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A Changed Landscape: Local Agency Discretion And Judicial Deference In Land Use Decisionmaking

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California’s continuing shortfall of new housing to meet demand has led to the enactment of a number of measures at the state level to encourage housing development and to limit the grounds for local governments to disapprove or excessively condition particular projects. These laws have not merely limited the discretion of local government; they also have limited the ability of project opponents to challenge or overturn project approvals once the local government has acted on the application, and they have provided developers of qualifying projects with a number of tools to expedite and enhance the entitlement process.

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