ABSTRACT

Eminent domain has been a tool for planners and city government to assemble land since the founding fathers. The use of eminent domain has recently been given new light as the result of a Supreme Court case that determined eminent domain could be used for economic development. As a result, legal reform of eminent domain laws has occurred in almost every state within the US since 2005. This thesis will examine how the planning process influences the use of eminent domain as well as look into how the process by which eminent domain is used can be reformed. This thesis has collected data on the mandated planning process, eminent domain laws, and cases of eminent domain in 10 major cities in the US since 2005. The research found 29 cases of eminent domain in 10 cities over the past 6 years. The conclusions of the analysis show that the use of eminent domain is no longer dominated by more traditional uses such as the building of roads. In addition, the local political climate influenced the use of eminent domain while the planning process had very little effect on the cases. A process by which the city, developers, community members and property owners can negotiate developments needs to be a focus of cities moving forward to ensure both growth and equity within the process to mitigate the impact of politics in the long term development decisions of cities.