Siting Unpopular Land Uses

- NIMBYs and LULUs
- Neighborhood Opposition
  - *Bourque v. Dettore*
- Pre-emption
  - *Dunning v. Corrections Facility Siting Authority*
- Mandatory Bargaining
  - *Town of Warren v. Hazardous Waste Facility Site*

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**Neighborhood Opposition**

- Consent
- Protest
- Due process
- Standards for delegation
Michael Dear, 
*Understanding and Overcoming the NIMBY Syndrome*, p. 686

**Locational Conflicts**
- External Events
- Internal Rhythms
- Opposition Arguments

Michael B. Gerrard,  

**Sources of NIMBY**
- Dread
- Intrusion
William A. Fischel, *Why are There NIMBYs?*, p. 689

**Rationality or Irrationality**

- Protecting investment
- No insurance
- Owners of single-family homes v. owners of multi-family dwellings
- Renters v. owners
- Personhood theory

**Dunning v. Corrections Facility Siting Authority**, 935 P.2d 1209 (Or. 1997), p. 694

**Pre-emption**

- Criteria for siting
- Potential sites
- Facility Siting Authority
  - Hearing
  - Decision
- Governor

**Mandatory Bargaining**

- Developer
- State council
- Local assessment committee

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**Town of Warren v. Hazardous Waste Facility Site Cont’d**

**Mandatory Bargaining Cont’d**

- Environmental assessment
- Siting agreement
- Arbitration