PPD 529:  Legal Environment of Planning
Units: 2
Fall, Thursdays from 6:00 p.m. to 8:00 p.m.

Location: VPD 105

Instructor:
Office: Off campus; when on campus, I am in RGL 242.
Office Hours: Thursdays 5-6 or by appointment. Please feel free to call!
Contact Info: 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
In this course, you will learn how to:
1. Understand the applicability of federal, state, and local law to the planning process;
2. Read a municipal planning code, zone map, and general plan together and in context;
3. Understand the breadth and depth of the police power and the limitations of the police power through takings and eminent domain;
4. Understand how federal, state, and local laws have impacted and continue to impact disadvantaged communities both directly and indirectly;
5. Apply the principles students have learned to fact patterns to issue-spot and discuss how the law applies to a given set of facts.

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:

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 for which there is reading assigned, students are to submit one question from the readings with a citation to the readings via Google Documents link posted on Blackboard.

**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. With their presentation group, they must submit a three to five-page report of their observations during the hearing and must attach (1) a selfie showing their attending the hearing, (2) a copy of an agenda, and (3) a copy of a staff report. This assignment is due prior to the Planning Commission Assignment presentations in Week 10.

**Planning Commission Presentations:** Each student will present, with a group of his or her choosing, a presentation of their Planning Commission or Zoning Administrator Hearing. Each group may only present on one hearing, so hearings may be claimed on a first-come first-served basis via a Google Document posted on Blackboard. Presentations will be approximately 5-10 minutes each, to be determined, and PowerPoint is allowed but not required.

**Comprehensive Planning Assignment/Zoning 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**

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Points</th>
<th>% of Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attendance</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Reading Questions</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Planning Commission Assignment</td>
<td>20</td>
<td>20</td>
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<tr>
<td>Comprehensive Planning Assignment</td>
<td>10</td>
<td>10</td>
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<tr>
<td>Zoning Assignment</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Final Exam</td>
<td>35</td>
<td>35</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
<td><strong>100</strong></td>
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**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

<table>
<thead>
<tr>
<th>Week</th>
<th>Topics/Daily Activities</th>
<th>Readings and Homework</th>
<th>Deliverable/Due Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Introduction and Basic Legal Theory</td>
<td>No readings required prior to the first class.</td>
<td>While it is not required, it is strongly suggested you select your Planning Commission hearing date this week!</td>
</tr>
<tr>
<td>2</td>
<td>Real Estate Law Basics and Origins of Land Use Law in the US</td>
<td>Burke, pp. 3-12; 85-95; 349-363</td>
<td>Reading question should be submitted prior to the beginning of the following class.</td>
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<tr>
<td>3</td>
<td>Comparative Land Use Law</td>
<td>No reading due this week.</td>
<td>Comprehensive Planning Assignment will be distributed and is due next week.</td>
</tr>
<tr>
<td>4</td>
<td>General Plans/ Master Plans</td>
<td>California General Plan Guidelines Chapters 1 and 2 (available on BlackBoard)</td>
<td>Reading question should be submitted prior to the beginning of the following class.</td>
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<tr>
<td>5</td>
<td>Civil Case Law Basics</td>
<td>Burke, pp. 85-95; Village of Euclid v. Ambler Realty (available on BlackBoard)</td>
<td>Reading question should be submitted prior to the beginning of the following class.</td>
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<tr>
<td>6</td>
<td>Zoning</td>
<td>Burke, pp. 97-114; 157-172; 201-217</td>
<td>Reading question should be submitted prior to the beginning of the following class.</td>
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<tr>
<td>7</td>
<td>How to Read Codes and Cases</td>
<td>No reading due this week.</td>
<td>Zoning Assignment will be distributed and is due next week.</td>
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<tr>
<td>8</td>
<td>Fair and Affordable Housing</td>
<td>Burke, pp. 279-309</td>
<td>Reading question should be submitted prior to the beginning of the following class.</td>
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<tr>
<td>9</td>
<td>Takings</td>
<td>Burke, pp. 13-29; 31-67; 257-274; Nollan v. California Coastal Commission; Dolan v. City of</td>
<td>Reading question should be submitted prior to the beginning of the following class.</td>
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<tr>
<td>Week 10</td>
<td>Planning Commission Reports and Presentations</td>
<td>Planning Commission Reports to be presented by groups.</td>
<td>Planning Commission Reports due by 6:00 pm via hard copy and email.</td>
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<td>Week 11</td>
<td>Subdivision and Infrastructure</td>
<td>Burke, pp. 235-257</td>
<td>Reading question should be submitted prior to the beginning of the following class.</td>
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<tr>
<td>Week 12</td>
<td>Entitlements and Vested Rights</td>
<td>Burke, pp. 379-399</td>
<td>Reading question should be submitted prior to the beginning of the following class.</td>
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<tr>
<td>Week 13</td>
<td>Controlling the Location of Growth: Redevelopment, In-Fill Development, Moratoria and Growth Controls</td>
<td>Burke, pp. 133-154</td>
<td>Reading question should be submitted prior to the beginning of the following class.</td>
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<tr>
<td>Week 14</td>
<td>Happy Thanksgiving!</td>
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<tr>
<td>Week 15</td>
<td>CEQA Part 1</td>
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<td>No readings this week.</td>
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*Tigard; and Kelo v. City of New London (available on BlackBoard)*
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
USC Policy Reporting to Title IX: https://policy.usc.edu/reporting-to-title-ix-student-misconduct/

USC Student Health Sexual Assault & Survivor Support: https://studenthealth.usc.edu/sexual-assault/