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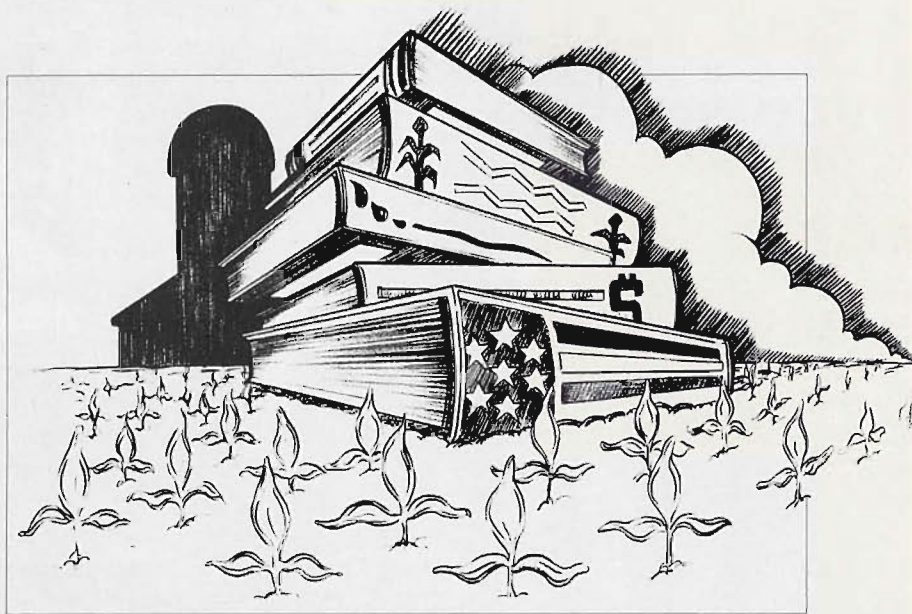
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## In Review ■ by Gerald F. Vaughn



### *Land Use and Society: Geography, Law, and Public Policy*

by **Rutherford H. Platt.**

Published by Island Press,  
Washington, D.C., 1996. 505  
pages. \$32.00 softback.

Rutherford H. Platt, in a very timely and powerful book, analyzes the "evolution of public controls over land use in the United States from feudalism to federalism." The author is well-qualified to write such a treatise. Trained in political science, law, and geography, he moreover possesses the historian's perspective. A professor of geography and planning law at the University of Massachusetts at Amherst, he has authored numerous writings on land use policy. He is ecology-minded, interested in biodiversity conservation, and has served on at least six committees of the National Academy of Sciences/National Research Council.

I found Platt's book tantalizing. He first indicates "the primary focus of this book is the role of *law* as a major factor in the way humans use their resources and design their patterns of

settlement." Then he hits economics head on: "Public intervention to control externalities, avoid economic costs and personal harm, and to achieve a physically and emotionally healthy environment is not an ideology. It is the mark of an organized and socially responsible society. And without it, private property rights are extinct."

Having admirably made clear his biases, Platt supports his thesis with roughly 500 well-thought-out and well-written pages. Part 1 consists of chapters on "Land Resources and Issues in the United States" and "The Interaction of Geography and Law." Part 2 includes "English Roots of Modern Land Use Controls," "Property Rights: The Owner as Planner," and "Local Governments in the United States." Part 3 encompasses "Urban Reforms of the 19th Century," "Land Use Zoning: Origins and Practice," "Constitutional and Policy Issues of Urban Planning," and "Beyond Zoning: Urban Land Use Control by Other Means." Part 4, a search for broader land use policies, considers "State and Regional Land Use Programs," "Federal Lands: Policies in Conflict," "Congress and Land Use," and "Conclusion: Successes, Failures, and Fundamentals." A useful and separate index of the court cases cited follows the book's general index.

Those concerned about land use regulation assuredly will find the book challenging. Suffice it to say that Platt's thinking extends well beyond zoning to control urban land use: "Among the many techniques and approaches discussed in the latter half of this book, the most ubiquitous and least promising is, of course, old-fashioned Euclidean zoning... Zoning thrives, tenacious as a bittersweet vine, and about as useful in many cases." Chapter 9 focuses therefore on subdivision regulation, transferable development rights, impact fees, floodplain and wetlands regulations, greenway programs, and other innovative growth management measures. Platt says the 1994 U.S. Supreme Court decision in *Dolan v. City of Tigard* "will be a major factor in how such measures fare in the near future."

In his concluding chapter, Platt argues: "The primary need for American land use planning is to get back to basics: protecting the public health, safety, and welfare, in light of the new political realities of the mid-1990s." He insists that land use planning has lost sight of its original objectives, as quality-of-life issues and amenities have dominated much of the substance of public land use control in recent decades. While he sees a place for "aesthetics, historic preservation, billboard controls, and ecological protection," he nonetheless believes "the current backlash could be a useful stimulus to reconsider more extreme forms of regulation, such as the Endangered Species Act, and to reaffirm the absolute necessity of those regulations that maintain public health, safety, and welfare, as we now recognize it in light of 20th century experience." Platt's book is thought-provoking, whether or not you agree with him. ■

*Gerald F. Vaughn is a land economist, now retired from Cooperative Extension at the University of Delaware.*