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2000cc(a)(1) (emphasis added). The term “land use regulation,” in turn, is defined as “a zoning or landmarking law, or the application of such a law, that limits or restricts a claimant’s use or development of land (including a structure affixed to land), if the claimant has an ownership, leasehold, easement, servitude, or other property interest in the regulated land or a contract or option to acquire such an interest.” 42 U.S.C. 2000cc-5(5).

Based on the foregoing provisions, the Town moved for partial summary judgment, arguing that RLUIPA did not apply to this case because the statute’s “land use regulation” requirement was not satisfied. In its analysis, the district court focused on two questions: (1) whether the eminent domain proceedings at issue qualify as a “zoning law” for purposes of satisfying the “land use regulation” requirement, and (2) whether the eminent domain proceedings satisfy the “land use regulation” requirement because they constitute the application of a zoning law.

In first addressing whether the Town’s eminent domain proceedings qualify as a zoning law, the district court emphasized the historic distinction between the concepts of zoning and eminent domain, focusing in particular on the fact that



































