

Dolan vs. City of Tigard

1994 - Extended Nollan's "essential nexus" test to require "rough proportionality" between impact and conditions. Conditions requiring land dedication for pedestrian/bike path is a taking because City didn't show that the dedication would lessen traffic generated by the new development

Babbitt vs. Sweet Home Chapter of Communities for a great Oregon

1995- Applied the
Endangered
Species Act to
land development

Tahoe-Sierra Preservation Council Inc. vs. Tahoe Regional Planning Agency

2002 - Sanctioned the use of Moratoria. Moratorium is not a takings per se, but should be analyzed under the multi-factor Penn Central test.

Lucas vs. South Carolina Coastal Council

1992 - Compensation to be paid to a landowner when REGULATIONS deprive them of all economical use of land.

**Nollan vs.
California
Coastal
Commission**

1987-Created the "essential nexus" Takings Test. The town required a conveyance of an easement for beach access as a condition of a building permit for a home. The court found that it was unrelated to the public interest, and was therefore a taking.

**First English
Evangelical
Church of
Glendale vs. Los
Angeles County**

1987- Compensation for temporary takings is invalidated in Court. Allows damages (as opposed to invalidation) as a remedy for regulatory takings.

**Williamson County
Regional Planning
Commission vs.
Hamilton Bank**

1985 - Defined "Ripeness" in takings cases. Owner must seek all possible relief (variance and condemnation) before going to court for a takings case.

**Southern
Burlington County
NAACP vs.
Township of Mt.
Laurel**

**1983- Model Fair
Housing Remedy
for Exclusionary
Zoning.**

**Loretto vs.
Teleprompter
Manhattan
CATV Corp.**

1982- Any physical occupation (no matter how small) is a taking. Law required landowners to install cable TV in their apartments was deemed to be a taking.

**Metromedia
vs. City of
San Diego**

1981- Extended commercial speech to aesthetic regulations. Restricted both commercial and non-commercial billboards.

**Agins vs.
City of
Tiburon**

1980 - Alternative takings test to Penn Central Test. Open space ordinance in California did not constitute a taking.

**Penn Central
Transportation
Company vs.
City of NY**

1978 - Validated Historic Preservation. Found that restrictions on the development of the Grand Central Terminal were not a taking since they could transfer their development rights to other properties.

**Tennessee
Valley Authority
vs. Hill**

1978 - (Snail Darter case).
Upheld the Endangered
Species Act of 1973 and
prohibited the completion
of the Tellico Dam.

**Village of Arlington
Heights vs.
Metropolitan
Housing
Development Corp.**

1977- Discriminatory
INTENT is required to
invalidate zoning actions
with Racially
Disproportionate
impacts.

**Young vs.
American
Mini Theaters**

1976 - Opened up
the possibility to
regulate
pornography via
land use regulations

**Fasano vs. Board
of County
Commissioners of
Washington
County**

1973- Required
zoning to be
consistent with the
Comprehensive
Plan

Just vs. Marinette County

1972 - A landowner has no absolute right to change the natural character of the land so as to use it for a purpose it was not suited for in its natural state and which injures the rights of others.

Golden vs. Planning Board of Ramapo

1972 - Adequate Public Facilities. Recognized Phased Growth. Sequential and orderly development in conjunction with the needs of the community and its ability to provide public facilities.

Sierra Club vs. Morton

1972 - Opened up environmental suits to discipline Resource Agencies

Citizens to Preserve Overton Park, Inc. vs. Volpe

1971 - Establishes the "hard look doctrine" for Environmental Impact Review. Also, said that building a federal highway through a public park was not okay if a feasible and prudent alternate route exists.

Cheney vs.
Village 2 at
New Hope Inc.

1968-
Legitimized the
PUD process.

Berman vs.
Parker

1954 - Established
Aesthetics and
redevelopment as
VALID PUBLIC
PURPOSES for
Eminent Domain

Village of
Euclid vs.
Amber Realty
Company

1926 - Established
zoning as a valid
exercise of the
Police Power

Pennsylvania
Coal vs.
Mahon

1922 - 1st time the
Supreme Court
says that
regulation of land
may be a taking.