

CURRICULUM VITAE

JOHN R. NOLON

Elisabeth Haub School of Law, Pace University

78 North Broadway
White Plains, New York 10603
(914) 422-4090
E-mail: jnolon@law.pace.edu

General

John R. Nolon is Distinguished Professor of Law Emeritus at the Elisabeth Haub School of Law at Pace University where he supervises student research and publications regarding land use, sustainable development, climate change, housing insecurity, racial inequity, and the coronavirus pandemic. He is Co-counsel to the Law School's Land Use Law Center, which he founded in 1993. He served as Adjunct Professor of land use law and policy at the Yale School of the Environment from 2001-2016. Before he joined the law school faculty, he founded and directed the Housing Action Counsel to foster the development of affordable housing.

Education and Distinguished Service

Professor Nolon received his J.D. degree from the University of Michigan Law School where he was a member of the Barrister's Academic Honor Society. His undergraduate degree is from the University of Nebraska, where he was President of the Senior Honor Society. T2 (ia TJ0.288 Tw P0.DC nant, TonCt C hwo Tc 0 Tw 2.6 0 1.64()TjEMC /Tc 0.328 Tw T{P0.DC)Tj{v}6 (ia

academic years. He received the Richard L. Ottinger Faculty Achievement Award in 1999, won the Goettel Prize for faculty scholarship in 2006, and was named Outstanding Teacher of the Year in 2016-2017. He is co-author of the nation's oldest casebook on land use law: *Land Use and Sustainable Development Law: Cases and Materials*, currently in its ninth edition.

Professor Nolon's article entitled "The Advent of Local Environmental Law," published in the *Harvard Environmental Law Review*, was selected by Thompson-West's *Land Use and Environmental Law Review* as one of the ten best articles on environmental and land use law published in 2002. His article on the origins of smart growth, published in *The Urban Lawyer*, was also selected as one of the top ten articles in the nation on the topics of environmental and land use law in 2003.

Professor Nolon received a Fulbright Scholarship to develop a framework law for sustainable development in Argentina where he worked from 1994 through 1996. A collection of articles produced as a result of this work appeared in a symposium edition of the *Pace Environmental Law Review* and was published in Argentina in Spanish. He published nearly 50 articles in the *New York Law Journal* and over 60 law review articles on various aspects of land use and sustainable development law. An anthology of seven of his articles was published in 2006 as a special issue of

Compendium of Land Use Laws for Sustainable Development, Cambridge University Press, (2006).

New Ground: The Advent of Local Environmental Law, Environmental Law Institute, (John R. Nolon ed., 2002).

Open Ground: Effective Local Strategies for Protecting Natural Resources, Environmental Law Institute, (2002).

Cases and Materials on New York Land Use Law, Pace Law School, (3rd ed. 2002).

Well Grounded: Using Local and Land Use Authority to Achieve Smart Growth, Environmental Law Institute, (2001).

Land Use Law Deskbook for Lawyers and Planners (with Mary E. Mohnach and Kathryn Ryan) (1998).

Primer for Local Officials and Citizens: Local Land Use Law and Practice (1998).

Common Walls / Private Homes: Multi-residential Design, McGraw-Hill (1990) (with Duo Dickinson).

Law Review Articles

Constructing a Sustainable Future: Net-Zero Cities, 38 NAT. RES. & ENV'T (Summer 2023) (Gabriella Mikel; Hailey Pedicano)

Pandemics and Housing Insecurity: A Blueprint for Land Use Law Reform, 46 Vt. L. J. 422 (2022),

Death of Dillon's Rule: Local Autonomy to Control Land Use, J. Land Use and Envtl. Law, (2021).

Calming Troubled Waters: Local Solutions, Vt. L. Rev. Vol. 44, No. 1, (2019).

Low Carbon Land Use: Paris, Pittsburgh, and the IPCC, Vol. 40, No. 4, u. Ark. Law Review 4, 661 (2018)

The Constitutional Convention, State Interests, and Home Rule: Are Amendments Needed to Promote Equitable and Economic Growth? *New York Zoning Law and Practice Report*, Sept/Oct 2017, Thomson Reuters.

Zoning's Centennial: A Complete Account of the Evolution of Zoning into a Robust System of Land Use Law--1916-2016 (Part IV) Zoning and Planning Law Report, Jan. 2017, Thomson Reuters.

Zoning's Centennial: A Complete Account of the Evolution of Zoning into a Robust System of Land Use Law--1916-2016 (Part III) Zoning and Planning Law Report, Dec. 2016, Thomson Reuters.

Zoning's Centennial: A Complete Account of the Evolution of Zoning into a Robust System of Land Use Law--1916-2016 (Part II) Zoning and Planning Law Report, Nov. 2016, Thomson Reuters.

Zoning's Centennial: A Complete Account of the Evolution of Zoning into a Robust System of Land Use Law--1916-2016 (Part I) Zoning and Planning Law Report, Oct. 2016, Thomson Reuters.

Zoning's Centennial (1916-2016) – The Evolution of Land Use Law in New York; New York Zoning Law and Practice Report, Sept/Oct 2016, Thomson Reuters.

Enhancing the Urban Environment through Green Infrastructure, 46 ELR 10072, January, 2016, Environmental Law Reporter, Environmental Law Institute.

Mitigating Climate Change by Zoning for Solar Energy Systems: Embracing Clean Energy Technology in Zoning's Centennial Year, Zoning and Planning Law Report, Vol. 38, Issue 11, December, 2015

Climate Adaptation and Disaster Mitigation: Land Use Strategies, The Environmental Forum, vol. 32, issue 4 July/August, 2015.

An Environmental Understanding of the Local Land Use System March, 2015, Environmental Law Reporter, Environmental Law Institute.

Mitigating the Adverse Impacts of Hydraulic Fracturing: A Role for Local Zoning? Zoning and Planning Law Report (with Jessica A. Bacher, 2014)

Land Use and the Climate Bubble: The Due Diligence Defense. Wm & Mary Env'tl. L. & Pol'y Rev. (forthcoming 2014).

Hydrofracking: State Preemption, Local Power, and Cooperative Governance, Case W. Res. L. Rev. (2013).

Towards Engaged Scholarship, Pace L. Rev. (2013).

Changes Spark Interest in Sustainable Urban Places: But How Do We Identify and Support Them?, Fordham Urb. L.J. (2013).

Shifting Paradigms Transform Environmental and Land Use Law: The Emergence of the Law of Sustainable Development, Fordham Env'tl. L. Rev. (2013).

Land Use and Climate Change: Lawyers Negotiating Above Regulation, 78 Brook. L. Rev., No. 2 (Winter 2013).

Land Use for Energy Conservation and Sustainable Development: A New Path Toward Climate Change Mitigation, 27 J. Land Use & Env'tl. L. 295 (2012).

Managing Climate Change Through Biological Sequestration: Open Space Redux, 31 *Stan. Envtl. L.J.* 2 (2012).

Regulatory Takings and Property Rights Confront Sea Level Rise: How Do They Roll?, 21 *Widener L. Rev.* (2012).

Hydrofracking -- Disturbances Both Geological and Political: Who Decides?, 44 *Urb. Law.* 2 (2012) (with Victoria Polidoro).

Affirmatively Furthering Fair Housing: The Search for Solutions that are Just Right, 35 *Zoning & Planning Law Report* 7 (2012) (with Tiffany Zezula).

Practically Grounded: Convergence of Land Use Law Pedagogy and Best Practices, 60 *J. Legal Educ.* 3, 519. (2011) (with Patricia Salkin).

The Law of Sustainable Development: Keeping Pace, 30 *Pace L. Rev.* 4 (2010).

The Land Use Stabilization Wedge Strategy: Shifting Ground to Mitigate Climate Change, 34 *Wm & Mary Envtl. L. & Pol'y Rev.* (2009).

Changing Times—Changing Practice: New Roles for Lawyers in Resolving Complex Land Use and Environmental Disputes, 27 *Pace Envtl. L. Rev.* (2009) (with Jessica Bacher).

The Future of Our Land: Presidential Leadership, 60 *Plan. & Envtl. L.* 3, (2008).

The Mighty Myths of Kelo, Government, 9 *Law & Pol'y J.* 10 (2007).

Affordable Housing in the New York Courts: A Case for Legislative Action, 7 *N.Y. Zoning L. & Practice Rep.* (2006) (with Jessica A. Bacher).

Katrina's Lament, Reconstructing Federalism, 23 *Pace Envtl. L. Rev.* (2006).

Historical Overview of the American Land Use System: A Diagnostic Approach to Evaluating Governmental Land Use Control, 23 *Pace Envtl. L. Rev.* (2006).

Champions of Change: Reinventing Democracy Through Land Law Reform, 30 *Harv. Envtl. L. Rev.* (2006).

Comparative Land Use Law: Patterns of Sustainability, *The Urban Lawyer*, Fall, Vol. 37. No.4 (2005).

Golden and Its Emanations: The Surprising Origins of Smart Growth, 35 *Urb. Law.* (2003).

In Praise of Parochialism: The Advent of Local Environmental Law, 26 *Harv. Envtl. L. Rev.* 363 (2002).

Considering the Trend Toward Local Environmental Law, 20 *Pace Envtl. L. Rev.* (2002).

Grassroots Regionalism Through Intermunicipal Land Use Compacts, 73 St. John's L. Rev. 1011 (1999).

Journal Articles

The Death of Dillon's Rule, with Emma Alvarez Campbell, *Zoning and Planning Law Report* (2021)

Land Use Strategies that Mitigate Climate Change, *Prob. & Prop.*, (Jan.-Feb., 2020)

Land Use for Economic Development in Tough Financial Times, 40 *Real Estate L.J.* 233 (2011) (with Jennie C. Nolon).

Integrating Sustainable Development Planning and Climate Change Management: A Challenge to Planners and Land Use Attorneys,

"Can Cities, Urban Villages and Rural Downtowns Benefit From Land Use Law Reform?," *New York State Municipal Bulletin*, March/April 1994.

"Land Use Reform: A Judicial and Practical Imperative," 65 *New York State Bar Journal* 18 (December 1993).

"'Lucas Case,' The Need to Reform Land-Use Law," 45 *Land Use Law and Zoning Digest* 3 (Feb. 1993).

"Local Land Use Control in New York: An Aging Citadel Under Siege," 64 *New York State Bar Journal* 38 (July-August 1992).

"Reflections on Balanced Growth, Development," *New York Real Estate Law Reporter*, October 1989, at 8.

"Affordable Housing: Determining Who Lives There?" *Municipal Lawyer*, Vol. 3, No. 15 (1988).

"Site Plan Approval Power Restricted," 3 *Municipal Lawyer* 3 (Sept./Oct. 1986).

Chapters

Local Resilience and Disaster Preparation, in Disaster Law: Risk, Recovery and Development, Cambridge Univ. Press (Susan Kuo, John Marshall, & Ryan Rowberry, eds., 2022).

Transportation and Land Use, in Global Climate Change and U.S. Law (Michael B. Gerrard & Jody Freeman eds., 2d ed.) (2013).

"*Disaster Mitigation Through Land Use Strategies, in Losing Ground: A Nation on Edge*" (John R. Nolon and Daniel B. Rodriguez, eds., 2007).

"Historical Overview of the American Land Use System: A Diagnostic Approach to Evaluating Governmental Land Use Control," in *Comparative Land Use Law and Global Sustainable Development* (Cambridge University Press, 2006).

"The American Land Use System," in *Comparative Land Use Law and Global Sustainable Development* (University Press, 2006).

Paradigms of Positive Change: Reordering the Nation's Land-Use System, in Planning Reform in the New Century (2005).

Land Preservation, in Environmental Law Practice Guide: State and Federal Law (Michael B. Gerrard, ed., 2003).

Land Use Law, in General Practice in New York (West, 1998).