. New York: Universe Books.
This book discusses the history and development of the Enterprise Zone idea and its impact on job creation, boosting of the economy and social improvements in inner-city problem areas.
- 51.
- Cabarrus County Planning, Zoning & Building Inspection Department. 1994. *Cabarrus County, North Carolina: Managing Growth Into the 21st Century*, The Cabarrus County Planning, Zoning & Building Inspection Department, Concord, N.C..
A collection of growth management strategies for Cabarrus County including urban growth boundaries, limited resource protection, transfer of development rights and impact fees.
- 52.
- California Senate Office of Research. 1991. *Prosperity, Equity and Environmental Quality: Meeting the Challenge of California's Growth*, California Senate Office of Research, Sacramento, Calif..
The Senate Urban Growth Policy Project's collection of recommended legislative reforms for California's

growth management strategy.

53.

Callies, D. L. 1994. *Preserving Paradise: Why Regulation Won't Work*. Honolulu: University of Hawaii. Callies uses a hypothetical example to illustrate current land use controls. He then offers alternatives to the technique of preservation through regulation, and concludes that this regulatory approach does not work in Hawaii.

54.

---1980. The Quiet Revolution Revisited. *Journal of the American Planning Association* 46, no. 2: 135-44.

Looking back on what has changed since 1971, Callies writes of increased local control over growth management and land use issues following many court decisions ruling in favor of local land use regulations. Organized citizen participation is on the rise due to unhappiness with government thus changing the land use decision-making process, which time has shown, is becoming even more political and inefficient.

55.

---1994. The Quiet Revolution Revisited: A Quarter Century of Progress. *Urban Lawyer* 26, no. 2: 197-213.

A current survey and evaluation of state adoption of regional or statewide land use control regimes to protect resources of more than local impact or to manage growth. The article discusses the following states: (1) Hawaii; (2) Vermont; (3) Maine; (4) Florida; (5) Georgia; (6) Oregon; (7) New Jersey; (8) Washington; (9) Rhode Island; and (10) Maryland. This is the best contemporary summary of the topic. APA has included this article as one of its GROWING SMART working papers.

56.

---1984. *Regulating Paradise: Land Use Controls in Hawaii*. Honolulu: University of Hawaii.

Discussion of local, state and federal land use regulations in Hawaii and the effects of these laws on land uses in the state.

57.

Callies, D. L., and M. Grant. 1991. Paying for Growth and Planning Gain: An Anglo-American Comparison of Development Conditions, Impact Fees and Development Agreements. *Urban Lawyer* 23, no. 2: 221-48.

A comparison between the British and United States systems of financing public services. Both countries have adopted the policy of using developers to help finance costs of growth, with different levels of limits.

58.

Callies, D. L., N. C. Neuffer, and C. P. Caliboso. 1991. Ballot Box Zoning: Initiative, Referendum and the Law. *Journal of Urban and Contemporary Law* 39: 53-98.

This article discusses the conflicts between comprehensive plans and the use of initiative and referendum, concluding that the use of initiative in zoning issues is not advisable.

59.

Caves, R. W. 1992. *Land Use Planning: The Ballot Box Revolution*. Newbury Park, Calif.: Sage Publications.

A general look at 'direct democracy' and the use of initiatives and referendums related to local land use planning issues. Four case studies illustrate recent effective uses of citizen participation in Massachusetts; Portland, Me.; San Diego, Calif.; and Seattle, Wash. related to growth management.

60.

Cervero, R. 1989. *America's Suburban Centers: The Land Use-Transportation Link*. Boston: Unwin Hyman.

A study focusing on the relationship between the physical characteristics of suburban employment centers and employee transportation choices, and its influence on suburban traffic congestion. Discusses in detail 57 SECs, as well as several case studies, following with institutional, legislative and regulatory responses. This book emphasizes the importance of the planning professionals' role in influencing suburban environments.

61.

---1989. Jobs-Housing Balancing and Regional Mobility. *Journal of the American Planning Association* 55, no. 2: 136-51.

Despite the steady migration of jobs to the suburbs over the past decade, many suburban residents commute farther than ever. In this article the author attributes the widening separation of suburban work-places and the residences of suburban workers to several factors: fiscal and exclusionary zoning that results in an undersupply of housing; rents and housing costs that price many service workers out of the local residential market; and several demographic trends, including the growth in dual wage-earner households and career shifts. Case studies of metropolitan Chicago and San Francisco confirm the displacing effects of high housing costs and housing shortages. The author argues that inclusionary zoning, tax base sharing, fair-share housing programs, and a number of incentive-based programs could reduce jobs-housing mismatches and go a long way toward safeguarding regional mobility for years to come.

62.

---1986. *Suburban Gridlock*. New Brunswick, N.J.: Center for Urban Policy Research, Rutgers University.

As American suburbs continue to attract businesses and development, traffic congestion is becoming a crisis. The author explores the extent of this mobility problem and the current and potential strategies used to plan suburbia.

63.

Chandler, H. P. 1927. Notes on the Standard City Planning Enabling Act. *American Bar Association Journal* 13, no. 8: 435-39.

This early article reviews the Standard City Planning Enabling Act.

64.

Chase, R. F. 1992. Primer on the Zoning Enabling Act. *Suffolk University Law Review* 26, no. 2: 333-64. This article explains the new Rhode Island Zoning Enabling Act, pointing out significant changes from the current law through a section-by-section analysis and provides a cross-reference table of other state enabling acts.

65.

Chinitz, B. 1990. Growth Management: Good for the Town, Bad for the Nation? *Journal of the American Planning Association* 56, no. 1: 3-8.

The author argues that local government growth management programs both diminish and strive towards environmental goals. Using examples, he concludes that local land use programs do not work against global environmental goals, but he remains critical of local growth management programs.

66.

Christie, D. R. 1987. Growth Management in Florida: Focus on the Coast. *Journal of Land Use & Environmental Law* 3, no. 1: 33-51.

The author describes the integration of coastal management in Florida's planning and growth management legislation of 1984-86, which provided for planning of coastal resource management at local, regional and state levels. The author concludes that while Florida's 'top-down' planning program is in the forefront of coastal management, local governments will only be able to meet their responsibilities if the state provides adequate financial and technical assistance.

67.

Clarenbach, Fred A. Jordahl Harold C. Runge Carlisle P. 1972. *Maintaining Wisconsin: State/Regional/Local Planning Arrangements for Land Development and Environmental Protection*.

This paper proposes a reorganization of the planning function in Wisconsin State government by establishing an office of state and regional planning and an advisory state policies and planning council. Additional recommendations include strengthening a regional planning function.

68.

Clawson, M., and P. Hall. 1973. *Planning and Urban Growth: An Anglo-American Comparison*. Baltimore: Resources for the Future, Johns Hopkins University Press.

An examination of land use changes in the United States and Britain focusing on population growth and the changing work force.

69.

Colorado Legislative Council. 1972. *Designing for Growth, Report to the Colorado General Assembly*, Research Publication No. 195.

Contains a summary of committee activity during the 1971 and 1972 interim sessions and a discussion of

Colorado's population imbalance with respect to four problem areas: excess urbanization, rural concerns, alternate population policies, and the inadequacy of present programs for planning and evaluation of state needs.

70.

Commonwealth of Massachusetts. 1990. *Report on the Public Hearings on the Final Report of the Special Commission on Growth and Change*, Massachusetts Association of Regional Planning Agencies, Boston.

A summary of hearings held in response to the Commission's January 1990 report on growth, resulting in recommendations such as a statewide growth management program, adequate funding for local planning, continued public involvement and respect for home rule.

71.

---1990. *Special Commission on Growth and Change: Final Report*, The Commonwealth of Massachusetts, Boston.

A proposal for new planning legislation in Massachusetts. The Commission Report calls for a statewide comprehensive planning process. The state legislature, the Commission recommended, would adopt statewide growth policies. A newly created state agency would review regional and state agency plans for consistency with these policies. Regional planning commissions would review local plans. The local plans would identify key community resources and recommend where development is appropriate, where it is not, and how it is to be managed. The report called for a development of regional impact process for projects whose effects transcend a single community. Another recommendation was a plan approval appeals board that would hear appeals of plan certification issues that could not be resolved through negotiation and mediation. It recommended enabling legislation for impact fees and the establishment of a Center for Land Use Planning and Management to provide technical advice to local governments and, through existing organizations, establish training programs.

72.

Commonwealth of Pennsylvania. 1992. *Final Report of the 1991-1992 House Select Committee on Land Use and Growth Management: Hearings, Findings and Recommendations*, Commonwealth of Pennsylvania, Harrisburg, Pa..

Detailed recommendations from the Pennsylvania House of Representatives on land use policies. The report pays particular attention to state planning, affordable housing, concurrency, farmland and environmental protection, and consistency among state, regional and local plans. The report was the basis for reform legislation introduced into the House of Representatives by the committee chair, Representative Robert Freeman.

73.

Connecticut General Assembly, Legislative Program Review and Investigations Committee. 1992. *Siting Controversial Land Uses*, Hartford, CN.

Purpose is to determine how to improve the balance between the often conflicting goals of efficiency and equity when locating LULU's. The committee found that several theoretical models such as point systems and auctions, promote equity in siting LULU's, however, they are difficult to implement.

Recommendations for improving decisions with respect to LULU's are grouped according to the following categories: statewide planning, state land planning, consensus on facility need, accountability, public participation, voluntary acceptance, and low level radioactive waste disposal siting.

74.

Connerly, C. E. 1986. Growth Management Concern: The Impact of Its Definitions on Support for Local Growth Control. *Environment and Behavior* 18, no. 6: 707-32.

The author reports on a telephone survey of adults in Florida. The results he focuses on have to do with the degree and type of support for growth controls. He found general support for such controls, though levels of support increased as techniques were specified. However, when respondents were asked to trade off taxes, housing costs and/or private property rights, support for controls declined. The author suggests that support for controls remains high as long as it is not clear what their specific costs will be. Other variables that seem to correlate positively with growth control support include education and membership in the dominant social group. The author speculates that better educated persons are more aware of the systemic consequences of growth. Further he speculates that blacks in Florida have issues of more importance to them than management of growth.

75.

Conover, Donald L. 1973. *New York State Planning Law Revision: The Lost Necessity?*, Buffalo Law Review.

Case study of New York State's attempt to join the movement of the 'quiet revolution' in land use planning. Though the paper begins with a general discussion of the movement nationally, the main focus is on the New York State Planning Law Revision. It explores the considerations which led to the development of the Revision, its objectives and major innovations, and the reasons for its failure.

76.

Coon, J. A., and S. W. Damsky. 1983. Zoning As a Means and Not an End. In *Zoning and Planning Law Handbook* edited by F. A. Strom. New York: Clark Boardman .

77.

Costonis, J. J. 1972. The Chicago Plan: Incentive Zoning and the Preservation of Urban Landmarks. *Harvard Law Review* 85, no. 3: 574-634.

A summary discussion of the Chicago Plan development rights transfer program and the attempt to develop a landmarks preservation program that works.

78.

---1973. Development Rights Transfer: An Exploratory Essay. *Yale Law Journal* 83, no. 1: 75-128.

A look at a development rights transfer program, its concept, and legal implications. The author argues that private property has the development potential to contribute to the needs of a community, and this program would help to establish governmental control of resource protection.

79.

---1974. *Space Adrift: Saving Urban Landmarks Through the Chicago Plan*. Urbana, Ill.: University of Illinois Press.

An overview of transfer of development rights ordinances and the Chicago Plan.

80.

Council of State Governments. 1976. *State Growth Management*, Council of State Governments, Lexington, Ky..

Documentation of various state roles in growth management policy. Through case studies, this report identifies innovative and successful state-level growth management approaches for the use of those officials concerned with developing such a plan.

81.

---1972. *The States' Role in Land Resource Management*, Council of State Governments, Lexington, Ky..

This study provides an overview of the state role in land resource management policy. It includes a summary of innovative state policies, a review of federal land use management legislation and a description of alternative approaches.

82.

---*Suggested State Legislation*, no. volumes for various years.

By year, the legislation includes: County Powers in Relation to Local Planning and Zoning Actions Act, Vol. 35, 70-74 (1976); County Planning, Zoning, and Subdivision Control in Unincorporated Areas Act, Vol. 35, 75-85 (1976); State Land Resources Study Commission Act, Vol. 35, 86-93 (1976); Freshwater Wetlands Act, Vol. 38, 32-49 (1979); State Environmental Policy Act, Vol. 38, 114-115 (1979); Infrastructure Bank Act, Vol. 43, 34-47 (1984); Enterprise Zone Act, Vol. 43, 135-152 (1984); Wetland Regulation Act, Vol. 44, 4-12 (1985); Small Airport Zoning Regulation and Restrictions Act, Vol. 44, 28-30 (1985); State Flood Hazard Area Regulations Act, Vol. 47, 1-21 (1988); Freshwater Wetland Protection Act (Summary Statement), Vol. 48, 1-5 (1989); Comprehensive Planning and Land Use Regulation Act, Vol. 49, 9-28 (1990); Stormwater Management and Sediment Reduction Act, Vol. 52, 87-97 (1993); Development Impact Fee Act, Vol. 52, 115-123 (1993); Private Property Protection Act, Vol. 54, 123-126 (1995); State Housing Initiatives Partnership, Vol. 54, 127-141 (1995).

83.

Cullingworth, J. B. 1993. *The Political Culture of Planning: American Land Use Planning in Comparative Perspective*. New York: Routledge.

Comprehensive overview of the American land use planning system with comparisons to Canada and Great Britain, nice synopsis of the federal governments attempts at developing an urban policy.

84.

Curtin, D. J. 1991. Growth Control by the Ballot Box: California's Experience. *Loyola of Los Angeles Law Review* 24, no. 4: 1073-.

Since the early 1970s, many citizens, especially those in states experiencing dramatic population growth, have expressed outrage at the ill effects of unbridled real estate development. In California, voters in many of the state's cities and counties have reacted by using the initiative process to enact local growth controls. This article examines California's statutory mechanisms for the enactment of growth control legislation, as well as some of the limitations on the use of initiatives for this purpose. The authors also discuss two California statutory provisions that may allow developers to 'lock in' development rights despite subsequent growth control restrictions and some criticisms of 'ballot box planning' as a means of regulating land use.

85.

Curtin, D. J., Jr., and M. H. Zischke. 1989. Development Agreements: Securing Vested Rights and Project Completion Benefits. In *Zoning and Planning Law Handbook* edited by M. S. Dennison. New York: Clark Boardman .

86.

Cutler, R. W. 1961. Legal and Illegal Methods for Controlling Community Growth on the Urban Fringe. *Wisconsin Law Review* 3: 370-402.

This article is an examination of several growth management techniques; the author believes that maximum effectiveness in this area can be achieved by the drafting of a comprehensive plan.

87.

Dalton, L. C. 1989. The Limits of Regulation: Evidence From Local Plan Implementation in California. *Journal of the American Planning Association* 55, no. 2: 151-69.

Plans can be implemented by capital improvements, social programs, and land use controls. Local planning agencies focus on the last, but incorporate the other two in development regulations. For example, many communities require developers to provide infrastructure directly or cover project impacts through impact fees. This study of local planning agencies in California demonstrates the weakness of regulation as an approach to plan implementation. It shows that the process of administering regulations, including those that combine other objectives such as affordable housing, accommodates piecemeal change in plans and that success depends upon demand for new development in the community.

88.

Danels, P., Esq., and L. Magida. 1979. Application of Transfer of Development Rights to Inner City Communities: A Proposed Municipal Land Use Rights Act. *Urban Lawyer* 11, no. 1: 124-38.

Proposes enabling legislation for transfer of development rights to an inner city, based on a New Jersey TDR bill. Concludes with positive environmental and economic benefits.

89.

Daniels, T. L., and M. B. Lapping. 1984. Has Vermont's Land Use Control Program Failed? Evaluating Act 250. *Journal of the American Planning Association* 50, no. 4: 502-8.

This study advances a hypothesis that a growing amount of development is escaping the permit process in Vermont. Therefore, Act 250 has had less of an influence on the development process than was originally intended. Research results concluded with data suggesting that passage of Act 250 did not slow down the rates of construction.

90.

Davidoff, P., and L. Davidoff. 1971. Opening the Suburbs: Toward Inclusionary Land Use Controls. *Syracuse Law Review* 22, no. 2: 509-36.

This article explores the increasing problem of exclusionary zoning as suburbs continue to be developed for the upper-middle class.

91.

Davidson, J. M. 1992. Concurrency, Cost Allocation, and Comprehensiveness in Adequate Public Facilities Regulations. In *Zoning and Planning Law Handbook* edited by K. H. Young. New York: Clark Boardman .

92.

---1986. Plan-Based Land Development and Infrastructure Controls: New Directives for Growth Management. *Florida State University Journal of Land Use and Environmental Law* 2, no. 2: 151-75. An examination of local planning and regulation requirements as interpreted by state judicial review. Also

provides an overview of potential legal issues and management techniques in localities.

93.

Dawson, A. D. 1982. Tax Preferences for the Preservation of Farmland and Open Space. In *Zoning and Planning Law Handbook* edited by F. A. Strom. New York: Clark Boardman .

94.

DeGrove, J. M. 1988. Critical Area Programs in Florida: Creative Balancing of Growth and the Environment. *Journal of Urban and Contemporary Law* 34: 51-97.

This article is an analysis of Florida's growth management system and the use of the Area of Critical State Concern section. Examining the use of Resource Planning and Management Committees, the author concludes that this method has a positive effect on the problem of local inability to remain fully in compliance with the new growth management system.

95.

---1984. *Land, Growth and Politics*. Chicago: Planners Press.

Focusing on state level land growth management policies, this book undertakes the analysis of seven state land use reform initiatives stemming from the environmental movement and ranging from the year 1961 to 1974. In the comparative conclusion, results show that the implementation of policy in these states points to a continued political interest in state level growth management programs.

96.

---1990. The Politics of Planning a Growth Management System: The Key Ingredients for Success.

Carolina Planning 16: 26-34.

Focuses on Florida's experience over the past 20 years with programs to balance the needs of development with the protection of natural resources. Also cites implementation of programs in Vermont, Georgia, and Oregon.

97.

---1991. *Balanced Growth: A Planning Guide for Local Government*. Washington, D.C.: International City Management Association.

A collection of writings related to growth management targeted to local government managers. Katherine E. Stone and Robert H. Freilich provide an informative guide to writing a local growth management plan.

98.

DeGrove, J. M., and J. C. Juergensmeyer, eds. 1986. *Perspectives on Florida's Growth Management Act of 1985*. Cambridge, Mass.: Lincoln Institute of Land Policy.

Collection of papers presented at a conference for public officials, planners, and citizens about the Growth Management Act (GMA). Essays describe major procedural provisions of GMA, the concepts of consistency and concurrency, and the Department of Community Affairs's Minimum Criteria rule for determination of local plan consistency and compliance. Other topics include historic preservation, infrastructure financing and the use of impact fees and the takings issue.

99.

DeGrove, J. M., and D. A. Miness. 1992. *The New Frontier for Land Policy: Planning and Growth Management in the States*. Cambridge, Mass.: Lincoln Institute of Land Policy.

This monograph is an assessment, as of 1992, of state/regional growth management systems in seven selected states (Florida, New Jersey, Maine, Vermont, Rhode Island, Georgia, and Washington), and two regions (Atlanta and Portland). It represents an interim status report on the state/regional growth management movement that began in the 1970s and has continued into the 1990s.

100.

DeGrove, J. M., and N. E. Stroud. 1989. New Developments and Future Trends in Local Government Comprehensive Planning. In *Zoning and Planning Law Handbook* edited by M. S. Dennison. New York: Clark Boardman .

101.

---1987. State Land Planning and Regulation: Innovative Roles in the 1980s and Beyond. *Land Use Law and Zoning Digest* 39, no. 3: 3-8.

A discussion of the gradual strengthening the state's role in growth management and land use planning through comprehensive planning and 'integrated policy frameworks.'

102.

Delafons, J. 1969. *Land Use Controls in the United States*. 2d ed. Cambridge, Mass.: MIT Press.

103.

Delaney, C. J. 1987. Impact Fees, Housing Costs, and Housing Affordability: Who Bears the Impact of Impact Fees? *University of Florida Journal of Law and Public Policy* 1: 87-101.

104.

Delaware Cabinet Committee on State Planning Issues. 1995. *Shaping Delaware's Future: Summary Report*.

The report is organized in three sections. The first section describes Delawareans' views of the future based on opinions voiced through an extensive public outreach effort. The second section groups these views into a series of guiding principals upon which the Cabinet Committee has developed goals. More importantly, this section outlines current and proposed actions which support the future Delawareans said they prefer. The final section describes the Cabinet Committee's public outreach activities to develop this report.

105.

Delogu, O. E. 1981. The Dilemma of Local Land Use Control: Power Without Responsibility. *Maine Law Review* 33, no. 1: 15-34.

A discussion of 'the dilemma of local land use control' and the need for state land use control statutes because of local exclusion practices, and an established pattern of lack of municipal responsibility to social needs.

106.

---1984. Local Land Use Control: An Idea Whose Time Has Passed. *Maine Law Review* 36, no. 2: 261-310.

Based on myths and assumptions of local land use control successes and the 'hidden agenda,' this article supports the transfer of growth management power from the local to the state level of government.

107.

---1980. The Misuse of Land Use Control Powers Must End: Suggestions for Legislative and Judicial Responses. *Maine Law Review* 32, no. 2: 29-82.

Exclusionary land use control practices of municipalities are analyzed in this article; legislative and judicial reforms are suggested requiring inclusionary standards.

108.

Department of the Environment. 1989. *Planning Control in Western Europe*. London: Department of the Environment.

A detailed English study of four Western European countries -- Denmark, France, West Germany and the Netherlands -- with descriptions of each planning system related to the control of development, and a comparative study of England's system. The comparison shows that similar development issues are at the forefront of these five systems, but focuses on the need for recognition that each system is strongly tied to the history of that particular nation and their aims differ.

109.

DiMento, J. F. 1982. The Consistency Doctrine: Continuing Controversy. In *Zoning and Planning Law Handbook* edited by F. A. Strom. New York: Clark Boardman .

110.

DiMento, J. F., and L. Graymer, eds. 1991. *Confronting Regional Challenges: Approaches to LULUs, Growth and Other Vexing Governance Problems*. Cambridge, Mass.: Lincoln Institute of Land Policy.

Frank Popper proposes allowing communities to tax LULUs heavily (making them more attractive from an economic standpoint). Alternatively, he recommends a regional point system that would, in essence, limit the number of LULUs a jurisdiction had to accept. This approach would have some significant drawbacks when the limiting locational factors (as in a landfill) include geology and the presence of groundwater, which may not be uniform over a region.

111.

Doebele, W. A., Jr. 1962. Improved State Enabling Legislation for the Nineteen-Sixties: New Proposals for the State of New Mexico. *Natural Resources Journal* 2, no. 2: 321-54.

This study discusses proposed New Mexico state enabling legislation. It proposes a unique two-step process for general plan preparation and adoption and a shifting burden of proof that turns on whether the local government has an adopted plan to support its land use regulations.

112.

Douglas Commission. 1968. *Building the American City: Report of the National Commission on Urban Problems to the Congress and to the President of the United States*, U.S. Government Printing Office, Washington, D.C..

Examines the economic effects of local land use controls and suggests several recommendations for reform on land use and zoning controls.

113.

Dowall, D. E. 1989. Land Policy in the United States. *Land Use Policy* 6, no. 1: 11-30.

This article examines the federal government's role in land use and growth management and finds that at this level of government, an explicit land use policy does not exist. The author argues that state and local level policies need an increased amount of federal involvement in order to address issues of growth and urban decline.

114.

---1981. Reducing the Cost Effects of Land Use Controls. *Journal of the American Planning Association* 47, no. 2: 145-53.

This article offers a land monitoring system to measure the supply and demand of land so planners can avoid large increases of land price inflation.

115.

---1984. *The Suburban Squeeze: Land Conversion and Regulation in the San Francisco Bay Area*. Berkeley: University of California Press.

Examines the Bay Area and the effects of 'no-growth' land use policies. This book is sensitive to the difficulties experienced by land use planners, and provides some solutions that are acceptable to both planners and developers alike.

116.

Downs, A. 1994. *New Visions for Metropolitan America*. Cambridge, Mass.: Brookings Institute and Lincoln Institute of Land Policy.

This is a very exciting and detailed book by Anthony Downs on an 'alternative vision' for metropolitan areas. Downs advocates the creation of a 'regional allocation agency' with powers to determine the distribution of federal funds for the full range of program activities over the metropolitan area.

117.

---forthcoming. *Regional and Local Growth Management*. Washington, D.C.: Brookings Institution and Lincoln Institute of Land Policy.

Examines the underlying assumptions of current growth management efforts, using local and regional case studies to discern the causes and consequences of the current 'growth problem.' The author suggests that many of the perceived problems associated with growth are the result of flaws in our current vision of how metropolitan development should occur.

118.

Duerksen, C. J. 1983. *Environmental Regulation of Industrial Plant Siting*. Washington, D.C.: The Conservation Foundation.

Duerksen offers suggestions on how to improve the siting and permitting of industrial plants. Not much that would apply to legislation though, more to administrative procedure.

119.

---1983. *A Handbook on Historic Preservation Law*. Washington, D.C.: The Conservation Foundation and the National Center for Preservation Law.

This project discusses the history of, the need for, and the implementation of preservation ordinances. A focus on local level programs and survey results for study purposes.

120.

Dukeminier, J., Jr., and C. L. Stapleton. 1962. The Zoning Board of Adjustment: A Case Study in Misrule. *Kentucky Law Journal* 50, no. 3: 273-350.

This study analyzes the Lexington-Fayette County Zoning Board of Adjustment and how the board dealt with 167 cases. Conclusions suggest that the legal framework under which zoning boards operate are in need of reform because the needs of society are not properly being met.

121.

Dunham, A. 1958. City Planning: An Analysis of the Content of the Master Plan. *The Journal of Law and Economics* 1: 170-86.

A criticism of the master plan developed by Bassett, not of its content, but that support for a master plan lies within our governmental philosophies.

122.

---1958. A Legal and Economic Basis for City Planning: (Making Room for Robert Moses, William Zeckendorf, and a City Planner in the Same Community). *Columbia Law Review* 58, no. 5: 650-71. This article establishes a theory that gives the responsibility of determining efficiency and economy and desirability of a community to the public or private developer; leaving the planner to base work on these established opinions, preventing disagreements.

123.

Ellickson, R. C. 1981. The Irony of 'Inclusionary' Zoning. *Southern California Law Review* 54, no. 6: 1167-216.

An economic and political analysis of 'inclusionary zoning' programs in California. The author argues that these high-cost programs act as another form of 'exclusionary zoning' by increasing general housing prices, thus reducing the availability of moderate-income housing.

124.

---1977. Suburban Growth Controls: An Economic and Legal Analysis. *Yale Law Journal* 86, no. 3: 385-511.

This article defines the rights of a suburb, landowners and consumers through an extensive legal and economic analysis. First, the author shows the economic impacts of local government growth limits on housing costs, and second, provides a theory to determine the legal issues involved in 'granting' changes to landowners and consumers.

125.

---1990. Three Systems of Land-Use Control. *Harvard Journal of Law and Public Policy* 13, no. 1: 67-74.

This article, written in response to a Federalist Society conference, focuses on agency-enforced property, Blackstonian property and informal property.

126.

Epling, J. W. 1990. Growth Management in New Jersey: An Update. *Environmental and Urban Issues: Florida, the Nation, the World* 17, no. 3: 6-16.

Implementation of the State Planning Act of 1986; urban, suburban and rural components of the preliminary plan.

127.

---1989. State Growth Management: The New Jersey Experience. *Institute on Planning, Zoning and Eminent Domain* 7: 1-29.

128.

Epling, R. L. 1976. Standing to Sue Under the Model Land Development Code. *University of Michigan Journal of Law Reform* 9, no. 3: 649-5.

An analysis of Article Nine of the Model Land Development Code and its impact on public interest parties' access to the courts. Based on 'compromise,' the author argues that this section of the Code creates a level of uncertainty on the standing issue.

129.

Fatkin, H. 1985. NIMBY--The Siting Challenge: New England's Experience. In *Zoning and Planning Law Handbook* edited by J. B. Gailey. New York: Clark Boardman .

130.

Fedun, M. 1990. A Proposal for Improving Vermont's Statutory Requirements for Planned Unit Development. *Vermont Law Review* 14, no. 2: 591-625.

This article recommends that Vermont adopt legislation requiring planned unit developments with the minimum acreage requirement of ten acres.

131.

Fischel, W. A. 1990. *Do Growth Controls Matter? - A Review of Empirical Evidence on the Effectiveness and Efficiency of Local Government Land Use Regulations*. Cambridge, Mass.: Lincoln Institute of Land Policy.

An extensive review of over 120 studies on the effects of local government growth management techniques.

132.

---1985. *The Economics of Zoning Laws: A Property Rights Approach to American Land Use Controls*. Baltimore: Johns Hopkins University Press.

The author points out that land use controls influence the national economy by affecting the distribution of income and the development of natural resources. He then moves on to develop a model by analyzing zoning based on property rights economics.

133.

---1990. Private Markets, Public Decisions: An Assessment of Local Land-Use Controls for the 1990s. *Land Economics* 66, no. 3: 229-357.

A collection of articles from the Committee on Taxation, Resources, and Economic Development focusing on growth management programs and their effects on the value of land and housing.

134.

Fischer, M. L. 1985. California's Coastal Program: Larger-Than-Local Interests Built into Local Plans. *Journal of the American Planning Association* 51, no. 3: 312-21.

A summary of the history of accomplishments and the changes experienced by the California Coastal Commission management program as the state and local planning experiment continues.

135.

Fishman, R. P., ed. 1978. *Housing for All Under Law: New Directions in Housing, Land Use and Planning Law*, Ballinger, Cambridge, Mass..

The study, by the American Bar Association Advisory Commission on Housing and Urban Growth, proposed a series of measures to increase housing opportunity and choice and promote a more rational urban growth process. It supported mandatory comprehensive planning and endorsed requiring a housing plan as part of the local comprehensive plan. Such a plan, said the report, 'should consider housing for all economic segments of the community, particularly low and moderate income households, as well as regional housing circumstances.' The report contains detailed specifications for a housing plan. The report also examined the judicial role in entertaining challenges to exclusionary zoning regulations.

136.

Flack, T. A. 1986. Euclid V. Ambler: A Retrospective. *Journal of the American Planning Association* 52: 326-7.

A summary and analysis of this landmark case and its effects on zoning today.

137.

Florida Department of Community Affairs. 1989. *The State Land Development Plan*, Florida Department of Community Affairs, Tallahassee.

The State Land Development Plan is intended to provide a policy framework for state and regional agencies in conducting their planning programs. It 'delineates land use development guidelines which are to be used to achieve that proper balance of economic prosperity with the protection and enhancement of Florida's natural and historic resources.'

138.

Forrest, C. W. 1981. *Land Resource Management Report to the State of Illinois 82nd General Assembly*, Land Resources Management Study Commission, Urbana-Champaign, Ill..

This report of the Illinois Land Resources Management Study Commission summarizes problems faced by Illinois municipalities and counties with respect to land resource management. The report contains seven legislative proposals: (1) Municipal Land Resource Management Act; (2) County Land Resource Management Act; (3) Municipal and County Joint Land Resource Management Act; (4) Land Resource Management Commission Act; (5) Amendment for Uniform Rules of Procedure for zoning amendments, special uses, conditional uses, or planned unit developments; (6) County Soil Erosion Act; (7) Land Use Hearing Officers Act.

139.

---1971. *Zoning Laws Study Commission Report of Findings and Recommendations to the State of Illinois 77th General Assembly*, Zoning Laws Study Commission, Urbana-Champaign, Ill..

This study contains an assessment of problems faced by Illinois communities as a consequence of the zoning enabling acts. The study contains a proposed Land Resources Zoning Code, an Intergovernmental Cooperation Act, a Planning and Conservation Law Study Commission, and a state land use act that establishes a division of land use regulation in the Department of Local Government Affairs and a State

Land Use Commission.

140.

Forrest, C. W., D. C. Lager, and K. A. Messinger. 1971. *Zoning Problems: Supplementary Statistical Report for the Illinois Zoning Laws Study Commission*, University of Illinois, Urbana-Champaign, Ill..

This report is a survey to determine attitudes of public officials and others toward current Illinois zoning and land use practices. Part of the survey left room for the respondents to suggest changes in the system with problems such as: the failure of some zoning ordinances to deal effectively with change, bitter attitudes towards then current legislation, and land use discrimination.

141.

Fox, C. A., Jr. 1974. A Tentative Guide to the American Law Institute's Proposed Model Land Development Code. *Urban Lawyer* 6, no. 4: 928-49.

A summary of the 'Tentative Draft' ALI Model Land Development Code with the author's view that the code places too much emphasis on process and offers little attention to how choices are to be made by state or local officials.

142.

Frank, J. E., and R. M. Rhodes, eds. 1987. *Development Exactions*. Chicago: Planners Press.

This resource includes a national survey of government use of exactions. Examines the politics and legal aspects of development exactions and the effects on developers.

143.

Freilich, R. H. 1991. Transportation Congestion and Growth Management: Comprehensive Approaches to Resolving America's Major Quality of Life Crisis. *Loyola of Los Angeles Law Review* 24, no. 4: 915-78.

Stresses the need for a comprehensive plan balancing increased transportation structural developments as well as changes in driving behavior.

144.

Freilich, R. H., and S. P. Chinn. 1987. Transportation Corridors: Shaping and Financing Urbanization Through Integration of Eminent Domain, Zoning and Growth Management Techniques. *University of Missouri-Kansas City Law Review* 55, no. 2: 153-212.

A discussion of the transportation corridor as a growth management technique. The author focuses on its importance as a means to finance the costs regional governments are required to spend on necessary public facilities and a sound and efficient transportation system.

145.

Freilich, R. H., and D. B. Guemmer. 1989. Removing Artificial Barriers to Public Participation in Land Use Policy: Effective Zoning and Planning by Initiative and Referenda. *Urban Lawyer* 21, no. 3: 511-6.

This article focuses on direct legislation and the power of the electorate with respect to land use legislation. The authors demonstrate that those states which prevent initiatives and referenda from being used as policy decision instruments have weak rationales for doing so.

146.

Freilich, R. H., and P. S. Levi. 1975. *Model Subdivision Regulations: Text and Commentary*.

Washington, D.C.: American Society of Planning Officials.

A collection of documented and annotated model regulations for the use of municipalities and counties throughout the United States.

147.

Freilich, R. H., H. L. Marshall, and C. Flick. 1990. Urban Problems Regenerated: A Twenty-Year Review. *Urban Lawyer* 22, no. 4: 537-624.

A review of relevant issues and cases within the past twenty years effecting urban legislation. Land Use and Environmental law are also reviewed.

148.

Freilich, R. H., and T. D. Morgan. 1987. Municipal Strategies for Imposing Valid Development Exactions: Responding to Nollan. *Zoning and Planning Law Report* 10, no. 11: 169-75.

An examination of Nollan v. California Coastal Commission and the implications towards development exactions.

149.

Freilich, R. H., and E. O. Stuhler. 1981. *The Land Use Awakening: Zoning Law in the Seventies*.

Washington, D.C.: American Bar Association.

A collection of writings touching on issues such as the transfer of land use control from the local to state and regional levels of government. This book also provides an analysis of the American Law Institute's Model Land Development Code and comments on *Golden vs. Town of Ramapo*.

150.

Freilich, R. H., and S. M. White. 1991. Effective Transportation Congestion Management. *Land Use Law and Zoning Digest* 43, no. 6: 3-8.

This article provides examples and guidelines for state and local governments working towards reduced traffic congestion. The authors conclude that a proven effective solution to traffic congestion is the use of adequate public facilities ordinances (APFOs) which combine both transportation demand management and transportation systems management.

151.

---1994. The Interaction of Land Use Planning and Transportation Management: Lessons From the American Experience. *Transport Policy* 1, no. 2: 101-5.

The traditional solution to traffic congestion is to increase the capacity of roadways using Transportation Systems Management (TSM) which is an ineffective solution if not used in combination with Transportation Demand Management (TDM). Capital improvement programs (CIPs) are also essential components of any growth management program. A comprehensive plan will involve these elements as well as regulatory efforts in order to increase the quality of life in congested areas.

152.

Frey, D. S. 1960. Proposed Improvements to Community Planning and Zoning Powers in Illinois. *Illinois Bar Journal* 48, no. 9: 670-85.

A proposal to revise the existing Illinois Planning Code by consolidating City, County and Village Acts, merge the Plan Commission and the Zoning Committee, and to define special issues.

153.

Fuller, J. C., Jr. 1971. Coastal Land Development: A Proposal for Cumulative Area-Wide Zoning. *North Carolina Law Review* 49: 866-8.

This article offers the recommendation of cumulative area-wide zoning regulated through a state or regional agency in an effort to control land use and development along North Carolina's coastal zone. Local government, in this proposal, will have most of the land use control authority.

154.

Fulton, W. 1990. Addicted to Growth. *Governing* 4, no. 1: 68-74.

An overview of Florida's growth management act, and its struggle with the concurrency issue. A state watched closely by planners around the country.

155.

---1989. In Land Use Planning, A Second Revolution Shifts Control to the States. *Governing* 2, no. 6: 40-45.

A review of land use plans developed after the 'quiet revolution,' referred to as the 'quiet evolution' by the author, pointing to recent increases in statewide control over growth management programs.

156.

---1989. "Planning Advisory Service Report Number 417." *Reaching Consensus in Land-Use Planning*, American Planning Association, Chicago.

Based on case studies, this article reviews three methods of multiparty negotiations: mediation, collaborative decision making, and design-based negotiations.

157.

Galowitz, S. D. 1992. Interstate Metro-Regional Responses to Exclusionary Zoning. *Real Property, Probate and Trust Journal* 27, no. 1: 49-142.

158.

Garreau, J. 1991. *Edge City: Life on the New Frontier*. New York: Doubleday.

This book delivers a highly personal account of the edge city phenomenon and the land development process that created it. Garreau examines the social implications of urbanizing the suburban areas that surround cities such as Boston, Detroit, Atlanta, Phoenix, and Washington D.C.

159.

Garrett, M. A., Jr. 1987. *Land Use Regulation: The Impacts of Alternative Land Use Rights*. New York: Praeger.

Focuses on the implementation of regulation and the importance of planning in a free market approach to urban land use. Economic, political, and legal aspects of techniques including zoning and transferable development rights.

160.

Gleeson, M. E. 1975. *Urban Growth Management Systems: An Evaluation of Policy-Related Research*. Chicago: American Society of Planning Officials.

A modified version of a final report on research supported by the National Science Foundation (available from National Technical Information Service). The report serves as a policy guide for communities by presenting and analyzing growth management research, thirteen early local growth management systems and a variety of specific techniques used by these communities. The policy implications of growth management systems are evaluated from four perspectives, including administrative issues, legal considerations and socioeconomic and environmental impacts.

161.

Glickfeld, M., and N. Levine. 1992. *Regional Growth...Local Reaction*, Lincoln Institute of Land Policy, Cambridge, Mass..

This report provides survey results of the growth management programs adopted by all local jurisdictions in California. Results include: growth control programs have increased in almost every region of the state, incentives for low-income housing have been introduced by those jurisdictions enacting more growth control measures, and there is a need for more regional and state growth management policies.

162.

Global Cities Project. 1993. *Building Sustainable Communities: An Environmental Guide for Local Government*. San Francisco: Center for the Study of Law and Politics.

This handbook contains a series of development projects which are sensitive to environmental issues. Focused at local government officials, this publication can become a helpful resource for those jurisdictions who have tried to or are willing to attempt to enact environmentally sound legislation.

163.

Godschalk, D. R., D. J. Brower, L. D. McBennett, B. A. Vestal, and D. C. Herr. 1979. *Constitutional Issues of Growth Management*. 2d ed. Chicago: Planners Press.

This study, through an analysis of growth management programs and the court cases challenging those programs, can be used as a tool for determining possible impacts of a proposed growth management program.

164.

Goetz, E. 1989. Office-Housing Linkage in San Francisco. *Journal of the American Planning Association* 55, no. 1: 66-77.

An evaluation of the San Francisco Office-Housing Production Program. Research indicates that this program operates under certain conditions which allow linkage to be successful, however, this strategy would not work in all cities.

165.

Gordon, S. C. 1988. Urban Growth Management: Oregon Style. *Public Management* 70, no. 8: 9-11.

A supportive review of the growth management program in Oregon using 'local flexibility with statewide goals.' Positive comments on urban growth boundaries and the acknowledgment system.

166.

Green, R. E, ed. 1991. *Enterprise Zones: New Directions in Economic Development*. Newbury Park, Calif.: Sage Publications.

A collection of essay analyses including a comparison of two case study enterprise zone programs. The final article sums up what is known about enterprise zones and given that information, what should be changed in the future of this issue.

167.

Growing Pains: The Challenges of Growth Management. 1988. *Public Management* 70, no. 8: 2-20.

Focuses on local government programs in New Jersey, Georgia, and Oregon; four articles.

168.

Growth Management and Exclusionary Zoning. 1991. Proceedings From a Symposium. *Journal of Urban and Contemporary Law* 40: 3-79.

169.

Haar, C. M. 1955. 'In Accordance With a Comprehensive Plan'. *Harvard Law Review* 68, no. 7: 1154-75. A study of the relationship between the city plan and the zoning ordinance. An examination of the Standard State Zoning Enabling Act.

170.

---1955. The Master Plan: An Impermanent Constitution. *Law and Contemporary Problems* 20, no. 3: 353-418.

This article provides an analysis of the master plan and its relationship with supporting enabling legislation. It establishes a set of guidelines for statutory effectiveness, and also includes a summary of state planning enabling acts.

171.

---1984. *Cities, Law and Social Policy: Learning From the British*. Lexington, Mass.: Lexington.

This book contains a series of papers on the British planning experience and what the U.S. can learn from it. In the first essay, Sir Desmond Heap flatly concludes that the British approach is not transferable across the Atlantic for numerous cultural, political and legal reasons.

172.

Haar, C. M., and D. S. Iatridis. 1974. *Housing the Poor in Suburbia: Public Policy At the Grass Roots*. Cambridge, Mass.: Ballinger.

A discussion of the controversy concerning low income housing and suburbs. Five case studies of Boston suburbs, their acceptance levels and implementation of policies. Interesting analysis of the implementation problems experienced in Newton, Massachusetts.

173.

Haar, C. M., and J. S. Kayden. 1989. *Zoning and the American Dream: Promises Still to Keep*. Chicago: Planners Press.

This book provides a series of papers concerning topics such as: a historical overview of zoning, zoning as a controversial tool, legal issues and zoning, and a perspective on zoning and economics. The editors' conclusions establish an overview of Euclidean zoning, where it stands now, and what the future holds.

174.

Hagman, D. G. 1982. Development Agreements. In *Zoning and Planning Law Handbook* edited by F. A. Strom. New York: Clark Boardman .

175.

Hagman, D. G., and J. C. Juergensmeyer. 1986. *Urban Planning and Land Development Control Law*. 2d ed. St. Paul, Minn.: West Publications.

This book is a good single-volume treatise of land use planning law.

176.

Hagman, D. G., and D. J. Misczynski, eds. 1978. *Windfalls for Wipeouts: Land Value Capture and Compensation*. Chicago: American Society of Planning Officials.

A comprehensive examination of benefits and losses of land and real estate and the techniques for mitigation and recapture in the United States, Canada, Australia, New Zealand and England.

177.

Hall, P. 1991. *Managing Growth in the World's Cities*. Berkeley: University of California, Institute of Urban and Regional Development.

This study provides an assessment of increased growth and development in cities throughout the world. The author analyzes consequences of this growth such as the coordination of transportation and land use, the problem of financing urban growth and the role of regional planning agencies.

178.

Harvard Student Legislative Research Bureau. 1968. An Act to Establish a Corporation for Urban Development. *Harvard Journal on Legislation* 5, no. 4: 529-62.

An attempt to combine public and private sectors in a nonprofit Corporation for Urban Development. This article spells out the details of such an organization in an act.

179.

---1966. A Statute to Create a State Office of Local Affairs. *Harvard Journal on Legislation* 3, no. 3: 465-80.

A proposed statute creating a State Office of Local Affairs in an effort to effectively handle growth and development within the state.

180.

Haskell, E. H., and V. S. Price. 1973. *State Environmental Management: Case Studies of Nine States*. New York: Praeger.

Based on case studies, authors develop a theory of what types of institutional structures at the state level produce well-managed environmental programs. For example, the authors reject environmental superdepartments that combine environmental protection and natural resource management. Two case studies describe early planning reform efforts in Vermont and Maine.

181.

Hausrath, L. L. 1988. Economic Basis for Linking Jobs and Housing in San Francisco. *Journal of the American Planning Association* 54, no. 2: 210-16.

This article summarizes the San Francisco ordinance requiring housing mitigation for office building development; and analyzes the relationship between employment growth and the housing market.

182.

Healy, R. G., and J. S. Rosenberg. 1979. *Land Use and the States*. 2d ed. Baltimore: Johns Hopkins University Press.

Analysis of state land use legislation with interstate comparison and discussion of the social and economic effects of these programs. The authors also provide information on current alternatives to land use control policy.

183.

Heeter, D. 1969. "Planning Advisory Service Report Number 250." *Toward A More Effective Land-Use Guidance System: A Summary and Analysis of Five Major Reports*, American Society of Planning Officials, Washington, D.C..

A summary analysis of five major reports and their recommendations for land use. The reports are: (1) the U.S. Advisory Commission on Intergovernmental Relations, *Urban and Rural America: Policies for Future Growth*; (2) the National Commission on Urban Problems (Douglas Commission), *Building the American City*; (3) the American Law Institute, *A Model Land Development Code (Tentative Draft No. 1)*; (4) the Canadian Federal Task Force on Housing and Urban Development, *Report of the Task Force on Housing and Urban Development*; (5) the American Society of Planning Officials, *New Directions in Connecticut Planning Legislation*.

184.

Heiman, M. K. 1988. *The Quiet Evolution: Power, Planning and Politics in New York State*. New York: Praeger.

This volume expands on the author's analysis as reported in his 1981 article with Richard Walker in *Annals of American Association of Geographers*. Here Heiman stresses that the issue of local versus central control may be the wrong issue on which to focus attention. He argues that the focus should be the relationship of governmental action to wider economic and social processes and thus the actual, substantive outcome of the policy process. He further argues that, in fact, there is no ideological position on this issue by, for example, developers, environmentalists or citizen groups; each group will adopt the strategy that serves their best interests at a point in time and a specific place. He explores these theoretical points through a set of case studies, all set in New York State. The cases cover urban, urban-fringe and rural-environmental planning situations.

185.

Heyman, I. M., and T. K. Gilhool. 1964. The Constitutionality of Imposing Increased Community Costs on New Suburban Residents Through Subdivision Exactions. *Yale Law Journal* 73, no. 7: 1119-57.

This article examines the legal limitations of subdivision exactions focusing on police and tax powers.

186.

Hicks, J. 1991. *Local Government Development Control: A British and American Comparison*.

An unpublished monograph produced by Hicks as a result of a sabbatical in England studying the operation of a local planning office. This is a very clear explanation of how British planning law actually works with some concrete suggestions for adapting elements of the British system (e.g., use orders) to the U.S.

187.

Hodge, G. 1985. The Roots of Canadian Planning. *Journal of the American Planning Association* 51, no. 1: 8-22.

This article provides an overview of Canadian planning practices based on the nature of the government and communities.

188.

Hopperton, R. J. 1980. A State Legislative Strategy for Ending Exclusionary Zoning of Community Homes. *Urban Law Annual* 19: 47-85.

Using the example of adopted Ohio state zoning legislation, the author suggests a strategy to be used for those states without established laws eliminating exclusionary zoning in community homes areas, providing an instructive case study.

189.

The Inadequacy of Judicial Remedies in Cases of Exclusionary Zoning. 1976. *Michigan Law Review* 74, no. 4: 760-94.

A note evaluating possible judicial responses to cases challenging a zoning ordinance on the grounds of exclusionary zoning. The conclusion suggests the most effective method of dealing with problems of exclusionary zoning is a comprehensive legislative approach.

190.

Innes, J. 1991. *Implementing State Growth Management in the U.S.: Strategies for Coordination*, University of California, Institute of Urban and Regional Development, Berkeley.

This paper compares basic implementation arrangements in six new state programs, concentrating on processes of intergovernmental coordination, including both legislative provisions and emerging formal and informal activities and practices. Tools and strategies for coordination are identified and the preliminary evidence of success or failure discussed.

191.

Innes, J., J. Gruber, M. Neuman, and R. Thompson. 1994. *Coordinating Growth and Environmental Management Through Consensus Building*, California Policy Seminar, Berkeley.

The purpose of this study was to determine whether and how consensus building is useful for coordinating growth management. The study was devised to recommend to the California Legislature principles for designing a growth management program for the state. The findings outline the processes, the conditions, incentives and institutional settings in which consensus building appears to be most effective.

192.

Innes, J., J. D. Landis, and T. K. Bradshaw. 1993. *Issues in Growth Management: Reprints of Recent Growth Management Writings by IURD Associates*, University of California, Institute of Urban and Regional Development, Berkeley.

Growth management perspectives on issues of environmental quality, planning and regional governance reforms.

193.

Jacobs, H. M. 1992. Planning and the Use of Land for the 21st Century. *Journal of Soil and Water Conservation* 47, no. 1: 32-34.

This article examines the future of land use policy and growth management. The author suggests that the future will be significantly different from the past. Specifically he suggests that the way land use planning is done now reflects a set of assumptions about knowledge and social relations first formed at the turn of the twentieth century, but no longer valid. In particular, he sees a diverse, populist citizens movement challenging (1) the presumed validity of experts, (2) the need for complete knowledge in order to come to land use decisions, and (3) rational analysis as the only basis for knowing what to do in the policy process. The future he forecasts is one in which land use planning will be more plural, more conflictual and more political.

194.

Jacobs, J. 1961. *The Death and Life of Great American Cities*. New York: Random House.

195.

Johnson, E. J., and E. H. Ziegler, eds. 1993. *Development Agreements: Analysis, Colorado Case Studies, Commentary*, The Rocky Mountain Land Institute, Denver.

This research project focuses on the process of obtaining vested rights through development agreements in the Denver area. Through case studies, several leading professionals in the land-use planning field review the complexities of the process involved in dealing with development issues.

196.

- Juday, G. P. 1988. State Legislative Initiatives on Natural Areas. *Natural Areas Journal* 8, no. 2: 107-4. Using Indiana as an example of a joint private-state government protection campaign, the author explores various programs of financing land acquisitions.
197.
- Kaiser, Edward J. Godschalk David R. Chapin F. Stuart. 1994. *Urban Land Use Planning*. 4 ed. Champaign, Ill.: University of Illinois Press.
A summary of land use planning techniques, theoretical approaches to the planning field, and the steps and models involved in preparing a land use plan.
198.
- Kaiser Report. 1968. *A Decent Home: A Report of the President's Committee on Urban Housing*, The President's Committee on Urban Housing, Washington, D.C..
This report examines the production and rehabilitation of decent housing for the poor. It urged federal legislation that would subsidize low and moderate income housing.
199.
- Katz, L., and K. T. Rosen. 1987. The Interjurisdictional Effects of Growth Controls on Housing Prices. *Journal of Law and Economics* 30, no. 1: 149-60.
This paper examines the effect of land use regulation on the costs of housing. The basic issue is whether a local jurisdiction using development restrictions will have increased housing prices relative to those prevailing in the rest of a metropolitan area. An empirical test of the San Francisco Bay Area shows that land use regulations appear to have a substantial effect on housing prices, with prices 17-38 percent higher in those communities with growth control plans or moratoria.
200.
- Keene, J. C. 1980. Agricultural Land Preservation: Legal and Constitutional Issues. *Gonzaga Law Review* 15, no. 3: 621-73.
An examination of the role of the judiciary in farmland preservation and an analysis of the legal issues that are relevant when state or local governments develop a farmland preservation program.
201.
- . 1982. Conclusions and Recommendations for Agricultural Land Preservation. In *Zoning and Planning Law Handbook* edited by F. A. Strom. New York: Clark Boardman .
202.
- Keith, K. M. 1985. The Hawaii State Plan Revisited. *University of Hawaii Law Review* 7, no. 1: 29-61.
An overview of the implementation process, the content, and the amendments to the 1978 Hawaii State Plan. The author reviews the initial problems with Act 100, which were resolved by the 1984 legislation.
203.
- Kelly, E. D. 1993. *Managing Community Growth: Policies, Techniques, and Impacts*. Westport, Conn.: Praeger.
A useful review examining active state-level growth management programs. The author emphasizes the need for effective regional planning in growing metropolitan areas. He also focuses on the effectiveness of such planning as it originates and is enforced by the state. Explores the questions of those states lacking regional planning, concluding with types of sound growth management programs.
204.
- Kent, T. J., Jr. 1990. *The Urban General Plan*. Chicago: Planners Press.
The classic study of the development of an urban general plan. Contains critique of the Standard City Planning and Zoning Enabling Acts (pp. 32-59).
205.
- Kerner Report. 1968. *Report of the National Advisory Commission on Civil Disorders*, U.S. Government Printing Office, Washington, D.C..
This extensive report was a response to the riots and racial discrimination experienced in the 1960s. Suggested recommendations include the Model Cities Program and urban renewal.
206.
- Kiernan, M. J. 1982. The Fallacy of Planning Law Reform. *Urban Law and Policy* 5: 23-64.
This article examines planning law reform in the City of Winnipeg, and after a decade of experience with the legal reforms in place, the author determines that there is an enormous disjunction between legislative potential on the one hand and the empirical performance of the local planning system on the other. Based

on this evidence, he concludes that there are limits to planning law reform in general.

207.

King, L., and G. Harris. 1989. Local Responses to Rapid Rural Growth: New York and Vermont Cases. *Journal of the American Planning Association* 55, no. 2: 181-91.

Small rapidly growing rural communities in northern New York state and Vermont are the setting for an examination of local planning practices. The authors found that in these communities there were similarities and differences. The communities differed in their attitudes toward growth, especially whether they sought to promote it or manage it. They were similar in moving from an informal to a more formal planning and growth management structure. In addition, the authors noted that local planning boards tend to be more sympathetic to proposals for land use change from local residents (those whom they knew as neighbors and taxpayers) in contrast to outsiders (such as development companies), and that in general they displayed concern for a broad range of social and environmental values.

208.

Kniec, D. W. 1984. Manufactured Home Siting: Overview, Regulatory Challenges, and a Proposal for Federal Deregulation. In *Zoning and Planning Law Handbook* edited by J. B. Gailey. New York: Clark Boardman .

209.

---1986. Model State Land Use Enabling Statute. *Zoning and Planning Deskbook*: Section 2.07[4][a].

A proposed statute limiting local land use authority to 'vital and pressing governmental interests.' The model statute was intended to carry out recommendations of President Ronald Reagan's 1982 Commission on Housing. Under the statute, the burden of proof or justification for the regulation or development or user fee, dedication requirement, assessment, or other restriction is placed on the regulatory body.

210.

---. 1986. Provision of Affordable Housing--Proposal for a New Zoning Enabling Act. In *Zoning and Planning Law Handbook* edited by J. B. Gailey. New York: Clark Boardman .

211.

Knaap, G. J. 1987. Self-Interest and Voter Support for Oregon's Land Use Controls. *Journal of the American Planning Association* 53, no. 1: 92-97.

A survey analysis determining whose political interests are served by statewide land use controls in Oregon. The conclusions indicate that self-interest remains the deciding factor, not class.

212.

---1987. Social Organization, Profit Cycles, and Statewide Land Use Controls: Welcome to Oregon - Enjoy Your Visit. *Journal of Applied Behavioral Science* 23, no. 3: 371-86.

Land use control in the U.S. has in many places been elevated to higher, more extensive levels of government, causing considerable controversy as to whose interests such reform serves. This article offers a political economic analysis of statewide land use controls, focusing on the land use program of Oregon. Using empirical evidence based on the state's population characteristics, industries, and elections featuring referenda to repeal the land use statutes, the author suggests that statewide land use controls in Oregon are supported by identifiable private interests: amenity-based industries, high-income professionals and technicians, and citizens in urban areas. The article suggests how changes in the structure of Oregon society--reflecting the development of the state's economy--led to the development of statewide land use controls.

213.

---1990. State Land Use Planning and Inclusionary Zoning: Evidence From Oregon. *Journal of Planning Education and Research* 1, no. 1: 39-46.

Effect of planning on zoning practices intended to eliminate discriminatory barriers, with particular reference to low-income housing; roles of the Land Conservation and Development Commission and the state legislature.

214.

Knaap, G. J., and A. C. Nelson. 1992. *The Regulated Landscape: Lessons on State Land Use Planning From Oregon*. Cambridge, Mass.: Lincoln Institute of Land Policy.

Good analysis by Knapp of impacts of urban growth boundary requirements in Oregon statutes.

215.

Kobrin, D. A. 1990. Concurrency. *Florida Bar Journal* 64, no. 1: 55-58.

- A look at Florida's concurrency requirement and its consequences.
216.
- Kolis, Annette ed. 1979. *Thirteen Perspectives on Regulatory Simplification*, ULI Research Report #29. Urban Land Institute, Washington, D.C..
Collection of essays divided into groups by: a conceptual overview, implemented solutions, and suggested solutions.
217.
- Kramer, B. M. 1988. Recent Developments in Land Use and Environmental Law: Revolution or Evolution? *Institute on Planning, Zoning and Eminent Domain 5*: 1-58.
An overview of recent land use and environmental legislation including such issues as takings, impact fees, dedication and linkage decisions as well as air and water pollution and the National Environmental Policy Act.
218.
- 1989. Recent Developments in Land Use Law: Back to the Basics. *Institute on Planning, Zoning and Eminent Domain 4*: 1-48.
219.
- Krasnowiecki, J. Z. 1971. Model Land Use and Development Code. *Urban Law Annual*: 101-6.
A model planning statute that limits local government powers to a specific definition to 'development' and 'land use' and to certain stated purposes. The statute is based on Krasnowiecki's work for the state of Maryland in 1969.
220.
- . 1983. Securing Definitive Relief for the Developer. In *Zoning and Planning Law Handbook* edited by F. A. Strom. New York: Clark Boardman .
221.
- 1972. Zoning Litigation and the New Pennsylvania Procedures. *University of Pennsylvania Law Review* 120, no. 6: 1029-65.
An analysis of the Pennsylvania Municipalities Planning Code and how it addresses the problem of local zoning laws and their failure to create an economic base for development. Includes suggestions for local governments to continue to examine each proposal separately and to avoid using 'self-administering controls.'
222.
- Kushner, J. A. 1994. *Subdivision Law and Growth Management*. Deerfield, Ill.: Clark Boardman.
Treatise with national coverage of subdivision law and growth management statutes and cases.
223.
- . 1992. Vested Development Rights. In *Zoning and Planning Law Handbook* edited by K. H. Young. New York: Clark Boardman .
224.
- Lake, R. W., ed. 1987. *Resolving Locational Conflict*. New Brunswick, N.J.: Center for Urban Policy Research, Rutgers University.
Locational conflict is examined in this book using a collection of writings from a group of experts in the field of facility siting through three perspectives: issue, process, and tools. From LULUs to risk assessment; political costs to political equity; negotiation to compensation, the editor has assembled these writings into an informative resource.
225.
- Latham, J. R. 1974. *Office of Legislative Research: Land Use--Law and Proposals*, Connecticut General Assembly State Capitol.
This book provides an overview of land policy in the United States, defining current issues, Federal programs and State approaches. It focuses on five states with comprehensive programs, the taking issue and techniques for implementation of land-use strategies. The study goes on to analyze land-use programs in Connecticut and detailed issues facing the state government.
226.
- Leitner, M. L., and S. P. Schoettle. 1994. A Survey of State Impact Fee Enabling Legislation. In *Zoning and Planning Law Handbook* edited by K. H. Young. New York: Clark Boardman .
227.

- Levy, L. 1969. Judicial Review of Zoning Cases - New Rules? *Tulsa Law Journal* 6, no. 1: 1-19.
A look at the judicial review system of zoning in Oklahoma. The author concludes that the new rules must be clarified in order to allow cities and towns to effectively use them.
228.
- Levy, L. A. 1989. Impact Fees, Concurrency, and Reality: A Proposal for Financing Infrastructure. *Urban Lawyer* 21, no. 3: 471-90.
This essay focuses primarily on Florida's attempt to control growth and meet infrastructure needs for its increasing population; but impact fee financing and management are issues covered in this writing as well.
229.
- Lewis, W. D. 1923. Standard Zoning Enabling Act. *American Bar Association Journal* 9, no. 2: 79.
A description of the proposed Standard Zoning Enabling Act.
230.
- Liebmann, G. W. 1991. The Modernization of Zoning: Enabling Act Revision As a Means to Reform. *Urban Lawyer* 23, no. 1: 1-24.
After reviewing several planning schemes, the author discusses the roots of our zoning problems and how state enabling legislation will help to move towards an emphasis on the goals of modern zoning.
231.
- Liner, E. B. 1985. *Intergovernmental Land Management Innovations*. Cambridge, Mass.: Lincoln Institute of Land Policy.
This monograph illustrates innovative policies of state governments in Florida and Utah, providing background on rationales for change and specific evidence of results.
232.
- Linowes, R. T., and D. T. Allensworth. 1975. *The States and Land-Control*. New York: Praeger.
Insightful analysis of legal and institutional issues affecting state and regional land use control in the mid-1970's. Interesting case study of Maryland.
233.
- Liroff, R. A., and G. G. Davis. 1981. The Park Agency and Its Constituencies: The Politics of Implementation. In *Protecting Open Space: Land Use Controls in the Adirondack Park*. Cambridge, Mass.: Ballinger.
This chapter discusses the conflicts that arose during implementation of the Adirondack Park Agency regional plan in New York state, one of the most prominent examples of the first wave of centralized land use policy programs. State planners were preparing a growth management program for a unique ecological region the size of the adjoining state of Vermont, with a permanent population of over 100,000 persons. Although supported heavily by statewide environmental interests, the plan drew bitter opposition from local residents, partly because of the perception of its negative economic consequences. This case emphasizes the difficulty of implementing a centralized growth management program when there is strong local opposition. As such, it highlights the importance of understanding and working with the local political environment. Allowing for public participation, accommodating local desires, and cooperating with local officials are all necessary for centralized approaches to be effective.
234.
- Listokin, D. 1976. *Fair Share Housing Allocation*. New Brunswick, N.J.: Center for Urban Policy Research, Rutgers University.
Fair share housing plans are analyzed in this book, providing a historical background of this type of strategy along with an overview and comparison of plans in use across the country.
235.
- Little, C. E. 1974. *The New Oregon Trail: An Account of the Development and Passage of State Land Use Legislation in Oregon*, The Conservation Foundation, Washington, D.C..
The politics of enacting state land use legislation in Oregon in 1973.
236.
- Mallach, A. 1984. *Inclusionary Housing Programs: Policies and Practices*. New Brunswick, N.J.: Center for Urban Policy Research, Rutgers University.
An analysis of inclusionary housing programs with an overview of actual areas of experience, with special attention given to the Moderately Priced Housing Program (MPHP) in Montgomery County, Maryland.
237.

- Mandelker, D. R. 1990. Interim Development Controls in Highway Programs: The Taking Issue. In *Zoning and Planning Law Handbook* edited by M. S. Dennison. New York: Clark Boardman . 238.
- . 1993. *Land Use Law*. 3d ed. Charlottesville, Va.: Michie. Chapters 3, 7 and 10 discuss Standard Acts, planning legislation reforms, inclusionary zoning mechanisms, and growth management. 239.
- 1989. The Quiet Revolution--Success and Failure. *Journal of the American Planning Association* 55, no. 2: 204-5. Dealing with Popper's comprehensive versus single-purpose analysis, Mandelker criticizes Popper article for failure to examine whether an environmental focus is enough at the state level or whether a more comprehensive system addressing other areas of concern is needed. 240.
- . 1987. Reversing the Presumption of Constitutionality in Land Use Litigation: Is Legislative Action Necessary? In *Zoning and Planning Law Handbook* edited by N. J. Gordon. New York: Clark Boardman . 241.
- 1976. The Role of the Local Comprehensive Plan in Land Use Regulation. *Michigan Law Review* 74, no. 5: 900-973. An overview of the traditional views of the local comprehensive plan, and analysis and support for the emergence of legislation requiring comprehensive planning. 242.
- . 1991. The Shifting Presumption of Constitutionality in Land-Use Law. In *Zoning and Planning Law Handbook* edited by K. H. Young. New York: Clark Boardman . 243.
- Mandelker, D. R., and A. D. Tarlock. 1992. Shifting the Presumption of Constitutionality in Land Use Law. *Urban Lawyer* 24, no. 1: 1-50. Mandelker and Tarlock discuss cases in which courts have reversed the presumption of constitutionality. They advance a unifying political and legal theory for conditions under which presumption shifting would occur. 244.
- Mantell, M. A., S. F. Harper, and L. Propst. 1990. *Creating Successful Communities: A Guidebook to Growth Management Strategies*. Washington, D.C.: Island Press. Suggests practical strategies for communities to foster creative quality development and protect sensitive land resources and key community assets. Strategies and techniques are illustrated through case studies of 'successful communities.' Discussion centers on agricultural land, rivers and wetlands, historic, cultural and aesthetic resources and open space. The companion book, *Resource Guide for Creating Successful Communities*, by the same authors and publisher, provides documentation and sample regulations. 245.
- Marchioni, N. B. 1989. Statewide Planning in New Jersey: Putting Some Teeth Into the State Planning Act. *Rutgers Law Journal* 20, no. 3: 721-40. 246.
- Marsh, W. M., and R. Hill-Rowley. 1989. Water Quality, Stormwater Management, and Development Planning on the Urban Fringe. *Journal of Urban and Contemporary Law* 35: 3-36. This article presents an alternative approach to planning in a study focusing on stormwater management for a development project in Austin, Texas. 'Form and function of the runoff system' is the basis of the new approach to stormwater management. 247.
- Maryland Planning and Zoning - Law Study Commission. 1969. Colony Press, Inc.. A comprehensive review of the state's planning and zoning laws. Includes a model land use and development planning code drafted by Professor Jan Krasnowiecki. 248.
- Mason, Debra. 1994. *Community Planning in Vermont: Five Case Studies*, Vermont Planners Association, Montpelier, Vermont. Investigates the progress of local planning in five very different Vermont communities. Central to the

report is a discussion of how community attitudes, local planning efforts, and related implementation efforts have evolved over time and in relation to Act 200, which was intended to provide a structure for coordinated planning at the municipal, regional, and state levels.

249.

McBride, D. N., and F. P. Bosselman. 1968. *Comments on Tentative Draft No. 1, The American Law Institute, Model Land Development Code*, Ross, Hardies, O'Keefe, Babcock, McDugald & Parsons, Chicago.

This report consists of standard objections and editorial comments made on each section of the American Law Institute's Tentative Draft of the Model Land Development Code. The authors have focused on possible problem areas, areas of text that seem unclear and inconsistencies in the Code. Copy in University of Chicago Law Library.

250.

McClendon, B. W. 1984. Reforming the Rezoning Process. *Land Use Law and Zoning Digest* 36, no. 4: 5-9.

Suggestions for a reform of the rezoning process. Planning consistency programs, reviews of legislative standards and legislative validity are among the ideas included in this article.

251.

---. 1986. Standards and Criteria for Guiding Land Use Decisions. In *Zoning and Planning Law Handbook* edited by J. B. Gailey. New York: Clark Boardman .

252.

Meeks, G., Jr. 1990. Growth Management: A Renewed Agenda for the States. *Journal of Soil and Water Conservation* 45, no. 6: 600-604.

This article reviews the state and regional approaches to growth management and comprehensive planning that are in the forefront of environmental policymaking by involving a more extensive means of managing natural resources.

253.

---1990. *State Land Conservation and Growth Management Policy: A Legislator's Guide*. Denver: National Conference of State Legislators.

A 64-page primer on current state policies and programs in land conservation, land use, and growth management. Concentrates on four paths to land conservation: government regulation, public parkland acquisition, private land set-asides, and cooperation between public and private sectors using a mix of regulatory and financial management techniques. Summaries of state policies and case studies are presented. Issues addressed include social attitudes toward land, the history of land policy and case law, comprehensive growth management policies, market and private sector efforts, critical areas designation, and public-private cooperation.

254.

Merrill, L. S. 1987. The Road Not Taken: Two New England States Have Taken Widely Different Approaches to Planning and Development--With Surprisingly Similar Results. *Planning* 53, no. 11: 22-24.

Applying the lessons of suburban inclusionary zoning in downtown settings in New Hampshire and Vermont, including basic concepts, issues of legality and equity, techniques and implementation. Covers housing trust funds.

255.

Merrill, W. W., III, and R. K. Lincoln. 1994. The Missing Link: Legal Issues and Implementation Strategies for Affordable Housing Linkage Fees and Fair Share Regulations. In *Zoning and Planning Law Handbook* edited by K. H. Young. New York: Clark Boardman .

256.

Michelman, F. I. 1965. *Public Control of Land Use and Land Planning: Memorandum on the Model State Planning Code and Municipal Home Rule*, Law School of Harvard University, Cambridge, Mass.. This report explores the question of whether state land use laws infringe upon local rights by analyzing the model code and municipal home rule for California, Ohio, Colorado and Missouri. Also included is a list of states with constitutionally established municipal initiatives. Copy in University of Chicago Law Library.

257.

Michigan Chapter-American Planning Association Planning Law Committee. 1994. *Suggested Outline for Unified Planning Enabling Legislation in Michigan*, Michigan Chapter-American Planning Association Planning Law Committee, Lansing, Mich..

A detailed proposal to combine enabling legislation for municipalities, townships, and regional agencies into one enabling statute.

258.

Michigan Farmland and Agriculture Development Task Force. 1994. *Policy Recommendations and Options for the Future Growth of Michigan Agriculture*, Michigan Farmland and Agriculture Development Task Force, Lansing, Mich..

259.

Michigan House Republican Policy Committee. 1994. *Task Force Report on Land Use*, House Republican Policy Committee, Lansing, Mich..

A report containing recommendations from the House Republican Policy Committee on Land Use for growth management strategies in Michigan. The report advocates the unification of planning and zoning enabling acts, support of legislation that creates a regional impact coordination act and the empowerment of local units of government to use development agreements. Proposals in the report formed the basis for bills introduced into the Michigan legislature in 1995.

260.

Miller, W. 1976. The New Jersey Land Use Law Revision: A Lesson for Other States. *Real Estate Law Journal* 5, no. 2: 138-54.

A look at the New Jersey Municipal Land Use Law and an examination of good and bad aspects including its confusing style, clarification of the zoning regulations and its elimination of legislation involving the environmental movement.

261.

Mitsch, W. J., and J. G. Gosselink. 1993. *Wetlands*. 2d ed. New York: Van Nostrand Reinhold.

A scientific analysis of wetlands and their status in America. The final section provides a useful discussion of wetland valuation and a thorough look at the history of wetland management and the legal protection of these areas. An excellent resource for the restoration, placement, design and classification of wetland areas.

262.

Moore, T., and P. Thorsnes. 1994. "Planning Advisory Service Report Number 448/449." *The Transportation/Land Use Connection: A Framework for Practical Policy*, American Planning Association, Chicago.

Identifies efficient approaches to the problem of inefficient travel and land use policies.

263.

Municipal Association of South Carolina and South Carolina Association of Counties. 1994. *Comprehensive Planning Guide for Local Governments*.

Provides an overview of the planning process, and serves as a guide for local government officials in South Carolina as they bring their comprehensive planning process into compliance. Provides rules of procedure for zoning appeals, architectural review, and planning commission and sample forms, etc.

264.

The National Association of Homebuilders Research Center. 1993. *Proposed Model Land Development Standards and Accompanying Model State Enabling Legislation*, U.S. Department of Housing and Urban Development, Office of Policy Development and Research, Washington, D.C..

This report contains minimum design and construction standards for residential land development. It is intended to promote quality residential development while striking a reasonable balance between excessive requirements that add unnecessary costs to home and permissive requirements that may threaten public health and safety. The standards address streets, stormwater, sediment and erosion control, site utilities, sanitary sewer, water supply and miscellaneous standards addressing open space and landscaping. They are accompanied by model legislation to facilitate adoption of the standards through both a state preemptive statute--that is, a statute that would allow the uniform standards to supercede local standards in case of a conflict--and a state voluntary statute, which encouraged adoption by local governments.

265.

Nelson, A. C., ed. 1988. *Development Impact Fees: Policy Rationale, Practice, Theory, and Issues*. Chicago: Planners Press.

This book discusses the use of development impact fees. The book contains two model impact fee statutes. The first, A Standard State Development Impact Fee Enabling Statute, restricts the use of impact fees to certain specified public improvements owned or operated by the local government. It requires that before the local government can require the payment of impact fees, it must first prepare a comprehensive land use plan, including a capital improvement program. The statute provides standards for determining the 'proportionate share of the cost of providing capital improvements for which the need is reasonably attribute to those developments that pay the fees.' It establishes mechanisms for earmarking impact fee revenues in special funds. It also authorizes the refund of unexpended impact fees if the local government has failed to expend them for on capital improvements intended to benefit the development that paid the fees. The second, A Model Impact Fee Authorization Statute, is more flexible than the first. It allows impact fees 'to be used for almost any facility included in a capital improvements program' specifically identified or covered by a local government comprehensive plan. Under the statute, such a plan 'shall specify level of service standards for each type of facility that is to be the subject of an impact fee, and such standards shall apply equally to existing and new development.' Like the first act, it describes how impact fees are to be calculated, collected, expeditated and refunded.

266.

Netter, E. M. 1988. Creating or Challenging Municipal Affordable Housing Programs: The Legal Issues. In *Zoning and Planning Law Handbook* edited by N. J. Gordon. New York: Clark Boardman .

267.

Netter, E. M., and J. Vranicar. 1981. "Planning Advisory Service Report Number 363." *Linking Plans and Regulations: Local Responses to Consistency Laws in California and Florida*, American Planning Association, Chicago.

Examination of six communities in California and Florida that require consistency between local land use plans and regulations. Results indicate an increased involvement of citizen participation, but concludes it is unclear whether the overall planning process has been changed significantly.

268.

New Jersey State Planning Commission. 1992. *Communities of Place* , New Jersey State Planning Commission, Trenton, N.J..

This is the state plan required by the 1986 New Jersey State Planning Act, which created the New Jersey State Planning Commission and required the Commission to prepare and adopt this document. The statewide planning process, called cross-acceptance, ensures that government at all levels participate in preparing the state plan. The plan includes statewide goals and policies, as well as a map showing planning areas, urban centers, regional centers and towns, villages and hamlets and other specified areas.

269.

New York State Federation of Official Planning Organizations. 1966. *Planning, Zoning & Subdivision: A Summary of Statutory Law in the Fifty States*, New York State Federation of Official Planning Organizations, Albany.

This report consists of state statutory summaries for each state including a list of zoning regulations identifying such items as distribution of power, regulation purposes, types of regulation, airport zoning and subdivision control.

270.

New York State Legislative Commission on Rural Resources. 1994. *Commission Overview*, New York State Legislative Commission on Rural Resources, Albany.

This pamphlet describes the efforts of the New York State Legislative Commission on Rural Resources. The Commission makes recommendations and sponsors legislation to enhance and protect rural resources, including, environment, land use and natural resources. Since 1986 the Commission has sponsored 37 statutes dealing with planning issues. The Commission is composed of representatives from the state senate and assembly.

271.

---1994. *Local Planning and Zoning Survey: New York State Cities, Towns and Villages*, New York State Legislative Commission on Rural Resources, Albany.

This survey's intent is to identify both the extent and types of planning and zoning tools currently being

utilized by city and town governments in New York State. A similar survey was published by the New York State Department of State's Office of Local Government Services in 1986. Since then, many areas of the state have experienced high rates of residential and commercial growth. The 1994 survey was conducted to see if the use of local planning and zoning has kept pace with that development. The survey provides a good methodological approach for examining the types of strategies best suited to promoting streamlined and sound planning and zoning practices through legislative reform.

272.

---1994. *Restructuring New York State Community Planning and Land Development Statutes: Final Status of Legislation*, New York State Legislative Commission on Rural Resources, Albany.

This report presents the final status of community planning and land use legislation introduced by the Legislative Commission on Rural Resources during the 1994 legislative session. Four of the bills introduced by the commission were passed by the Senate and Assembly and signed into law by the Governor. Especially noteworthy is the enactment of new legislation establishing an Interagency Geographic Information Systems Coordinating Council. This council was created to examine various technical and public policy issues related to GIS and to assess the potential costs and benefits associated with coordinating or integrating geographic information systems in New York State.

273.

---1991. *White Papers for A Community Planning and Land Use Retreat*, New York State Legislative Commission on Rural Resources, Albany.

This report contains three issue papers: (1) Land Use and SEQR Regulations and Procedure; (2) Protection of Rural Character and Natural Resources; and (3) The Comprehensive Plan and Comprehensive Planning. The report is intended to aid state legislators and others in a review of New York's community planning and land use enabling statutes.

274.

Nicholas, J. C. 1988. "Planning Advisory Service Report Number 408." *The Calculation of Proportionate-Share Impact Fees*, American Planning Association, Chicago.

An analysis of the increased use of impact fees for financing infrastructure costs of new development. This study provides information for determining the cost of an impact fee and the number of required infrastructure improvements.

275.

Nicholas, J. C., and A. C. Nelson. 1988. Determining the Appropriate Development Impact Fee Using the Rational Nexus Test. *Journal of the American Planning Association* 54, no. 1: 56-66.

This study applies the rational nexus test to several specific communities and develops reasonable and supportable impact fees. The methodology attempts to establish a system that is strong yet has the ability to be updated. The study concludes with sample formulas and examples.

276.

Nitikman, M. A. 1988. Instant Planning - Land Use Regulation By Initiative in California. *Southern California Law Review* 61, no. 2: 497-539.

277.

Nolon, J. R. 1993. Lucas Case: The Need to Reform Land-Use Law. *Land Use Law and Zoning Digest* 45, no. 2: 3-7.

Nolon is critical of 'unguided special purpose land-use programs. . . up and running without the coordination and guidance of planning policies and comprehensive plans.' He contends that when regulation, challenged as a taking, is carefully integrated into a comprehensive system of land use regulation, the natural tendency of judges is to show defense to lawmakers.

278.

---1990. Toward a Housing Imperative and Other Reflections on Balanced Growth and Development. *Pace Environmental Law Review* 7, no. 2: 319-28.

279.

O'Connell, D. W. 1986. New Directions in State Legislation: The Florida Growth Management Act and State Comprehensive Plan. *Institute on Planning, Zoning and Eminent Domain* 6: 1-34.

An overview of Florida's planning and growth management system.

280.

Odland, R. 1991. Growth Management: What California Can Learn From the Sunshine State. *Loyola of*

Los Angeles Law Review 24, no. 4: 1109-30.

Florida is well underway in implementing the growth management legislation it adopted in 1985. This article discusses the background and implementation of Florida's legislation and analyzes how effective Florida's plan has been in achieving its legislative goals. The article then discusses the concerns of California's legislators and citizens in controlling growth and suggests that California adopt, with some adjustments, the Florida legislation.

281.

Ontario Ministry of Municipal Affairs. 1994. *Ontario's New Planning System*, Communications Branch, Ministry of Municipal Affairs, Toronto, Ontario.

Background paper covering key changes the government introduced. It discusses the reforms in terms of three different categories or topics: empowering municipalities, protecting the environment, and streamlining the planning process.

282.

---*Streamlining Guidelines: the Development Review Process*, Ontario Ministry of Municipal Affairs, Ministry of Housing.

Describes 11 guidelines that contain recommendations for the different participants (municipal, agency, and proponent) in the planning process. Intended to foster a better understanding of the development review process, the roles and responsibilities of others involved in the process and what every player can do to improve efficiency in their part in the process.

283.

Ontario Office Consolidation. 1995. *Planning Act: Revised Statutes of Ontario*, Queen's Printer for Ontario.

Consolidated statutes from Ontario, reflecting recent statutory changes.

284.

Oregon. 1991. *Managing Growth to Promote Affordable Housing: Executive Summary*, 1000 Friends of Oregon and The Home Builders Association of Metropolitan Portland, Portland, Oreg..

This housing study evaluates Portland region land use policies such as the Portland Metropolitan Housing Rule, and their impacts on housing costs. The study finds these policies are helping to mitigate the effects of rising housing costs, while furthering the region's goals for orderly and efficient urban growth. To help ensure proper implementation of these policies in the future, this report recommends that local comprehensive plans in Portland and other urban areas utilize development standards.

285.

Oregon Department of Land Conservation and Development. 1994. *Shaping Oregon's Future: Biennial Report for 1993-1995*, Department of Land Conservation and Development, Salem, Oreg..

This report describes the Oregon Department of Land Conservation and Development's efforts to carry out the state's planning program in the 1990s. It examines recent developments such as joint state and local efforts for urban growth management, House Bill 3661 (a major reform of Oregon's land use laws that protects farm and forest lands), and transportation planning expansion.

286.

---1991. *Urban Growth Management Study: Summary Report*, Oregon Department of Land Conservation and Development, Salem, Oreg..

Based on study findings, this report establishes an agenda to improve growth management programs in Oregon. Proposals include: establishing 'focused growth plans,' identifying expansion areas outside urban growth boundaries as 'urban reserves,' and creating a state agency to financially assist local governments with infrastructure development.

287.

Oregon Progress Board. 1993. *Oregon Benchmarks: Standards for Measuring Statewide Progress and Government Performance*, Oregon Progress Board, Salem, Oreg..

This contains excerpts from a complete report analyzing the accomplishments of Oregon state government. Included in the list from a total of 272 benchmarks are those benchmarks applying to planning and land use--the benchmarks of clean environment, livable communities, land, community design and transportation. The report shows how Oregon monitors the impact and consequences of state programs through quantifiable performance objectives.

288.

Payne, J. M. 1987. Rethinking Fair Share: The Judicial Enforcement of Affordable Housing Policies. *Real Estate Law Journal* 16, no. 1: 20-44.

An examination of the positive and negative aspects of the New Jersey solution to the problem of affordable housing. The author develops a new description of 'fair share' as an idea consistent with the needs of a community, and an approach that will work in the courts.

289.

Pelham, T. G. 1979. *State Land-Use Planning and Regulation*. Lexington, Mass.: D.C. Heath and Company.

Focuses on state land use regulation in Florida, examines the changes brought on by increased state land use regulation, and the stimulation it has had on local land use programs, and in critical areas of several other states as well.

290.

Pennsylvania Local Government Commission. 1993. *Analysis of Revisions to the Pennsylvania Municipalities Planning Code*, Pennsylvania Local Government Commission, Harrisburg, Pa..

This report consists of section-by-section commentary on amendments enacted during the 1987-88, 1989-90 and 1991-92 legislative sessions related to the Pennsylvania Municipalities Planning Code (MPC). Issues included are planning agencies, comprehensive plans, subdivision and land development, municipal capital improvement, zoning, planned residential development, joint municipal zoning hearing board and other administrative proceedings. The report provides a summary of changes to the law in Pennsylvania over time.

291.

Perry, Charles. 1978. *Implementing the Growth Policy Consensus: Proposals for Public Action; Third Interim Report of the Special Commission Relative to the Effects of Growth Patterns on the Quality of Life in the Commonwealth*, Massachusetts.

Report on legislative progress of proposals from special commission.

292.

Perry, Charles, and Lawrence Susskind. 1977. *The Massachusetts Growth Policy Development Act: Intent and Passage.*, Cambridge, MS.

This report was written as a response to the proposed Massachusetts Growth Policy Development Act to summarize: (1) the demographic, economic, and political conditions that existed in Massachusetts at the time of the Act's adoption; (2) the process that led to the drafting and enactment of the bill; and (3) the intent of the legislation and the key participatory and administrative issues involved in its implementations.

293.

Pivo, G., and N. Abbott. 1992. *Local Government Planning Tools: Executive Summary*, Growth Management Planning and Research Clearinghouse, Seattle.

Focusing on growth management tools and their effectiveness, this survey collected information from respondents across the country finding that the most common problems in small towns and counties are economic opportunity and infrastructure, and in cities, traffic congestion and housing. The report provides a detailed table of growth management tools used in these areas, and their measured effectiveness. Conclusions indicate that effective local growth management is enhanced by state guidance.

294.

Pivo, G., and D. Rose. 1991. *Toward Growth Management Monitoring in Washington State*, Washington State Institute for Public Policy, Olympia, Wash..

This report offers a general approach to growth management monitoring using the Growth Management Act of 1990. The report compares those states involved with growth management with Washington's proposed plans for a growth monitoring system, and the benefits of monitoring a growth management plan. An Appendix lists growth management outcome indicators and indicates whether state level data were available in Washington. When this report was written, there were major data shortages in Washington State, which limited the extent to which a monitoring system could begin.

295.

Platt, R. H. 1991. *Land Use Control: Geography, Law, and Public Policy*. Englewood Cliffs, N.J.: Prentice Hall.

The influence of law over human use of land from the perspective of a geographer; primarily focuses on

U.S. Partial contents: the interaction of law and geography; private ownership of land; policy issues of zoning; federal land management; state land use programs.

296.

Platt, R. H., and G. Macinko, eds. 1983. *Beyond the Urban Fringe: Land Use Issues of Nonmetropolitan America*. Minneapolis: University of Minnesota Press.

Subjects: Land Use, Rural-United States-Congresses.

297.

Plotkin, S. 1987. *Keep Out: The Struggle for Land Use Control*. Berkeley: University of California Press.

Plotkin's book is a wide-ranging treatment of land use in America with two central themes. First, he argues that much of the history of the U.S. can be understood as a continual conflict between the forces of expansion and exclusion. That is, economic forces of society seek to expand and grow physically, while people in communities seek to exclude this growth and protect their private property rights. Thus, land use policy becomes central to social and economic conflict. His second theme has to do with the tension between local and central control over land use. He is skeptical about the outcome of a move toward centralized control, as he believes it serves to disempower local people's participation and ability to resist the forces of expansion. His theoretical analysis is combined with cases of land use conflict in San Antonio, Texas, and efforts at national land use planning in the 1970s.

298.

Popp, T. E. 1989. A Survey of Governmental Response to the Farmland Crisis: States' Application of Agricultural Zoning. *University of Arkansas At Little Rock Law Journal* 11, no. 3: 515-2.

An examination and comparison of four state methods of farmland conversion, focusing on agricultural zoning as a protective tool. Concludes from case studies that comprehensive plans work best to protect farmland because they are mandatory.

299.

Popper, F. J. 1981. *The Politics of Land-Use Reform*. Madison, Wis.: University of Wisconsin Press.

This book looks at how state land use measures were implemented and what impacts were in late 1970s. Some suggestions in Chapter 11 on how to make land use reform work better.

300.

---1988. Understanding American Land Use Regulation Since 1970: A Revisionist Interpretation. *Journal of the American Planning Association* 54, no. 3: 291-301.

Popper concludes that the quiet revolution has slowed down and lives on in an evolving stage in a number of states.

301.

---1978. What's the Hidden Factor in Land Use Regulation? *Urban Land* 37, no. 11: 4-6.

The author argues that the primary factor in a community's growth is the ownership structure of the land, rather than the growth management program that overlays it. Popper premises his argument on the fact that land is the primary source of local power, which benefits those who own it at the expense of those who do not. The author asserts that additional research in this area is vital to deal effectively with land use issues. The author reports on a land use conflict in northern Illinois between a city's desire to annex and a county forest preserve's desire to maintain open space. The lessons he draws from the case include the difficulties faced by individual localities in achieving a regional social welfare, and, drawing upon Molotch (1976) and Perin (1977), how individual localities function as growth machines.

302.

Porter, D. R. 1991. Do State Growth Management Acts Make a Difference? Local Growth Management Measures Under Different State Growth Policies. *Loyola of Los Angeles Law Review* 24, no. 4: 1015-33.

In this article, adapted from a speech given in July 1990, the author analyzes the effects of state growth management acts on local growth planning. He compares the growth management of two local governments that act pursuant to state laws with two local governments that do not. The author concludes that state mandates for local planning, for the most part, have been successful in controlling unabashed urban growth.

303.

---1989. San Diego's Brand of Growth Management: 'A' for Effort, 'C' for Accomplishment. *Urban Land* 48, no. 5: 21-27.

This article reviews attempts to manage growth in this rapidly growing metropolis and examines

transportation, open space, affordable housing, and infrastructure funding problems and the implications for future management efforts.

304.

---1989. The States Are Coming, the States Are Coming! *Urban Land* 48, no. 9: 16-20.

State role in growth management; based on a panel discussion held at the Urban Land Institute meeting in New Orleans, April 1989. Surveys growth management acts of various states.

305.

---1986. *Growth Management: Keeping On Target?* Washington, D.C.: Urban Land Institute in association with the Lincoln Institute of Land Policy.

A series of papers written for a ULI seminar providing growth management experiences in eleven different local, regional, and state governments. A thorough collection of land use reform efforts.

306.

---1992. *State and Regional Initiatives for Managing Development Policy Issues and Practical Concerns*. Washington, D.C.: Urban Land Institute.

This book is a collection of papers focusing on the issue of to what extent state and regional control over growth management programs is desirable versus local control over such issues. The authors conclude that in order to establish an effective balance between state and local authority and to avoid tensions, it is best to focus on improving local government management and to strive towards local goals.

307.

Porter, D. R., and L. L. Marsh, eds. 1989. *Development Agreements: Practice, Policy, and Prospects*. Washington, D.C.: Urban Land Institute.

A collection of writings focusing on whether state and regional approaches to growth management are working, and if they should continue to be used. Overview.

308.

Porter, D. R., and R. B. Peiser. 1984. *Financing Infrastructure to Support Community Growth*. Washington, D.C.: Urban Land Institute.

This article summarizes existing programs and trends in financing infrastructure. Case study approaches throughout the country are analyzed including development fees, impact fees, tax increment financing, local improvement districts among others.

309.

The President's Commission on Housing. 1982. *The Report of the President's Commission on Housing*, The President's Commission on Housing, Washington, D.C..

Developed in 1981, the President's Commission was instructed to recommend options for reducing costs in the national housing policy. With regard to State and Local housing regulations, three recommendations were proposed: A single consolidated permit should be used for local permit processing; Municipalities are requested to reduce development regulations, such as using innovative financing programs, developing a national standard for local subdivision requirements, and the acceptance of innovative wastewater technologies; and the adoption of general and specific zoning standards.

310.

Public Technology, Inc. 1986. Strategic Development Planning for Cities and Counties. In *Zoning and Planning Law Handbook* edited by J. B. Gailey. New York: Clark Boardman .

311.

Quality of Life, Land Use and Development. 1988. Special Issue. *Delaware Lawyer* 6, no. 4: 7-54.

Contents: Michael N. Castle on quality of life; Mark A. McNulty on impact fees: paying the developmental piper; Scott A. Green on modern land use regulation: pay as you go or do as you please?; Francis J. Murphy on quality of life: the legislation (includes Delaware bills on planning and land development); Devona E. G. Williams on sunset or false dawn? the paving stones of good intentions (sunset zoning as part of the Delaware quality-of-life legislation); Carroll F. Poole on the philosophies of competing idea; an environmentalist view; Kermit H. Justice on cars, cars, and more cars; Larry L. Liggett on quality of life in Wilmington? Doing very nicely, thank you!

312.

Rathkopf, A. H., and D. A. Rathkopf. 1988. *The Law of Planning and Zoning*. New York: Clark Boardman.

A multi-volume treatise.

313.

Raymond, G. M. 1983. Use of a Court-Appointed Master. In *Zoning and Planning Law Handbook* edited by F. A. Strom. New York: Clark Boardman .

314.

Real Estate Research Corporation. 1974. *The Costs of Sprawl: Literature Review and Bibliography*, U.S. Government Printing Office, Washington, D.C..

A study of growth management and development programs and the economic and environmental effects of a community. Also includes an extensive bibliography.

315.

Reilly, W. K., ed. 1973. *The Use of Land: A Citizen's Policy Guide to Urban Growth-Task Force on Land Use and Urban Growth*, Thomas Y. Crowell, New York.

This study described a 'new mood in America. . .that questions traditional assumptions about the desirability of urban development. The motivation is not exclusively economic. It appears to be part of a rising emphasis on human values, on the preservation of natural and cultural characteristics that make for a humanly satisfying environment.' It did not propose specific changes to enabling legislation. However, it favored more use of discretionary reviews in approving local development proposals, among them environmental impact statements, which it is said required development agencies 'to publicly evaluate opportunities within a broad spectrum of public objectives.'

316.

Rhode Island Department of Administration. 1989. *Handbook on the Local Comprehensive Plan*, Rhode Island Department of Administration, Providence, R.I..

This report provides a detailed section-by-section commentary on Rhode Island's Comprehensive Planning and Land Use Regulation Act of 1988. The handbook describes the state standards to be adopted by nine local plans as required by the Act, the state's role and the local comprehensive plan.

317.

---1993. *State Enabling Acts Relating to Land Use & Planning*, Rhode Island Department of Administration, Providence, R.I..

Text of fifteen state enabling acts related to planning, subdivision, historic districts, low and moderate income housing, soil erosion and sediment control, and zoning.

318.

---1992. *State Guide Plan Overview*, Rhode Island Department of Administration, Providence, R.I..

This report summarizes all adopted elements of the State Guide Plan. The state land use plan, for example, outlines overall goals and policies for general land development, water resources, energy, housing and economic development.

319.

Robbins, P. E. 1992. *1992 Inventory of Selected Land Use Controls by County and Municipality*, Planning Services Division, Philadelphia.

A collection of tables summarizing land use controls in the state of Pennsylvania. County data is used for determining municipalities in Pennsylvania without zoning protection, subdivision and land development regulations and land use controls.

320.

Robichaud, C. B., and E. W. B. Russell, eds. 1988. *Protecting the New Jersey Pinelands: A New Direction in Land-Use Management*. New Brunswick, N.J.: Rutgers University Press.

321.

Rochette, E. C. 1982. Prevention of Urban Sprawl: The Oregon Method. In *Zoning and Planning Law Handbook* edited by F. A. Strom. New York: Clark Boardman .

322.

Rohse, M. 1987. *Land-Use Planning in Oregon: A No-Nonsense Handbook in Plain English*. Corvallis, Oreg.: Oregon State University Press.

A primer of the Oregon planning system.

323.

Rose, C. M. 1987. New Models for Local Land Use Decisions. *Land Use and Environment Law Review Annual* 18: 145-61.

324.

Rose, J. G. 1988. A Hybrid System of Historic Preservation Presents New Legal Problems. In *Zoning and Planning Law Handbook* edited by N. J. Gordon. New York: Clark Boardman .
325.

Rosenbaum, N. 1976. *Land Use and the Legislatures: The Politics of State Innovation*. Washington, D.C.: Urban Institute.

This study analyzes legislation of three types: mandatory local growth management, major facility siting, and critical areas protection. Includes a description of land use statutes with respect to regionalism and the federal initiative.

326.

Rosenzweig, R. L. 1975. The Curative Amendment Procedure in Pennsylvania: The Landowner's Challenge to the Substantive Validity of Zoning Restrictions. *Dickinson Law Review* 80, no. 1: 43-69. An analysis of the curative amendment procedure in Pennsylvania through recent court decisions. The author determines that these cases threaten the intended purpose of this procedure.

327.

Rubin, F. A. 1982. Local Growth Management and Regional Housing Needs. *Urban Law Annual* 23: 407-21.

The author reviews the development of the fair-share doctrine whereby state courts have required local communities to consider, or take positive steps to provide for, regional low- and moderate-income housing needs. The author suggests that a restrained judicial approach that recognizes local differences and considers the region's ability to provide for affordable housing can produce fairness while respecting local prerogative.

328.

Runge, Carlisle P. Kusler Jon A. 1972. *Conclusions and Recommendations for Strengthened State Planning and Management in Wisconsin*, Working Paper 8. Inst for Environmental Studies, University of Wisconsin - Madison.

Final report centers around a discussion of 11 recommendations.

329.

Sager, L. 1969. Tight Little Islands: Exclusionary Zoning, Equal Protection, and the Indigent. *Stanford Law Review* 21, no. 4: 767-800.

An analysis of 'exclusionary zoning' and a call for a reexamination of equal protection.

330.

Salkin, P. 1992. Political Strategies for Modernizing State Land-Use Statutes. *Land Use Law and Zoning Digest* 44, no. 8: 3-6.

Salkin proposes ten steps to take in the successful reform of state land use statutes. Among her suggestions are appointment of the legislative commission or a gubernatorial body to oversee reform, provision of incentives to local government to comply with statutory objectives and development of a public education plan that includes information, training and technical assistance.

331.

---1992. Regional Planning: New Political Magnetism. *Land Use Law and Zoning Digest* 44, no. 6: 3-7.

Salkin discusses recent initiatives in California, Connecticut, Maryland, Massachusetts, New York, North Carolina, Pennsylvania, and Virginia for regional planning. Especially useful in that she identifies publications on land use reform from each of those states.

332.

Schölvink, J. B. W. 1980. Evaluating Alternative Compensation and Recapture Techniques for Expanded Public Control of Land Use: A Comment. *Natural Resources Journal* 20: 153-58.

An analysis of compensation and recapture techniques concluding that the problems lie not in the bidding strategies, but rather in the methods of transaction costs.

333.

Schilling, J. M., and J. B. Hare. 1994. *Code Enforcement: A Comprehensive Approach*. Point Arena, Calif.: Solano Press Books.

A comprehensive guide to the process of code enforcement: determining community needs, developing goals, implementation and enforcement. Includes many examples and practice tips.

334.

Schindler, K. H. 1994. Lessons From New Zealand's Land-Use Laws. *Land Use Law and Zoning Digest*

46, no. 8: 3-8.

Some new ideas here, as Schindler explains how New Zealand revamped its planning system to account for sustainable development.

335.

Scott, R. W., ed. 1975. *Management and Control of Growth: Issues, Techniques, Problems, Trends*. Washington, D.C.: Urban Land Institute.

A classic early reference work in the growth management literature, this collection of essays serves as a background and reference resource on growth management for elected officials, developers, practicing professionals and interested citizens. Partial contents: issues and dilemmas in traditional systems; limits to growth and zero growth; issues in exclusionary land use; exclusion; case studies; tools for controlling growth; impact measurement and fiscal analysis; innovations in tools; environmental impact statements; impacts of growth management at local and regional levels; state land use and growth policies; federal policies, perspectives from the development sector, and a growth guidance bibliography.

336.

Seidel, S. R. 1978. *Housing Costs and Government Regulations: Confronting the Regulatory Maze*. New Brunswick, N.J.: Center for Urban Policy Research, Rutgers University.

This book focuses on the relationship between government regulation and the cost of housing. A summary and recommendations are included for zoning regulations and growth controls. On the subject of growth controls, the author suggests using such techniques in only those situations where a particular crisis must be confronted.

337.

Sewell, John, George Penfold, and Toby Vigod. 1993. *New Planning for Ontario*, New Planning for Ontario; Commission on Planning and Development Reform in Ontario.

Final Report is the culmination of almost two years of extensive, provincewide consultation and study. Final chapter exclusively devoted to specific legislative recommendations, to (1) protect public interests; (2) better define roles and relationships; (3) focus on protecting the natural environment; and (4) create a more timely and responsive planning process.

338.

Siemon, C. L. 1985. Florida: Grappling With Growth II. *Urban Land* 44, no. 9: 36-37.

Report on 1985 legislation reforming the Environmental Land and Water Management Act and the Local Government Comprehensive Planning Act and establishing a Coastal Barriers Act; previous legislative initiatives.

339.

Siemon, Charles L., Wendy U. Larsen, and Douglas R. Porter. 1982. *Vested Rights: Balancing Public and Private Development Expectations*, Urban Land Institute and the Urban Land Research Foundation, Washington, D.C..

Provides overview of the status of vested rights and law and possible directions for future consideration. Chapters include: (1) the courts: arena for the vesting issue, (2) a better approach, (3) legislative remedies, and (4) management responses to vesting issues. In addition, it provides proposals for new legislation to establish vested rights more certainly and with less involvement from the courts.

340.

Snyder, T. P., and M. A. Stegman. 1986. Financing the Public Costs of Growth. *Government Finance Review* 2, no. 4: 23-27.

Based on parts of their book, *Paying for Growth: Using Development Fees to Finance Infrastructure*. Fees imposed by cities on the land developer; social and economic pros and cons; impact fees.

341.

---1986. *Paying for Growth: Using Development Fees to Finance Infrastructure*. Washington, D.C.: Urban Land Institute.

342.

So, F. S., and J. Getzels. 1988. *The Practice of Local Government Planning*. 2d ed. Washington, D.C.: International City Management Association.

Based on a management perspective, this book offers a collection of writings from contributors experienced in the field of local planning. Such issues influencing planning include district planning, environmental land use planning, transportation planning, urban design and economic development.

343.

So, F. S., I. Hand, and B. D. McDowell, eds. 1986. *The Practice of State and Regional Planning*. Chicago: American Planning Association in association with the International City Management Association.

Designed to define and clarify the role of state and regional levels of government in planning, this book offers a collection of writings analyzing the context of planning at these levels, policy and impact analysis, development policies and specialized state and regional plans.

344.

Stairs, Gerald R. Harkin Duncan A. Conway John E. 1972. *Policies and Mechanisms for the Management, Sale and Acquisition of Public Lands and Related Institutional Matters* *State Planning and Management of Private Lands* *State Planning and Management for Public and Quasi-Public Facilities*, Working paper 8B. University of Wisconsin - Institute for Environmental Studies.

Includes summaries of seminar discussions and recommendations for each of the subgroups addressing each of three topics as mentioned in the title. Appendix materials concerning policies for public lands also include short statements prepared by individual seminar participants.

345.

State of Florida. 1989. *Governor's Task Force on Urban Growth Patterns: Final Report*, State of Florida, Tallahassee, Fla..

This is a very thorough evaluation of the Florida growth management system with some substantive recommendations on reform, particularly in the areas of transportation, urban sprawl and intergovernmental coordination.

346.

State of Hawaii. 1994. *State Land Use Regulation and Management Study: Findings and Recommendations to the State Legislature*, State of Hawaii-Office of State Planning, Honolulu.

This study's recommendations are a proposed strategy for establishing a statewide system for coordinated state and county growth management. The recommendations elevate the role of county-level land use regulatory and growth management responsibilities. The counties would be more accountable to performance standards set by the state. To this end, the state would assume new functions in providing growth management planning guidelines, and systematic planning assistance and support to the counties.

347.

State of Iowa Land Use Policies Study Committee. 1972. *Final Report of the Land Use Policies Study Committee*, Report to the Legislative Council and Members of the First Session of the Sixty-Fifth General Assembly.

Study of land use policies and related planning procedures in the state of Iowa and recommendations for the consideration for the General Assembly.

348.

State of Maryland. 1994. *Economic Growth, Resource Protection and Planning Commission: Recommendations & Report*, State of Maryland, Baltimore.

This report makes several recommendations to improve progress in achieving the state growth policy and the visions of the local governments central to the provisions in the Economic Growth, Resource Protection and Planning Act of 1992.

349.

---1994. *Economic Growth, Resource Protection and Planning Commission: Measures of Progress*, State of Maryland, Baltimore.

The Commission has outlined all planning techniques currently used in Maryland to provide baseline information about the activities of the state, counties, and municipalities. The report describes local government achievement of various objectives in the Economic Growth, Resource Protection, and Planning Act of 1992.

350.

---1992. *Managing Maryland's Growth: What You Need to Know About the Planning Act of 1992*, Maryland Office of Planning, Baltimore.

This report summarizes the Economic Growth, Resource Protection, and Planning Act of 1992. It is one of a series on the Act's implementation. The Planning Act is based on the widely accepted 'visions' prepared in the wake of the 1987 Chesapeake Bay Agreement. Under the Act, county municipal plans

must be amended so that they implement a set of visions contained in the legislation.

351.

State of Minnesota Environmental Quality Board and Minnesota Planning. 1993. *A Question of Balance: Managing Growth and the Environment*.

Based upon a study by the Environmental Quality Board, this report examines the environmental problems related to growth. It focuses on three environmentally sensitive regions of the state and brings together demographic information, analysis of governmental roles and environmental and land use data to better understand growth-related issues.

352.

---1994. *Communities by Design: A Process for Building a Sustainable Future*.

Presents an overview of Minnesota's changing landscape and the governmental, environmental, and economic issues surrounding land use and community development. It recommends a new approach for achieving sustainable communities in Minnesota. It presents goals for the state to meet in five broad issue areas and suggests specific strategies to implement those goals.

353.

State of Vermont. 1988. *Report of the Governor's Commission on Vermont's Future: Guidelines for Growth*, Office of Policy Research and Coordination, State of Vermont, Montpelier, Vt..

This report provides an overview of Vermont's problems related to a steady increase in growth. It contains a list of recommendations to guide planning in Vermont. The report is aimed at revamping Act 250, which establishes a state regulatory process for land use.

354.

Stegman, M. A. 1986. Development Fees for Infrastructure. *Urban Land* 45, no. 5: 2-5.

The author argues that the shift towards private financing of infrastructure has long-term effects that are not yet known. Research shows that local developers are the strongest supporters of development fees for the leverage of demanding public facilities. Fees are most acceptable in developers eyes when related to specific improvements rather than general promises.

355.

Stein, J. M., ed. 1993. *Growth Management: The Planning Challenge of the 1990's*. Newbury Park, Calif.: Sage.

This collection includes some excellent papers on state-level planning in New Jersey, on integrating state environmental and economic policies, and evaluating housing elements in growth management comprehensive plans in Florida.

356.

Stockman, P. K. 1992. Anti-Snob Zoning in Massachusetts: Assessing One Attempt At Opening the Suburbs to Affordable Housing. *Virginia Law Review* 78, no. 7: 535-80.

An analysis and evaluation of one of the oldest programs designed to eliminate suburban exclusionary zoning, the Massachusetts Low and Moderate Income Housing Act of 1969.

357.

Stokes, S. N. 1989. *Saving America's Countryside: A Guide to Rural Conservation*. Baltimore: Johns Hopkins University Press.

Provides an overview of techniques that can be used by communities to protect the rural environment. Partial contents: essays on economic, demographic and social issues, water and land resources, wildlife and endangered species, and potential problems such as highways, mining, toxic waste and air pollution; initiating and managing a rural conservation program; analyzing the rural community; land protection techniques that local governments can use; voluntary techniques for protecting private property; help from the outside; and community education.

358.

Strauss, E. J., and M. L. Leitner. 1989. Development Excise Taxes: Financing Public Facilities Without the Limitations Associated With Exactions and Impact Fees. In *Zoning and Planning Law Handbook* edited by M. S. Dennison. New York: Clark Boardman .

359.

Stroud, N. 1986. Florida Toughens Up Its Land-Use Laws. *Planning* 52, no. 1: 12-14.

Florida's 1985 legislation adopting a state plan and a requirement that local comprehensive plans be approved by the state planning agency.

360.

---1988. Legal Considerations of Development Impact Fees. *Journal of the American Planning Association* 54, no. 1: 29-37.

Written for planners, this article provides an overview of the 'rational nexus test,' discusses the significance of *Nollan v. California Coastal Commission* and explains the legal defenses for development impact fees.

361.

Sullivan, E. J., and L. Kressel. 1975. Twenty Years After - Renewed Significance of the Comprehensive Plan Requirement. *Urban Law Annual* 9: 33-67.

A look at legislation since Haar called for the importance of the comprehensive plan. Concluding that a strong trend exists in the judiciary towards the concept of the comprehensive plan.

362.

Susskind, L. E., and S. L. Podziba. 1990. *Affordable Housing Mediation: Building Consensus for Regional Agreements in the Hartford and Greater Bridgeport Areas*, Lincoln Institute of Land Policy, Cambridge, Mass..

Based on two case studies, this paper explores the use of the mediation process in consensus building for affordable housing. The study also includes a handbook on building consensus for affordable housing, providing an overview of problems associated with this process and solutions to common disputes.

363.

Tarlock, A. D. 1984. Siting New or Expanded Treatment, Storage, or Disposal Facilities: The Pigs in the Parlors of the 1980s. *Natural Resources Lawyer* 17, no. 3: 429-61.

Overview of treatment, storage, or disposal facilities siting legislation - particularly state regulatory statutes in response to RCRA. In an effort to solve siting conflicts, state siting statutes have been developed, but not without problems such as exclusion and preemption.

364.

---. 1985. State Versus Local Control of Siting: Who Decides in Whose Backyard? In *Zoning and Planning Law Handbook* edited by J. B. Gailey. New York: Clark Boardman .

365.

Taylor, E. A., Jr., and B. W. McClendon. 1989. Impact Fee Legislation: Authoritative Guidance Provided to Developers and Local Governments. In *Zoning and Planning Law Handbook* edited by M. S. Dennison. New York: Clark Boardman .

366.

Tennessee State Land Use Planning Task Force. 1973. *An Approach to Land Use Issues in Tennessee: A Report in the Findings and Recommendations of the Tennessee State Land Use Planning Task Force*. This report contains the findings and recommendations of the Tennessee State Land Use Planning Task Force, a body organized to advise the Tennessee General Assembly on legislation needed to initiate a sound state land use planning program. The report contains analyses of local land use controls, land use programs of the states and pending federal land use legislation. This is followed by the specific finding of the Task Force in various land use problems and issues in Tennessee, along with recommendations for initiating a sound state land use planning and management program.

367.

The Massachusetts Zoning Appeals Law: First Breach in the Exclusionary Wall. 1974. *Boston University Law Review* 54, no. 1: 37-77.

A statute attempting to 'legislate an end to the worst effects of exclusionary zoning.'

368.

Thomas, C. E. 1985. The Cape Cod National Seashore: A Case Study of Federal Administrative Control Over Traditionally Local Land Use Decisions. *Boston College Environmental Affairs Law Review* 12, no. 2: 225-72.

369.

Thompson, E., Jr. 1987. Conservation Easements: The Public Policy Perspective. In *Zoning and Planning Law Handbook* edited by N. J. Gordon. New York: Clark Boardman .

370.

Thornton, R. D. 1992. Searching for Consensus and Predictability: Habitat Conservation Planning Under the Endangered Species Act of 1973. In *Zoning and Planning Law Handbook* edited by K. H. Young. New

York: Clark Boardman .

371.

Tripp, J. T. B., and D. J. Dudek. 1990. Institutional Guidelines for Designing Successful Transferable Rights Programs. In *Zoning and Planning Law Handbook* edited by M. S. Dennison. New York: Clark Boardman .

372.

U.S. Advisory Commission on Intergovernmental Relations. 1975. *ACIR State Legislative Program, No. 5, Environment, Land Use and Growth Policy*, U.S. Advisory Commission on Intergovernmental Relations, Washington, D.C..

In the 1970s ACIR published model planning legislation as part of an overall reform package for states. This publication includes model statutes addressing a wide variety of topics. The growth policy legislation includes: (1) a state planning and growth policy act, based on Oregon and Florida legislation and a draft of the ALI Model Land Development Code; (2) a draft legislative resolution charging a joint committee or separate standing committees of the state legislature with jurisdiction and responsibility over state planning and growth policy and activities; (3) establishment of state and local land development corporations to undertake large scale urban and new community land purchase, assembly and improvement; (4) state loans to promote urban growth policies; (5) local industrial development bonds; (6) preferential tax incentives for businesses that establish commercial or industrial facilities in poverty areas. The land use and environmental planning and regulation legislation includes: (1) control of urban water supply and sewerage systems; (2) local planning, zoning, and subdivision legislation drawn from Florida county enabling legislation; (3) state highway interchange planning districts; (4) official map; (5) planned unit development; (6) mandatory dedication of park and school sites and fees-in-lieu; and (7) legislative jurisdiction over Federal lands within the states.

373.

---1975. *ACIR State Legislative Program, No. 6, Housing and Community Development*, U.S. Advisory Commission on Intergovernmental Relations, Washington, D.C..

This publication contains a model regional fair share housing allocation statute. The statute mandates that regional agencies prepare and submit to an appropriate state administering agency a regional low and moderate income housing plan.

374.

---1992. *Intergovernmental Decisionmaking for Environmental Protection and Public Works*, U.S. Government Printing Office, Washington, D.C..

Recent study that recommends federal and state use of environmental mediation for dispute resolution and negotiated rule-making, among other things.

375.

U.S. Department of Housing and Urban Development. 1991. *Not In My Back Yard: Removing Barriers to Affordable Housing*, Advisory Commission on Regulatory Barriers to Affordable Housing, Washington, D.C..

This study targets government regulations that drive up housing costs. Among the report's 31 recommendations were proposals for: (1) state regulatory barrier removal plans; (2) state zoning reform; (3) state sponsored conflict resolution and mediation; (4) restructuring of regulatory procedures and standards; (5) enactment of state impact fee standards; and (6) removal of regulatory barriers of certain types of affordable housing options such as accessory apartments.

376.

---1992. *Removing Regulatory Barriers to Affordable Housing: How States and Localities Are Moving Ahead*, Advisory Commission on Regulatory Barriers to Affordable Housing, Washington, D.C..

This study, in response to 31 recommendations provided by the commission in 1991, identifies regulatory reform measures currently in use by state and local governments with profile summaries of each program.

377.

---1976. *Statutory Land Use Control Enabling Authority in the Fifty States*, U.S. Department of Housing and Urban Development, Washington, D.C..

This report summarizes land use control legislation authorizing local governments and state agencies to adopt zoning regulations, emphasizing floodplain regulation. With charts and specific state summarizing information, principal land use control statutes are cited for each state.

378.

Urban Land Institute. 1983. Protection of Vested Rights in the Development Process: Recommended Actions. In *Zoning and Planning Law Handbook* edited by F. A. Strom. New York: Clark Boardman . 379.

Valletta, W. 1993. Siting Public Facilities on a Fair Share Basis in New York City. *Urban Lawyer* 25, no. 1: 1-20.

This article describes the procedure for siting controversial facilities in New York City as implemented by the Department of City Planning.

380.

Virginia Advisory Legislative Council. 1976. *Report of the Land Use Policies Study Committee to the Virginia Advisory Legislative Council*.

Contains a discussion of the reasons for six recommendations relating to: the Area Development Act, service districts, the State Planning Advisory Committee, the Director of Community Affairs, broad legislation on critical environmental areas, and the Agricultural and Forestal Districts Act.

381.

Virginia Commission on Population Growth and Development. 1994. *Growth Management and Strategic Planning: A Background Reader*, Virginia Commission on Population Growth and Development, Richmond, Va..

This is a collection of articles covering growth strategies, strategic planning and housing and economic development. It was designed to provide background reading for Virginia's Commission on Population Growth and Development. It contains an excellent survey of state planning offices as of 1992.

382.

---1994. *House Document No. 76*, Virginia Commission on Population Growth and Development, Richmond, Va..

This report acts as a summary of previous reports and recommendations enacted by the Commission. The proposed Virginia Growth Strategies Act is included along with a survey list of planning efforts of other state governments.

383.

---1994. *Regionalism: Shared Decision Making: A Background Reader*, Virginia Commission on Population Growth and Development, Richmond, Va..

This is a thoughtful collection of articles on the history of planning in Virginia, regionalism around the United States, regionalism issues and urban concerns in Virginia. There is a good piece from the National League of Cities on interlocal revenue sharing in various states.

384.

---1993. *Virginia Geographic Information Network: Proposal for Legislative Action*, Virginia Commission on Population Growth and Development, Richmond, Va..

This report contains findings and recommendations on the future of geographic information systems (GIS) in Virginia. The Growth Commission recommended: (1) the development of four sets of geographic information statewide--political boundaries, transportation, hydrography, and topography; (2) funding a data network; (3) establishing a GIS division in the Department of Planning and Budget; (4) directing this division to develop GIS standards; and (5) instructing the executive branch to work with the GIS division.

385.

---1993. *Virginia Geographic Information Network: Situation Assessment and Strategic Recommendations*, Virginia Commission on Population Growth and Development & PlanGraphics, Frankfort, Ky..

PlanGraphics has recommended that Virginia adopt a statewide digital orthophotographic program to add to the existing vector data program. This report also summarizes current efforts by the state and local governments with respect to GIS coordination.

386.

---1991. *Virginians Respond*, Virginia Commission on Population Growth and Development, Richmond, Va..

Based on a series of Growth Commission meetings, this report provides a summary analysis of specific public concerns in eleven areas of the state. Common themes expressed at the meetings include the need for increased environmental programs, regional coordination and strengthening the state's role in planning.

Much of the Commission's work has been based on these comments.

387.

Virginia Department of Housing and Community Development. 1991. *A Historical Overview of State and Regional Planning in Virginia*, Virginia Department of Housing and Community Development, Richmond, Va..

A brief history of planning in Virginia starting with the Land Subdivision Act of 1888.

388.

Vranicar, J., W. Sanders, and D. Mosena. 1980. *Streamlining Land Use Regulations: A Guidebook for Local Governments*, Urban Land Institute and American Planning Association, Washington, D.C..

A step-by-step guide written for planning officials examining successful techniques for administration of planning ordinances.

389.

Wadley, J. B. 1988. The Emerging 'Social Function' Context for Land Use Planning in the United States: A Comparative Introduction to Recurring Issues. *Washburn Law Journal* 28, no. 1: 22-50.

390.

Wakeford, R. 1990. *American Development Control: Parallels and Paradoxes From an English Perspective*. London: HMSO.

Perceptive appraisal by a British civil servant of how the American planning system functions, based on case studies (Wakeford traveled around the U.S. for a year), and what the British can learn from it.

391.

Walker, R., and M. Heiman. 1981. Quiet Revolution For Whom? *Annals of American Association of Geographers* 71, no. 1: 67-83.

The two authors are geographers who approach their subject from a Marxist perspective. In examining the issue of who gains from the movement to centralize authority for land use policy, they, like Geisler (1980), note that centralization of public administrative authority parallels the growth of centralized private power throughout the twentieth century. They argue more specifically that the centralized in public authority of the late 1960s and early 1970s was promoted by centralized, private real estate and development interests to serve their own ends. They are, however, left in a quandary, as they do not see local control of land use serving the interests of disadvantaged individuals and groups any better than the proposed new centralization.

392.

Want, W. L. 1990. Expanding Wetlands Regulation Affects Land Development and Property Transactions. In *Zoning and Planning Law Handbook* edited by M. S. Dennison. New York: Clark Boardman .

393.

Washington State Growth Strategies Commission. 1990. *A Growth Strategy for Washington State*, Washington State Growth Strategies Commission, Seattle.

This report contains the recommendations from the Commission on growth management legislation in Washington State. The first part focuses on twelve critical growth issues, among them planning for statewide growth strategy, preserving lands and resources of statewide significance, designating urban growth areas and providing services, providing affordable housing, and resolving NIMBY problems. The second part of the report turns towards a more detailed discussion of the recommendations and their technical concepts.

394.

Washington State Land Planning Commission. *Land Planning for Our Future, Final Report*, Washinton. Part three of a three part report to identify and describe effective policies that should be considered as part of the land planning process in the State of Washington.

395.

Washington State Land Planning Commission Proposed Land Information Service. *Land Planning Information: A Call for Coordination and Compatibility*, Washington.

Summary of research and recommendations for a land use information system.

396.

Washington State Office of Financial Management. 1994. *Governor's Task Force in Regulatory Reform, Final Report*, Olympia.

This final report looks for ways of simplifying the state's increasingly complex and sometimes overlapping rules and regulations. It describes alternative regulatory approaches. Final recommendations center around three issues: (1) land use planning and environmental policies, (2) alternative regulatory approaches and (3) rules review.

397.

Weiss, M. A. 1987. *The Rise of the Community Builders: The American Real Estate Industry and Urban Land Planning*. New York: Columbia University Press.

398.

Weitz, S. 1985. Affordable Housing: How Local Regulatory Improvements Can Help. In *Zoning and Planning Law Handbook* edited by J. B. Gailey. New York: Clark Boardman .

399.

White, S. M. 1992. Development Fees and Exemptions for Affordable Housing: Tailoring Regulations to Achieve Multiple Public Objectives. In *Zoning and Planning Law Handbook* edited by K. H. Young. New York: Clark Boardman .

400.

---1992. "Planning Advisory Service Report Number 441." *Affordable Housing: Proactive & Reactive Planning Strategies*, American Planning Association, Chicago.

An overview of exclusionary zoning and comprehensive planning legislation and its effects on local regulations and affordable housing. The study provides examples of successful programs and their characteristics.

401.

Whorton, J. W. 1989. Innovative Strategic Planning: The Georgia Model. *Environmental and Urban Issues*: 15-23.

402.

Williams, N., Jr. 1994. *American Land Planning Law*. Deerfield, Ill.: Clark Boardman.

This is a multi-volume treatise on planning law. Chapter 160 in Volume 5 is a very comprehensive treatment of the state initiatives in land use control. Chapter 163 discusses opportunities for reform of planning and land use control systems.

403.

---1984. The Background and Significance of Mount Laurel II. *Journal of Urban and Contemporary Law* 26: 3-23.

A look at the history of Mount Laurel as well as additional exclusionary zoning cases, and an analysis of Mount Laurel II and the implications to planning law.

404.

---1955. Planning Law and Democratic Living. *Law and Contemporary Problems* 20, no. 2: 317-50.

An examination of planning and its effects on the values of a society. A comparison between the physical and social aspects of planning and these strong ties to a democratic society.

405.

---1989. Planning Law in the 1990's. *Arizona Law Review* 31, no. 3: 471-85.

This article provides an overview of planning law and identifies established patterns of case decisions and political concerns.

406.

---1970. The Three Systems of Land Use Control. *Rutgers Law Review* 25, no. 1: 80-101.

An analysis of the housing shortage and the three public land use management systems. The author provides a study of how these problems work against each other causing exclusionary land controls.

407.

Williams, N., Jr., and T. Norman. 1971. Exclusionary Land Use Controls: The Case of Northeastern New Jersey. *Syracuse Law Review* 22, no. 2: 475-507.

A study of exclusionary land use controls in Northeastern New Jersey as related to restriction of low-income housing.

408.

Wisconsin Department of Natural Resources. 1994. *Land Use in Wisconsin: A Draft Report of the DNR Land Use Task Force*, Wisconsin Department of Natural Resources, Madison, Wis..

The Internal Land Use Task Force has identified several potential actions the Department of Natural

Resources can use to improve land use decisions and work towards 'sound land use' programs.
409.

---1995. *Land Use Views: A Summary of Public Input on the Department of Natural Resources' Draft 'Land Use in Wisconsin' Report*, Wisconsin Department of Natural Resources, Madison, Wis..

This is a summary of public responses to the Department of Natural Resources' efforts to improve land use management in Wisconsin. Common themes included the role of state agencies in land use, the recognition of a regional culture, respect for private property rights, and the necessity for informed local land use decisions.

410.

Wisconsin Land Resources Committee. 1973. *Final Report*.

Report to propose state land use policies, complete with recommendations divided into several principal areas: identification of the those critical land resources and land uses that have statewide or regional importance; development of a comprehensive land use information system; strengthened land use planning at all levels of government; and state involvement in the regulation of certain endangered lands and developments with areawide affects.

411.

Wise, H. F. 1977. *History of State Planning: An Interpretive Commentary*. Washington, D.C.: Council of State Planning Agencies.

A detailed history of planning, examining this changing field and the forces that have defined it.

412.

Witt, J. W., and J. Sammartino. 1990. Facility Financing in the 1990s: The Second Step in Urban Growth Management. *Journal of Urban and Contemporary Law* 38: 115-55.

An examination of San Diego's facility financing program for public improvements. Tracing the legal decisions of financing tools, it is determined that state law reform is needed to create an efficient financing program.

413.

Wolf, M. A. 1988. An 'Essay in Re-Plan': American Enterprise Zones in Practice. *Urban Lawyer* 21, no. 1: 29-53.

A summary of enterprise zone legislation in the U.S., a review of enterprise zone programs in practice, and a look at the public-private redevelopment trend of which EZs play a part.

414.

Zeigler, E. H. ed. 1994. *Rathkopf's The Law of Zoning and Planning*. Clark Boardman: Deerfield, Ill.

A multi-volume treatise on planning law. Chapter 7 discusses floodplain and wetland regulation, including federal programs. Chapter 13 addresses growth management (the integration of planning, regulation and infrastructure controls).