

**PPD 529: Legal Environment of Planning**

**Units: 2**

**Fall, Thursdays from 6:00 p.m. to 9:00 p.m.**

**Location:** VPD 105

**Instructor:**

**Office:** Off campus

**Office Hours:** By appointment. Please feel free to call!

**Contact Info:** [nkuklok@gmail.com](mailto:nkuklok@gmail.com), 818-468-1983

**Course Description**

This course is where the “rubber meets the road” for urban planners. This is about the conversion of ideas into reality in the context of legal framework. In other words, it is about urban planning ideas turning into policy and laws and ensuring those concepts and laws comply with existing laws. We discuss ideas and concepts and the way that policies are structured, and why they are structured that way. Why don't great ideas always make great policy? Why do laws get in the way, and why are those laws there in the first place? We are going to start thinking about these ideas critically, because all the great concepts you are learning in Planning School are only as good as the legal policies you can implement within the existing legal framework when you are out in the real world.

**Learning Objectives**

1. To provide a working knowledge of key legal concepts relevant for urban planners.
2. To familiarize students with the players and processes that shape laws.
3. For students to learn to “issue spot” legal issues and to apply known legal concepts to predict outcomes.
4. For students to think critically about current issues in the law as they relate to urban planning.

**Course Notes**

The course will use Blackboard and PowerPoint slides and other materials will be posted online. Students will also be required to attend a public planning hearing at a City of their choice, off campus, as part of the course completion.

**Required Readings and Supplementary Materials****Primary Book:**

- Barclay and Gray, Curtin's Land Use and Planning Law, 2014 (available digitally) (“Curtin”)

**Cases:**

- *Village of Euclid v. Ambler Realty* (USSC)
- *Nollan v. California Coastal Commission* (USSC)
- *Dolan v. City of Tigard* (USSC)
- *Kelo v. City of New London* (USSC)

**Description and Assessment of Assignments**

Assignments are to be submitted as follows:

**Reading Questions:** Each week, students are to submit one question from the readings with a citation to the readings via Google Documents link posted on Blackboard. Five reading questions will be required, from week two onward.

**Planning Commission Assignment:** Each student is required to attend a Planning Commission or Zoning Administrator hearing of their choice. This hearing can be located in any City or jurisdiction. Students must submit a two-page report of his or her observations during the hearing, and must attach (1) a selfie showing him/her attending the hearing, (2) a copy of an agenda, and (3) a copy of a staff report. This assignment must be submitted prior to the administration of the Final Exam.

**Comprehensive Planning Assignment/Zoning Assignment/CEQA Assignment:** These assignments will be distributed at the class prior to when they are due and will also be posted on BlackBoard. Students not in attendance will be required to obtain the assignment on their own to complete and submit when due.

### Grading Breakdown

Assignment	Points	% of Grade
Attendance	10	10
Reading Questions	10	10
Planning Commission Assignment	15	15
Comprehensive Planning Assignment	10	10
Zoning Assignment	10	10
CEQA Assignment	10	10
Final Exam	35	35
<b>Total</b>	<b>100</b>	<b>100</b>

### Grading Scale

Course final grades will be determined using the following scale:

A	95-100
A-	90-94
B+	87-89
B	83-86
B-	80-82
C+	77-79
C	73-76
C-	70-72
D+	67-69
D	63-66
D-	60-62
F	59 and below

### Assignment Submission Policy

Printed assignments should be submitted at the beginning of the class at which they are due. Submittal by email prior to the beginning of the class at which they are due is also acceptable.

### Grading Timeline

Assignments are typically graded and returned the following class. Appeals of grade issued by the Teaching Assistant will be accepted by the Professor only if accompanied by a coherent argument as to why the grading should have differed. Argue your case!

**Additional Policies**

Students are expected to attend all classes and participate as requested and expected. If a class is to be missed, please notify the Professor as soon as possible and obtain notes from a classmate to ensure you are up to speed with class material. Late assignments will be accepted with a 10% penalty. Please pay attention in class and minimize use of phones as possible. It's just courteous.

**Course Schedule: A Weekly Breakdown**

	Topics/Daily Activities	Readings and Homework	Deliverable/ Due Dates
<b>Week 1 August 24</b>	Introduction; Basic Legal Theory; Real Estate Law Basics; Origins of Land Use Law in the US	Curtin, Chapter 1	While it is not required, it is <i>strongly suggested</i> you select your Planning Commission hearing date this week!
<b>Week 2 August 31</b>	Comparative Land Use Law and Master Plans	Curtin, Chapters 2 and 3; California General Plan Guidelines Chapters 1 and 2 (available on BlackBoard)	Comprehensive Planning Assignment will be distributed and is due September 7. Reading question should be submitted prior to the beginning of the following class.
<b>Week 3 Sept. 7</b>	Civil Case Law Basics and Zoning	Curtin, Chapter 4; <i>Village of Euclid v. Ambler Realty</i> (available on BlackBoard)	Reading question should be submitted prior to the beginning of the following class.
<b>Week 4 Sept. 14</b>	Special Topics in Use Restrictions; Housing	Curtin, Chapters 9 and 15	Zoning Assignment will be distributed and is due September 21. Reading question should be submitted prior to the beginning of the following class.
<b>Week 5 Sept. 21</b>	Takings; Subdivision; Infrastructure; Entitlements; Vested Rights	Curtin, Chapters 10, 11, and 12; <i>Nollan v. California Coastal Commission</i> ; <i>Dolan v. City of Tigard</i> ; and <i>Kelo v. City of New London</i> (available on BlackBoard)	Reading question should be submitted prior to the beginning of the following class.
<b>Week 6 Sept. 28</b>	Controlling the Location of Growth: Redevelopment, In-Fill Development; Environmental Issues; CEQA	Curtin, Chapters 5 and 6	CEQA and Subdivision Assignment will be distributed and is due on October 5. Reading question should be submitted prior to the beginning of the following class.
<b>Week 7 Oct. 5</b>	<b>In-Class Final.</b>		

## Statement on Academic Conduct and Support Systems

### Academic Conduct:

Plagiarism – presenting someone else’s ideas as your own, either verbatim or recast in your own words – is a serious academic offense with serious consequences. Please familiarize yourself with the discussion of plagiarism in *SCampus* in Part B, Section 11, “Behavior Violating University Standards” <https://policy.usc.edu/scampus-part-b/>. Other forms of academic dishonesty are equally unacceptable. See additional information in *SCampus* and university policies on scientific misconduct, <http://policy.usc.edu/scientific-misconduct>.

### Support Systems:

*Student Counseling Services (SCS) - (213) 740-7711 – 24/7 on call*

Free and confidential mental health treatment for students, including short-term psychotherapy, group counseling, stress fitness workshops, and crisis intervention. <https://engemannshc.usc.edu/counseling/>

*National Suicide Prevention Lifeline - 1-800-273-8255*

Provides free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week. <http://www.suicidepreventionlifeline.org>

*Relationship and Sexual Violence Prevention Services (RSVP) - (213) 740-4900 - 24/7 on call*

Free and confidential therapy services, workshops, and training for situations related to gender-based harm. <https://engemannshc.usc.edu/rsvp/>

*Sexual Assault Resource Center*

For more information about how to get help or help a survivor, rights, reporting options, and additional resources, visit the website: <http://sarc.usc.edu/>

*Office of Equity and Diversity (OED)/Title IX Compliance – (213) 740-5086*

Works with faculty, staff, visitors, applicants, and students around issues of protected class. <https://equity.usc.edu/>

*Bias Assessment Response and Support*

Incidents of bias, hate crimes and microaggressions need to be reported allowing for appropriate investigation and response. <https://studentaffairs.usc.edu/bias-assessment-response-support/>

*The Office of Disability Services and Programs*

Provides certification for students with disabilities and helps arrange relevant accommodations. <http://dsp.usc.edu>

*Student Support and Advocacy – (213) 821-4710*

Assists students and families in resolving complex issues adversely affecting their success as a student EX: personal, financial, and academic. <https://studentaffairs.usc.edu/ssa/>

*Diversity at USC*

Information on events, programs and training, the Diversity Task Force (including representatives for each school), chronology, participation, and various resources for students. <https://diversity.usc.edu/>

*USC Emergency Information*

Provides safety and other updates, including ways in which instruction will be continued if an officially declared emergency makes travel to campus infeasible, <http://emergency.usc.edu>

*USC Department of Public Safety – 213-740-4321 (UPC) and 323-442-1000 (HSC) for 24-hour emergency assistance or to report a crime.*

Provides overall safety to USC community. <http://dps.usc.edu>