

Selected Reading List for the MSUE Citizen Planner Program – #2

What should be in every Planning Commission/Zoning Board of Appeals Library

The primary purpose of this reading list is to provide citizen planners with references to the kind of background material they need to do the best possible job as a planning commissioner.

This reading list is neither exhaustive of materials available on the subjects listed, nor does it represent an endorsement of the accuracy or efficacy of any material presented. Many materials are listed from a wide variety of perspectives in order to ensure a representative sampling of materials from different points of view.

A secondary purpose of this reading list is to provide planning directors and consultants with references to materials that could bolster the local planning library. Last, this reading list is also provided as a source for reporters, citizens, students, developers, realtors and others interested in helping shape the future of Michigan's communities.

If a publication is available online, the web address is listed at the end of the citation. All listings have been classified as basic, intermediate or advanced based on content. The classifications are defined and abbreviated as follows:

- Basic. Material that is easy to read, relatively short, and does not require much prior knowledge, but does not go into much depth on a subject.
- Intermediate. Material that is easy to read or written for a more sophisticated reader; material may be of any length and may or may not require some prior knowledge and goes into some depth on a subject.
- Advanced. Material of various reading levels that is generally longer and goes into greater depth, and requires some prior knowledge on a subject.

Session 2. Legal Foundations of Planning and Zoning

Blaesser, Brian and Weinstein, Alan. *Land Use and the Constitution*, APA Planners Press, 1989, 291 pages, paperback. [Advanced]

Blaesser, Brian. *Discretionary Land Use Controls: Avoiding Invitations to Abuse of Discretion*, Thomson/West, 2002, 457 pages, hardcover.* [Advanced]

Cameron, John G. *Michigan Real Property Law: Principles and Commentary*, 3rd Edition, Institute of Continuing Legal Education, 2002, 2 volumes, 2270 pages, hardcover. [Advanced]

Corwin, Charles D. and Kurt H. Schindler; *Land Use Series: "How to take Minutes For Administrative Decisions"*; May 4, 2006; <http://lu.msue.msu.edu/pamphlet/Zone/AcrobatPamphletMinutes.PDF> (found at web page <http://lu.msue.msu.edu/pamphlets.htm#Zone>)

Down, Jack. "Freedom, Property Rights, and Zoning," *Planning and Zoning News*, July 1996, p. 8-10.

Duerksen, Christopher and Goebel, R. Matthew. *Aesthetics, Community Character, and the Law*, (PAS 489/490) APA Planners Advisory Service, 1999, 154 pages, paperback.

Duerksen, Christopher and Goebel, R. Matthew. "Aesthetics, Community Character, and the Law," (PAS 489/490) *APA Planners Advisory Service*, 1999, 154 pages, paperback.

Duerksen, Christopher and Roddewig, Richard. *Takings Law in Plain English*, National Trust for Historic Preservation, 1994, 48 pages, paperback.* [Basic]

Duerksen, Christopher and Roddewig, Richard. "An Introduction to Takings Law," *Planning Commissioners Journal*, Issue 18, Spring 1995, 3 pages.* [Basic]

- Fisher, Gerald A., Galvin, Joseph F., Greene, Alan M., Need, Gregory K., Rosati, Carol A., and Estey, Stephen R. *Michigan Zoning, Planning, and Land Use*, Institute of Continuing Legal Education, 2012, 384 pages, paperback, next update 2016. [Advanced]
- Fisher, Gerald A. and Robinson, Clyde J. *Michigan Municipal Law*. Institute of Continuing Legal Education, 2012, 766 pages, paperback, next update 2013. [Advanced]
- Freyfogle, Eric. *The Land We Share: Private Property and the Common Good*, Island Press, 2003, 335 pages, hardcover.
- Galvin, Joseph F. and Schindler, Kurt. H; *Land Use Series: "How To Avoid Regulatory Takings,"* November 2000, p. 13-16. [Basic]; Available at <http://lu.msue.msu.edu/pamphlet/Blaw/AcrobatPamphletTakings.PDF>
- Kelly, Eric Damian. "The Takings Tree: An Analytical Tool," *Planning and Zoning News*, August 1998, p. 5-10. [Intermediate]
- Kelly, Eric Damien. *Zoning and Land Use Controls*, Lexis Law Publishing, 2002, 10 volumes, ringbound.* [Advanced]
- Kohler, Ellen, esq. and Grobbel, Christopher. *What is a Taking? Exploring the Boundary between Public Interest and Private Property*, Tip of the Mitt Watershed Council, 2004, 26 pages, paperback.* [Basic]
- Mandelker, Daniel. *Land Use Law*, 4th Edition, Lexis Law Publishing, 2003, 712 pages, hardcover. [Advanced]
- Michigan Planning Enabling Act (being P.A. 33 of 2008, as amended, M.C.L. 125.3801 et seq.) <http://lu.msue.msu.edu/pamphlet/Blaw/StatuteMichiganPlanningEnablingAct.pdf> (found at web page <http://lu.msue.msu.edu/pamphlets.htm#statutes>) OR can be found at www.michiganlegislature.org [this item periodically changes, thus wise to periodically check for an updated copy]
- Michigan Zoning Enabling Act (being P.A. 110 of 2006, as amended, M.C.L. 125.3101 et seq.) <http://lu.msue.msu.edu/pamphlet/Blaw/StatuteMichiganZoningEnablingAct.pdf> (found at web page <http://lu.msue.msu.edu/pamphlets.htm#statutes>) OR can be found at www.michiganlegislature.org [this item periodically changes, thus wise to periodically check for an updated copy]
- Olson, James M. "Calming the Storm of Regulatory Takings Law," *Planning and Zoning News*, June 1996. p. 8-15. [Intermediate]; Available at <http://pzcenter.msu.edu/documents/calmingthestormofregulatorytakingslaw06.96.pdf>
- Salkin, Patricia, editor. *Trends in Land Use Law from A to Z: Adult Uses to Zoning*, American Bar Association, 2001, 477 pages, hardcover. [Intermediate]
- Salkin, Patricia and Freilich, Robert. *Hot Topics in Land Use Law: From the Comprehensive Plan to Del Monte Dunes*, American Bar Association, 1999, 223 pages, paperback. [Advanced]
- Scales, James and Brown, James. "Mobile Home Parks and Exclusionary Zoning: A Framework for Analyzing Zoning Ordinances," *Planning and Zoning News*, June 1994, p. 18-19. [Intermediate]. Available at <http://pzcenter.msu.edu/documents/Mobilehomeparksandexclusionaryzoning06.94.pdf>
- Treanor, William. "The Original Understanding of the Takings Clause," *Planning and Zoning News*, January 1999, p. 5-8.* [Basic] Available at <http://pzcenter.msu.edu/documents/Originalunderstandingofthetakingclause01.99.pdf>
- United States Constitution; Bill of Rights amendments: Article I, IV, V, and Amendment XIV (section 1). Found at www.michiganlegislature.org

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