

Resumé

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PROFESSIONAL HISTORY:

**Howard A. Stamper Professor of Law, 1974-Present; Professor of Law,
1963-74; Associate Professor, 1962-63
Walter E. Meyer Visiting Research Professor of Law and Social Problems,
Columbia University School of Law, 1971-72
Visiting Professor, Department of Urban Planning, University of
Washington,
1968-69
Ford Foundation Law Faculty Fellow, London, England, 1959-60
Assistant Professor, then Associate Professor of Law, Indiana University,
1953-62
Attorney, Housing and Home Finance Agency (Washington, D.C.) 1952-53
Ford Foundation Fellow, Yale University, 1951-5
Assistant Professor of Law, Drake University, 1949-51**

EDUCATION:

**B.A., 1947, LL.B. 1949, University of Wisconsin
J.S.D., 1956, Yale University
Honors: Phi Kappa Phi, Phi Beta Kappa, Order of the Coif**

LECTURES AND CONFERENCES

**Keynote Lecture, Conference on World Urbanism, International Federation
of Housing and Planning, Oslo, Norway, 2004
Keynote Lecture, ALI-ABA Land Use Institute, Boston, Massachusetts, 2004
Distinguished Visiting Lecturer, Seton Hall University College of Law, 1998
The Inaugural Norman Williams Jr. Annual Symposium on Law
and Public Policy, Rutgers University Law School -
Newark, 1997**

The Inaugural Robert E. Boden Lecture, Marquette University Law School, Milwaukee, Wisconsin, 1997
President's Commission on Risk Assessment and Risk Management, St. Louis, Missouri, 1994
White House-Construction Industry Workshop on National Construction Goals, National Science and Technology Council, Washington, D.C., 1994
University Lecturer, University of Wisconsin at Madison, 1993
1992-93 National Distinguished Lecturer, Journal of Land Use and Environmental Law, Florida State University
Fifteenth Denman Lecture, Department of Land Economy, University of Cambridge, Cambridge, England, 1992
Fifth Annual Rita C. Davidson Memorial Lecture, Maryland Land Use Roundtable, 1991
Conference on legal problems on the adoption of zoning for Houston, Texas, 1991
Journal of Planning Literature Lecturer, Ohio State University College of Law and School of Planning, 1989
Distinguished Visiting Lecturer, Florida Atlantic University Urban Studies Center, 1989
Workshops in Land Use Law for Planners and Lawyers, American Planning Association, 1982-92
Annual Zoning Institute, American Planning Association, 1981-90
Overseas Speakers Program, U.S. Information Agency, Israel and Yugoslavia, 1987
Tenth Annual Will E. Orgain Lecture, University of Texas School of Law, 1976
Keynote speaker, 100th Anniversary Banquet, University of Wisconsin School of Law, 1966
Frequent lecturer at national and regional conferences on land use and environmental law including national conferences of the American Planning Association, annual zoning institutes of the Center for American and International Law, and ALI-ABA land use and government liability institutes

APPOINTMENTS AND AWARDS

Daniel J. Curtin Distinguished Lifetime Achievement Award, American Bar Association, Section on State and Local Government
Fellow, American Institute of Certified Planners, 2004
Distinguished Leadership Award for a Professional Planner, St. Louis Metropolitan Section of the Missouri Chapter of the American Planning Association, 2004
Faculty Associate, Lincoln Institute of Land Policy, 2000-2002
Senior Fellow, Urban Land Institute, 1989-1995

Visiting Fellow, Faculty of Laws, University College, London, 1989
Visiting Fellow, University of Copenhagen, Denmark, 1989
John C. Vance Award, Most Outstanding Paper on Transportation Law
Submitted to Transportation Research Board, 1988 (with A. Kolis)
Visiting Scholar, Department of Urban Planning, Technion, Haifa, Israel,
1983
Visiting Scholar, Institute of State and Law, Moscow, Russia, 1978
Urban Seminar Faculty, Salzburg Seminar in American Studies, 1977
Brookings Institution Urban Program Faculty, 1965-73
Research Fellow, Urban Land Institute, 1976-89

PROFESSIONAL ASSOCIATIONS AND ACTIVITIES:

Joint Committee on Land Use Procedures and Appeals, Sections on State
and Local Government & Administrative Law and Regulatory
Practice, American Bar Association, 2006-
Advisory Board, Institute of Local Government Studies, Center for
American and International Law, 2003-
Chair, Legal Issues Committee of the NEPA Working Group, National
Association of Environmental Professionals, 1999-2001
Commission on Environmental Law, International Union For The
Conservation of Nature (IUCN), 1997-
Advisory Board, National Center for the Revitalization of Central Cities,
1997-2000
Amicus Curiae Committee, American Planning Association, 1995-2003
Property Rights Task Force, American Planning Association, 1994-95
U.S. Council on Environmental Quality, Study of Effectiveness of the
Implementation of the National Environmental Policy Act,
1994-95
Advisory Board, Rocky Mountain Land Use Institute, University of Denver
College of Law, 1992-2005
Task Force on Affordable Housing Legislation, American Planning
Association, 1992-93
Advisory Committee, Transportation Research Board, Corridor
Preservation for Highways, 1991-92
Task Force on Model State Enabling Legislation, American Planning
Association, 1991-94
Advisory Group, Legal Resources Council, Transportation Research Board,
1990-94
Adviser, Subcommittee on Policy Studies, U.S. House of Representatives
Committee on Banking and Urban Affairs on Hearing on the effect of
land use controls on affordable housing, 1989-91
Scoping Committee, Handbook on Constitutional Principles for Planners,
American Planning Association, 1987-88

Coalition for Scenic Beauty, President, 1987-88; Director, 1986; 1981-84
Ad Hoc Committee on National Housing Policy (Senator Alan Cranston),
American Planning Association, 1987-90
Advisory Committees on Performance Zoning and Downtown Zoning
Studies, Urban Land Institute, 1987-88
Land Use and Development Advisory Board, Tulane Center for Legal
Studies on Intergovernmental Relations, 1986-89
Advisory Committee, National Cooperative Highway Research Program,
Public/Private Partnerships for Financing Highway Improvements
Project, 1986-88
Development Regulations Council, Urban Land Institute, 1980-1995
Advisory Committee on Legal Research, National Cooperative Highway
Research Program, Transportation Research Board, 1971-88
American Planning Association: Board of Directors, 1981-84;
Chair, Division Council, 1981-84; Chair, Planning and Law Division, 1979-82
Chair, Subcommittee on Assisted Housing, Housing Task Force Advisory
Group, Democratic Caucus, U.S. House of Representatives, 1981-82
Research Committee, Urban Land Institute, 1981-82
National Advisory Committee on Outdoor Advertising, U.S. Department of
Transportation, 1980-81
Special Committee on Housing and Urban Development Law, American Bar
Association 1980-82
Advisory Commission on Housing and Urban Growth, American Bar
Association, 1976-77
Consultant Group on National Needs in Land Use Research, Academy of
Contemporary Problems, 1977
Committee on Transportation and Land Development Policy,
Transportation Research Board, 1973-82
Legal Task Force on Joint Development, Transportation Research Board,
1971-73
Chair, Section on Local Government Law, Association of American Law
Schools, 1969-70; Program Chairman, 1975-76; 1981-83
Chair, Committee on Education and Curriculum, Section on Local
Government Law, American Bar Association, 1965-70
Committee on Social and Behavioral Urban Research, National Academy of
Sciences, 1967-68
Chair, Committee on Urban-Metropolitan Transportation Law, Department
of Legal Studies, Transportation Research Board, 1964-70
Chair, Committee on Housing Codes and Code Enforcement, University
City (Missouri) Workable Program for Community Improvement,
1964-66

MAJOR CONSULTATIONS AND RESEARCH PROJECTS:

Collier County, Florida sign ordinance, 2008-
Hillsborough County, Florida, Housing Affordability Study, 2007-2008
Urbana, Illinois, sign ordinance, 2007-2008
Melbourne, Florida, sign ordinance, 2007-
The Hauser Group, St. Louis, MO, Historical Use of Eminent Domain for
Redevelopment, 2006
New Orleans Charter, Revisions of Planning Function, Bureau of
Governmental Research, 2006
Cape Wind Nantucket Project, 2004-2005
Hillsborough County, Florida sign ordinance, 2004
Destin, Florida sign ordinance, 2002-2003
Master Plan Coalition, New Orleans, Louisiana, Review of
comprehensive plan and zoning process, 2001-2002
Alaska Groundfish Fisheries, Program Environmental Impact Statement,
2001-2002
Stamford, Connecticut, Sign Ordinance, 2001-2002
Ft. Walton Beach, Florida, Sign Ordinance, 2001-2002
Principal Consultant, American Planning Association, Model State Planning
and Land Use Legislation Project, 1996-2001 (chapters on
Administrative and Judicial Review of Land Use Actions and The
Relationship of State Environmental Policy Acts to State, Regional
and Local Planning, and sections on official maps and amortization)
State of Hawaii, Office of State Planning, legislative program development,
1993-94
Hong Kong, zoning amortization study, 1993-94
Flagstaff, Arizona, sign ordinance, 1993-94
State of Hawaii Land Use Regulation and Management Study Institute,
1992-93
Monroe County, Illinois, floodplain regulations, 1992
El Dorado County, California, sign ordinance, 1990-91
Columbus, Indiana, sign ordinance, 1989-91
Environmental Impact Statement, Page Avenue Extension, St. Louis,
Missouri, 1989-90
East Camelback Road Property Owners Association, Phoenix, Arizona,
zoning review, 1988-89
New Jersey Builders Association (with Team Four), review of New Jersey
State Development Plan, 1987
Urban Land Institute, Environmental Mitigation Study, 1985-89
Sunset Hills, Missouri, sign code revision, 1987
Pensus Group, Phoenix, Arizona, development project, 1986-89
Spokane, Washington, zoning revision, 1986-87
Dallas, Texas, zoning revision, 1985
City of Orlando and Hillsborough County, Florida, and Marietta, Georgia,
sign code revisions, 1985

Allen, Texas, comprehensive plan, 1984-85
 California Department of Housing and Community Development, Affordable
 Housing Legislation Project, 1984-85
 Nuffield Foundation Inquiry on British Town and Country Planning, 1983
 Sarasota, Florida, Member, Regional Urban Design Assistance Team,
 American Institute of Architects, 1983
 Honolulu, Hawaii, Mixed Use Development Project, 1982
 Waco, Texas, zoning revision, 1981-82, 1984-86
 Lemay Area Development Program, St. Louis County, 1981-82
 Clearwater, Florida, Land Development Code revision, 1980-82
 Portland, Oregon, Metropolitan Service District, Banfield Light Rail Transit
 Station Area Planning Program, 1980-82
 Capitol Region Council of Governments, (Hartford, Connecticut),
 Inclusionary Zoning Study, 1980-81
 National Science Foundation, Evaluation Panel for Tsunami Hazard
 Management Study, 1980-81
 Franklin County, Missouri, On Site Treatment Systems Management Study,
 1980-81
 Abt Associates, Evaluation Panel, Environmental Review in Community
 Development Block Grants, 1979-80
 Austin, Texas, zoning revision, 1979-81
 St. Simons Island, Georgia, growth management study, 1979-80
 Arkansas State Constitutional Convention, 1979
 Olympia, Washington, Member, Regional Urban Design Assistance Team,
 American Institute of Architects, 1979
 U.S. Department of Housing and Urban Development, Consultant to study
 on solar access law, 1979
 Lincoln, Nebraska, zoning revision, 1978-79
 Lincoln Institute of Land Policy, Study of Slovenian Planning Law, 1979
 National Science Foundation, Evaluation Panel for University of California
 (Davis) study of California Coastal Zone Management Act, 1977-79
 Environmental Law Institute, Evaluation Panel, Solar Access Law study,
 1977-79
 Bellevue, Washington, Land Development Code Revision, 1976-77
 East-West Gateway Coordinating Council, St. Louis, area-wide water
 quality management planning study, 1976-78
 State of Hawaii, Department of Planning and Economic Development, state
 land use program, 1972-78
 National Science Foundation, Evaluation Panel, University of North
 Carolina Growth Management Study, 1976-77
 United States Air Force, revision of environmental review procedures,
 1975-76
 Resource Management Corporation, highway relocation study for
 Transportation Research Board, Washington, D.C., 1972-76

State of Washington, Office of Community Development, state land use regulation, 1974-75
Tupelo-Lee County, Mississippi, revision of land use control system, 1973-75
National Science Foundation, Evaluation Panel for Potomac Institute study on inclusionary zoning, 1973-74
Kansas City, Missouri, Temporary Advisory Commission on Housing, 1972-73
Melbourne, Australia, Strategy Plan, 1972-73
United Nations Centre on Housing, Building and Planning, Expert Meeting on regional and national development planning, 1972-73
Bloomington, Indiana, zoning revision, 1971-72
New York State Temporary Commission on the Powers of Local Government, consultant on land use policy, 1972
Boulder, Colorado, comprehensive zoning code revision, 1968-71
Committee on Banking and Currency, House of Representatives, United States Congress, national housing policy study, 1970-71
Los Angeles, California, zoning ordinance revision, 1969-71
National Commission on Urban Problems, consultant on Commission Report, 1967-68

LITIGATION EXPERIENCE AS EXPERT WITNESS AND CONSULTANT (SELECTED) :

Venice, Florida, zoning ordinance, 2007
Glendale, California, mediation of land use litigation, 2002
Alhambra, California, 710 Freeway litigation, 1997-2001
Page Avenue Expressway litigation, St. Louis, Missouri, 1996-98
Kansas City, Missouri, Union Station redevelopment project litigation, 1990-92
Los Angeles, California, antitrust billboard litigation, 1988-89
State of South Dakota, coal slurry pipeline litigation, 1986-87
Honolulu, Hawaii, downzonings, 1984-86, and Hawaii Housing Authority v. Midkiff (U.S. Supreme Court), 1977-79
Oregon land use law, Rajneeshpuran incorporation, 1982-84
St. Louis, Missouri, metropolitan school desegregation litigation, 1982-84
State of Vermont, Act 250, Pyramid Mall case, 1980-83
Additional litigation on zoning, sign regulation, environmental and local government issues in Alabama, California, Colorado, Connecticut, Florida, Georgia, Hawaii, Illinois, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, Ohio, Oregon, South Carolina, Texas, Washington, D.C., and Wyoming
Co-author, amicus curiae brief to the United States Supreme Court for the American Planning Association in *Suitum v. Tahoe*

Regional Planning Agency (1997); Author, amicus curiae brief to the United States Supreme Court on Petition for a Writ of Certiorari in *Kottschade v. City of Rochester* (2003); Author, brief to the United States Supreme Court on Petition for a Writ of Certiorari in *Coliseum Square Association v. Jackson* (2007)

RESEARCH PROJECTS:

Lincoln Institute of Land Policy, Coordination of Land Use Reviews Between Levels of Government, 2000-2002

Transportation Research Board, Environmental Chapter Revision for Selected Studies on Highway Law, 1998-2002

Federal Highway Administration, Corridor Preservation Case Study and Legislative Research, 1999-2000

Federal Highway Administration, Joint Development in Highway and Public Transit Projects, 1995-96

Federal Highway Administration, Uncompensated Damages in Condemnation for Highway Projects, 1994-95

Federal Highway Administration, Corridor Preservation -- Legal and Institutional Barriers, 1992-94

Iowa State University, Growth Management Strategies to Reduce Transportation Capital Costs In and Near Midwestern Areas, 1992-95

U.S. Advisory Commission on Intergovernmental Relations, Intergovernmental Decisionmaking Processes for Environmental Protection, 1990-92

National Cooperative Highway Research Program, The Application of the National Environmental Policy Act to Highway Projects, 1989-90 (with G. Feder)

National Cooperative Highway Research Program, Legal Techniques for Reserving Right of Way for Future Projects Including Corridor Protection, 1986-87 (with A. Kolis)

Lincoln Institute of Land Policy, Housing and Planning in Yugoslavia, 1981

United States Department of Housing and Urban Development, Tax-Abated Urban Renewal in St. Louis, 1978-79

Argonne National Laboratory, Emission Density Zoning as an Air Pollution Control, 1977-78

National Science Foundation, The Role of Zoning and Housing Codes in Neighborhood Transition, 1976-77

United States Environmental Protection Agency, Emission Density Zoning as an Air Pollution Control, 1973-75

United States Environmental Protection Agency, The Contribution of Urban Planning to Air Quality, 1972-73

Southeast Asia Development Advisory Group, The Role of Law in Facilitating Urban Development, 1970-72

Walter E. Meyer Foundation, Studies on the Implementation of Comprehensive Planning in the Zoning, Urban Renewal and Transportation Process, 1968-71
United States Public Health Service, A Rationale for Public Powers over Slum Housing, 1968-69
United States Public Health Service, Tenement Landlord Relocation, 1967-68
United States Public Health Service, The Role of Blight Determination in the Urban Renewal Process, 1965-68
Walter E. Meyer Foundation, Comprehensive Planning in Urban Renewal, 1965-66
United States Bureau of Public Roads, Inverse Condemnation: The Constitutional Limits of Public Responsibility, 1963-64
United States Bureau of Public Roads, Official Mapping for Street and Highway Projects, 1962-63

BIBLIOGRAPHY:

BOOKS

Planned Unit Developments (American Planning Ass'n, Planning Advisory Serv. Rep. No. 545 (2007)
Environmental Protection: Law and Policy (with R. Glicksman, D. Markell, W. Buzbee & D. Tarlock) (5th ed. 2007)
State and Local Government in a Federal System (with D. Netsch, P. Salsich, J. Wegner, S. Stevenson & J. Griffith) (6th ed. 2006)
Planning and Control of Land Development (with J. Payne, P. Salsich & N. Stroud) (7th ed. 2007)
Street Graphics and the Law, Revised Edition (American Planning Ass'n, Planning Advisory Serv. Rep. No. 527 (2004) (with A. Bertucci and W. Ewald)
Property Law and the Public Interest (with G. Hylton, D. Callies & P. Franzese (3d ed. 2007)
Land Use Law (5th ed. 2003 & Supp. 2006)
Editor, Protecting Free Speech and Expression: The First Amendment and Land Use Law (American Bar Association, 2001) (with R.L. Rubin)
Housing and Community Development: Cases and Materials (with others) (3d ed. 1999)
NEPA Law and Litigation (2d ed. 1992 & Supp. 2007)
Street Graphics and the Law (with W. Ewald) (1988)
Federal Land Use Law (with J. Gerard & T. Sullivan) (1986 & Supp. 2002)
Environment and Equity: A Regulatory Challenge (1981)
Reviving Cities Through Tax Abatement (with G. Feder & M. Collins) (1980)
Housing in America: Problems and Perspectives (with R. Montgomery) (2d

Ed. 1979)
Environmental and Land Controls Legislation (1976 & Supp. 1982)
New Developments in Land and Environmental Controls (1974)
Air Quality Management and Land Use Planning (with G. Hagevik & R. Brail)
(1974)
Housing Subsidies in the United States and England (1973)
Street Graphics (with W. Ewald) (1971)
The Zoning Dilemma (1971)
Managing Our Urban Environment (2d Ed. 1971)
Case Studies in Land Planning and Development (1968)
Green Belts and Urban Growth: English Town and Country Planning in
Action (1962)

MONOGRAPHS:

Corridor Preservation: Study of Legal and Institutional Barriers (with
B. Blaesser), Federal Highway Administration (1996)
Environmental Policy: The Next Generation (Fifteenth Denman Lecture,
University of Cambridge, England; Department of Land Economy,
1993)
The Application of the National Environmental Policy Act to Highway
Projects (with G. Feder), National Cooperative Highway Research
Program, Legal Research Digest, No. 15 (1990)
Legal Techniques for Reserving Right-of-Way For Future Projects Including
Corridor Protection (with A. Kolis), National Cooperative Highway
Research Program, Research Results Digest No. 165 (1987)
1974 Five Year Boundary Review Report: An Evaluation of the Hawaii Land
Use Law (with S. Spiegel) (1974)
Editor, The Capacity of the Legal System to Facilitate the Urban
Development Process: Korea and the Philippines (1972)
Controlling Planned Residential Development (1966)

CHAPTERS IN BOOKS AND MONOGRAPHS:

Project Environmental Analysis in Transportation Research Board, 3
Selected Studies in Highway Law, Environmental Law and
Transportation (2003)
Derecho Urbanístico y Ordenación Urbanística Excluyente en los Estados
Unidos de América in Anuario del Gobierno Local 2002, at 169
Commentary and Draft Model Legislation on Judicial and Administrative
Review, Melding State Environmental Policy Acts with Local
Planning, Corridor Maps and Amortization of Nonconforming Uses in
American Planning Association, Growing Smart Legislative
Guidebook, Model Statutes for Planning and the Management of

Change (2002)

The Notice Rule in Investment-Backed Expectations in Taking Sides on Takings Issues (T. Roberts ed., American Bar Association, 2002)

Sign Regulation and Free Speech: Spooking the Doppelganger in Trends in Land Use Law from A to Z (P. Salkin, ed., American Bar Association, 2001)

Corridor Maps (with B. Blaesser) in Modernizing State Planning Statutes: The Growing Smart Working Papers Vol. II, American Planning Association, Planning Advisory Service Report No. 480-481 (1998)

Judicial Review of Land-Use Decisions in Modernizing State Planning Statutes: The Growing Smart Working Papers, American Planning Association, Planning Advisory Service Report No. 462-463 (1996)

Waiving the Taking Clause: Conflicting Signals from the Supreme Court, 1994 Proceedings of the Institute on Planning, Zoning, and Eminent Domain Ch. 7 (1995)

Housing Issues in AIDS Law Today in S. Burris, H. Dalton, J. Miller & the Yale Law Project, Eds., AIDS Law Today (1993)

The Legal Framework for Environmental Review of State and Local Public Works Projects in Advisory Commission on Intergovernmental Relations, Intergovernmental Decisionmaking for Environmental Protection and Public Works (1992)

Principles on Due Process and Equal Protection in B. Blaesser & A. Weinstein, Eds., Land Use and the Constitution: Principles for Planning Practice (1989)

Zoning in L. Levy, K. Karst & D. Mahoney, Eds., Encyclopedia of the American Constitution 2088 (with B. Ross) (1986)

Group Homes: The Supreme Court Revives the Equal Protection Clause in Land Use Cases, 1986 Proceedings of the Institute on Planning, Zoning, and Eminent Domain Ch. 3 (1986)

The Constitutionality of Inclusionary Zoning: An Overview in D. Merriam, D. Brower and P. Tegeler, Eds., Inclusionary Zoning Moves Downtown (1985)

Legislation to Reduce Litigation in Urban Land Institute, Working With the Community: A Developer's Guide (1985)

Land Use Law and Antitrust Liability in E. Netter, ed., Land Use Law: Issue for the Eighties, Part II (1984)

Environmental Protection in F. So, I. Hand & B. McDowell, Eds., The Practice of State and Regional Planning (1984)

Comprehensive Plans and the Law (with E. Netter), in E. Netter and S. Meck, Eds., A Planner's Guide to Land Use Law (1983)

Energy Conservation Implementation Through Comprehensive Land Use Controls, in R. Burchell & D. Listokin, Eds., Energy and Land Use

(1982)

- The Taking Issue in Land Use Regulation, in J. DeNeufville, ed., *The Land Use Policy Debate in America* (1981)
- Commentary on Legal Aspects of Controlling Shopping Center Competition, in G. Sternlieb & J. Hughes, Eds., *Shopping Centers: U.S.A.* (1981)
- Regulatory Simplification: An Overview, in A. Kolis, ed., *Thirteen Perspectives on Regulatory Simplification* (Urban Land Institute Research Rep. No. 29, 1979)
- The Role of the Federal Government in Land Use Planning and Development Controls (with D. Wafer) in R. Cowart, ed., *Land Use: Planning, Politics, and Policy* (1976)
- The Clean Air Act: Land Use and Transportation Implications, in *Proceedings, National Conference on Land Use and Transportation Planning and Air Quality Management* (1975)
- Planned Unit Development: Internal Procedures and External Effects, in R. Burchell, ed., *Frontiers of Planned Unit Development* (1973)
- Quality Standards for the Control of Air Pollution, in A. Atkisson & R. Gaines, Eds., *Development of Air Quality Standards* (1970)
- The Basic Philosophy of Zoning: Incentive or Restraint, in N. Marcus & M. Govers, Eds., *The New Zoning* (1970)
- New Incentives and Controls, in W. Ewald, ed., *Environment and Policy* (1968)
- A Legal Strategy for Urban Development, in S. Warner, ed., *Planning for a Nation of Cities* (1966)

ARTICLES: (partial)

- Kelo's* Lessons for Urban Redevelopment: History Forgotten, *Washington University Law Review Slip Opinions*, Nov. 24, 2008, <http://lawreview.wustl.edu/slip-opinions/kelos-lessons-for-urban-redevelopment-history-forgotten>
- Decision Making in Sign Codes: The Prior Restraint Barrier, *Zoning and Planning Law Report*, September 2008, at 1
- Legislation for Planned Unit Developments and Master-Planned Communities, 40 *Urban Lawyer* 419 (2008)
- Model Legislation for Land Use Decisions, 35 *Urban Lawyer* 635 (2003)
- The Affordable Housing Element in Comprehensive Plans, 30 *Boston College Environmental Affairs Law Review* 555 (2003)
- Fred Bosselman's Legacy to Land Use Reform, 17 *Journal of Land Use and Environmental Law* 11 (2002)
- Entitlement to Substantive Due Process: Old versus New Property in Land Use Regulation, 3 *Washington University Journal of Law and Policy* 61 (2000)

Managing Space to Manage Growth, 23 William & Mary Environmental Law and Policy Review 801 (1999)
Testimony of Daniel R. Mandelker on H.R. 1534 Before the House Judiciary Committee, 31 Urban Lawyer 323 (1999)
Federal Land Use Issues for the Next Century, 21 Zoning and Planning Law Report 33 (1998)
New Property Rights Under the Taking Clause, 81 Marquette Law Review 9 (1997)
Melding State Environmental Policy Acts with Land-Use Planning and Regulation, Land Use L. & Zoning Dig., Vol.49, No. 3, at 3 (1997), reprinted in Modernizing State Planning Statutes: The Growing Smart Working Papers Vol. II, American Planning Association, Planning Advisory Service Report No. 480-481 (1998)
Two Cheers for Shifting the Presumption of Validity: A Reply to Professor Hopperton (with D. Tarlock), 24 Boston College Environmental Affairs Law Review 103 (1996)
Planning and the Law, 20 Vermont Law Review 657 (1996)
Property Rights and Takings (with A. Strong & E. Kelly), 62 Journal of the American Planning Association 5 (1996)
Investment-Backed Expectations in Taking Law, 27 Urban Lawyer 215 (1995)
Zoning Discrimination Against Group Homes Under the Fair Housing Act, Land Use Law and Zoning Digest, Vol. 46, No. 11, at 3 (1994)
Of Mice and Missiles: A True Account of *Lucas v. South Carolina Coastal Council*, 8 Journal of Land Use and Environmental Law 285 (1993)
Environmental Policy: The Next Generation, 64 Town Planning Review 107 (1993)
Takings '92: The Case of the Curious Case, Land Use Law and Zoning Digest, Vol. 44, No. 9, at 3 (1992)
Takings: Trilogy II, Land Use Law & Zoning Digest, Vol. 44, No. 4, at 3 (1992)
Shifting the Presumption of Constitutionality in Land-Use Law (with D. Tarlock), 24 Urban Lawyer 1 (1992)
The Conflict Between Environmental Land Use Regulation and Housing Affordability, 15 Zoning and Planning Law Report 1 (1992)
Choice of Forum in Land Use Litigation: Federal or State?, 14 Zoning and Planning Law Report 114 (1991)
Land Reservation for Public Facilities: The Taking Issue (with A. Kolis), Urban Land, Vol. 49, No. 4, at 30 (1990)
A Plea to Allow the Federal Courts to Clarify the Law of Regulatory Takings (with M. Berger), Land Use Law & Zoning Digest, Vol.

42, No. 1, at 3 (1990)

The Shifting Presumption of Constitutionality in Land-Use Law, 4 Journal of Planning Literature 393 (1989)

Controlling Nonpoint Source Water Pollution: Can It Be Done?, 65 Chicago-Kent Law Review 479 (1989)

NEPA Alive and Well: The Supreme Court Takes Two, 19 Environmental Law Reporter 10385 (1989)

Interim Development Controls in Highway Programs: The Taking Issue, Journal of Land Use and Environmental Law 167 (1989)

The Quiet Revolution -- Success and Failure, 55 Journal of the American Planning Association 204 (1989)

Waiving the Taking Clause: Conflicting Signals From The Supreme Court, Land Use Law & Zoning Digest, Vol. 40, No. 11, at 3 (1988)

Applying the Ripeness Doctrine in Federal Land Use Litigation (with B. Blaesser), 11 Zoning and Planning Law Report 50 (1988)

Investment-Backed Expectations: Is There a Taking?, 31 Washington University Journal of Urban and Contemporary Law 3 (1987)

Making Difficult Choices for Lower Income Housing Subsidies, 8 Urban Law and Policy 191 (1986)

Public Entrepreneurship: A Legal Primer, 15 Real Estate Law Journal 1 (1986)

Reversing the Presumption of Constitutionality in Land Use Litigation: Is Legislative Action Necessary?, 30 Washington University Journal of Urban and Contemporary Law 5 (1986)

The White River Junction Manifesto (with N. Williams, R. Smith, C. Siemon & R. Babcock), 9 Vermont Law Review 193 (1984)

Special Purpose Zoning, Urban Land, Vol. 43, No. 10, at 34 (1984)

The Free Speech Revolution in Land Use Control, 60 Chicago-Kent Law Review 51 (1984)

Cleaning the Air: The Costs and Benefits of Air Quality Control, Washington University Law School Magazine, Vol. 5, No. 1, at 30 (1983)

Urban Revitalization in the 1980's, Washington University Magazine, Vol. 53, No. 3, at 14 (1983)

Professor Hagman's Legacy to Legal Scholarship (with D. Tarlock), 29 University of California at Los Angeles Law Review 770 (1982)

Planning and Housing in the Yugoslav Republic of Solvenia, 4 Urban Law and Policy 357 (1982)

Inverse Condemnation for Land Use Takings: New Riddles from the Supreme Court, Urban Land, Vol. 40, No. 8, at 22 (1981)

Land Use Takings: The Compensation Issue, 8 Hastings Constitutional Law Quarterly 491 (1981)

The Billboard Ban: Aesthetics Comes of Age (with L. Reiman), Land Use Law & Zoning Digest, Vol. 31, No. 11, at 4 (1979)

Wither Hawaii: Land Use Management in an Island State (with A. Kolis), 1 University of Hawaii Law Review 48 (1979)
Constitutional Limitations on Emission Quotas as an Air Pollution Control Strategy (with F. Taub), 8 Ecology Law Quarterly 269 (1979)
City Planning in the Soviet Union: Problems of Coordination and Control, 2 Urban Law & Policy 97 (1979)
The Catch-13 in Proposition 13: Higher Development Charges Raise New Questions for Courts, Environmental Comment July, 1979, at 4
The Quiet Revolution Reconsidered, Land Use Law & Zoning Digest, Vol. 31, No. 8, at 4 (1979)
Differential Enforcement of Housing Codes--The Constitutional Dimension (with J. Gibb & A. Kolis, 55 Journal of Urban Law 517 (1978)
Should State Government Mandate Local Planning? .. Yes, Planning, July, 1978, at 14
Racial Discrimination and Exclusionary Zoning: A Perspective on *Arlington Heights*, 55 Texas Law Review 1217 (1977)
Emission Quota Strategies as an Air Pollution Control Technique (with T. Sherry), 5 Ecology Law Quarterly 401 (1976)
The Role of the Local Comprehensive Plan in Land Use Regulation, 76 Michigan Law Review 899 (1976)
Multi-Permit Procedures in the Hawaiian System of Land Use Controls, Environmental Comment, May 1976, at 12
Critical Area Controls: A New Dimension in American land Development Regulation, 41 Journal of American Institute of Planners 21 (1975)
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