

Thomas Siems

„Städtebauliche Verträge in Deutschland und den USA“

Comparative thesis on *städtebauliche Verträge* land use planning agreements in Germany and the USA. The thesis compares contents, procedural requirements and substantial legal premises of contracts in both countries. Examined are a local government's authority to contract with a private partner and the legal scope of the agreements. In particular, the questions are raised whether the U.S. Supreme Courts *Nollan* and *Dolan* decisions set up touchstones for the validity of American agreements and how far these principles are congruent with the German prerequisites of *Angemessenheit* and *Sachzusammenhang*.

Against the background of criticism of the *Nollan* and *Dolan* decisions in America, the justifications for the German prerequisites *Angemessenheit* and *Sachzusammenhang* are examined. Also addressed are non-compliance issues, the rights of affected third parties and the use of land use planning agreements as a means of ADR. Finally the thesis sheds light on the necessity of establishing development agreements in Germany.