

LAND USE LAW
UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW
SPRING 2025 SYLLABUS—LAW 6460—3 CREDITS

Instructor

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Office hours: Tuesdays from 10:00 AM to 12:00 PM

Course

Meeting time: Mondays and Wednesdays, 1:15 PM to 2:40 PM
Meeting location: Holland Hall, Room 355 C

Course description and objectives

A study of the legal aspects of the allocation and development of land resources; private controls through covenants and easements; public regulation and control through zoning and subdivision regulation; social, economic and political implications of land regulations; eminent domain; selected current problems such as growth management, historic preservation, environmental regulations, and urban development.

Student learning outcomes

In this course you will:

- Read and comprehend land use laws in statutes and judicial decisions.
- Describe or recall key terms and concepts in land use law and connect them to land use planning, growth management, and land development regulation practices.
- Attend a quasi-judicial land use hearing and evaluate whether the local government afforded appropriate due process.
- Write clearly to describe land use law rules.
- Apply land use law rules to hypothetical facts to determine whether government actions violate private rights.
- Write clearly to present your analysis of hypothetical facts against land use law rules.

Required reading materials

You must have a copy of Land Use Law in Florida by Thomas Hawkins. Routledge is the publisher of this book. You may purchase either the paperback (ISBN number: 9780367622596) or the hardcover version. This book includes both required readings and course assignments.

The course Canvas page provides additional reading materials.

Course expectations and grading evaluation

I will assess your performance in this course in four ways. One, throughout the semester, I will administer multiple-choice quizzes using Canvas. Two, also throughout the semester, I will assign hypothetical prompts you will respond to in writing. These hypothetical prompts will then be the subject of in-class discussion. Three, you will attend a local government quasi-judicial land-use hearing and will summarize your observations in writing. Finally, I will administer an open-book final examination including multiple-choice questions and hypothetical prompts at the conclusion of the semester.

Component	Characteristics of satisfactory performance	Proportion of final grade
Multiple-choice quizzes	You select the response I deem correct.	15%
Hypothetical prompts	You provide a response to the prompt.	10%
Observations on attended quasi-judicial hearing	You attend a local government land-use quasi-judicial hearing and summarize your observations of the hearing given legal issues I teach in class.	10%
Final examination	For multiple choice questions, you select the response I deem correct. For hypothetical prompts, you provide a response to the prompt that clearly restates the issue, accurately and clearly describes the applicable rule, applies the relevant facts from the prompt to the rule, and reaches a conclusion that reasonable follows from your application of the facts to the rule.	65%

Class attendance policy

The American Bar Association, the College of Law, and I require you to attend class. If you are unable to attend class for any reason, please inform me of your anticipated absence before class and retain documentation of the reason for your absence (such as records of a job interview or a medical appointment).

You should not seek pre-approval for an absence or preemptively provide me documentation of a reason you are absent. However, if you fail to attend 90% of the scheduled course meetings over a semester, I may request the college drop you

from the course. In that circumstance, I may evaluate the reasons for your absence and you may provide me relevant documents.

University of Florida Levin College of Law standard syllabus policies

You can find other important information about University of Florida Levin College of Law policies—including compliance with the University of Florida Honor Code, grading, accommodations, class recordings, and course evaluations—at this link: <https://ufl.instructure.com/courses/427635/files/74674656?wrap=1>.

American Bar Association Standard 310 “Determination of Credit Hours for Coursework”

American Bar Association Standard 310 requires that you prepare out-of-class for 120 minutes for every hour of in-class instruction.

Course schedule of topics and assignments

This course schedule is a guide to the direction of the course. Our pace will depend in part on the level of interest and the level of difficulty of each section and is subject to change.

	Topics and required readings
Week 1	<ul style="list-style-type: none"> • Chapter 1: Introduction • Chapter 2: Nuisance • Chapter 3: Local government land use powers • Additional cases as assigned
Week 2	<ul style="list-style-type: none"> • Chapter 4: Substantive due process • Chapter 5: Quasi-judicial decision-making • Chapter 6: Florida's planning statutes • Additional cases as assigned
Week 3	<ul style="list-style-type: none"> • Chapter 7: Judicial treatment of comprehensive plans • Chapter 8: Local variation • Chapter 9: Specific quasi-judicial decisions • Additional cases as assigned
Week 4	<ul style="list-style-type: none"> • Chapter 10: Administrative hearing • Chapter 11: Writ of certiorari • Additional cases as assigned
Week 5	<ul style="list-style-type: none"> • Chapter 12: Consistency challenge • Chapter 13: Declaratory judgement • Additional cases as assigned
Week 6	<ul style="list-style-type: none"> • Chapter 14: Eminent domain • Chapter 15: Per se regulatory takings • Additional cases as assigned

	Topics and required readings
Week 7	<ul style="list-style-type: none"> • Chapter 16: Ad hoc balancing test for regulatory takings • Additional cases as assigned
Week 8	<ul style="list-style-type: none"> • Chapter 17: Florida law protections for property rights • Additional cases as assigned
Week 9	<ul style="list-style-type: none"> • Chapter 18: Exactions • Additional cases as assigned
Week 10	<ul style="list-style-type: none"> • Chapter 19: Taxes, assessments, and fees • Chapter 20: Tax increment financing • Additional cases as assigned
Week 11	<ul style="list-style-type: none"> • Chapter 21: Concurrency • Chapter 22: Development agreements • Chapter 23: Plats and restrictive covenants • Additional cases as assigned
Week 12	<ul style="list-style-type: none"> • Chapter 24: Equal protection • Additional cases as assigned
Week 13	<ul style="list-style-type: none"> • Chapter 25: Speech • Chapter 26: Religion • Additional cases as assigned
Week 14	<ul style="list-style-type: none"> • Completion of any prior material left incomplete • Review for final examination