

USC Price

Sol Price School of Public Policy

PPD 529: Legal Environment of Planning

Units: 2

Spring Semester, Thursdays from 6:00 p.m. to 9:00 p.m.

Location: Online pending COVID

Instructor:

Office: Off campus; when on campus, I am at the Faculty Club.

Office Hours: Thursdays 5-6 or by appointment. Please feel free to call!

Contact Info: nkuklok@gmail.com, 818-468-1983 (if you text, please identify yourself)

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 historical and current issues in the law as they relate to urban planning.

Course Notes

As the class has been modified as a result of distance learning and the COVID pandemic, each class will be structured as a week in Blackboard showing lectures, readings, and other materials due prior to the live synchronous session that week. Each week's work, including Asynchronous digital material, readings, and homework assignments, is posted as a separate file on BlackBoard and is detailed in this syllabus. Any additional materials other than the required book purchases will be located on BlackBoard.

Required Readings and Supplementary Materials

Books:

- Understanding the Law of Zoning and Land Use Controls, Third Edition, Barlowe Burke, published by Lexis Nexis, 2013.
- Caste: The Origins of Our Discontents, Isabel Wilkinson
- Segregation by Design: Local Politics and Inequality in American Cities, Jessica Trounstein

Description and Assessment of Assignments

Assignments are to be submitted as follows:

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 copy of the agenda, and (2) a copy of a staff report. This assignment must be submitted prior to the administration of the Final Exam.

Caste Book Assignment: Draft a paper, not to exceed 1500 words, discussing how the theories discussed in Caste apply to the laws that you will be creating, applying, and establishing in your role as a Planner.

Segregation by Design Book Assignment: Draft a memorandum, not to exceed 1500 words, to the Planning Director of your City addressing how you recommend addressing disparate impact and segregation resulting from past planning decisions.

Comprehensive Planning Assignment/Zoning Assignment: These assignments will be distributed in the corresponding BlackBoard unit.

Grading Breakdown

Assignment	Points	% of Grade
Caste Book Assignment	10	10
Segregation by Design Book Assignment	10	10
Planning Commission Assignment	15	15
Comprehensive Planning Assignment	10	10
Zoning Assignment	10	10
Class Participation	10	10
Final Exam	35	35
Total	100	100

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. When on Zoom, our **camera should be on** and your microphone should be muted if you are not speaking. 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	Asynch, Readings, and Homework	Deliverable/Due Dates
Week 1 1-21-2021	Introduction and Basic Legal Theory	Asynch: None Readings: None Homework: None	While it is not required, it is <i>strongly suggested</i> you select your Planning Commission hearing date this week!
Week 2 1-28-2021	Real Estate Law Basics and Origins of Land Use Law in the US	Asynch: Video Lecture Readings: Burke, pp. 3-12; 85-95; 349-363 Homework: None	
Week 3 2-4-2021	Comparative Land Use Law and Civil Case Law Basics	Asynch: Video Lecture Readings: Burke, pp. 85-95 Homework: None	
Week 4 2-11-2021	How to Read Codes and Cases	Asynch: None Readings: None Homework: Zoning Assignment	Zoning Assignment will be distributed and is due next week.
Week 5 2-18-2021	Caste Book Discussion	Asynch: None Readings: None Homework: None	Caste Book Assignment due prior to class; Zoning Assignment is also due today.
Week 6 2-25-2021	Master Plans	Asynch: Video Lecture, Century City Video Readings: California General Plan Guidelines Chapters 1 and 2 Homework: None	
Week 7 3-4-2021	Zoning	Asynch: Video Lecture Readings: Burke, pp. 97-114; 157-172; 201-217 Homework: None	
Week 8 3-11-2021	Fair and Affordable Housing and Historic Preservation	Asynch: Video Lecture Readings: Burke, pp. 279-309 Homework: None	
Week 9 3-18-2021	Takings and Subdivision and Infrastructure	Asynch: Video Lecture Readings: Burke, pp. 13-29; 31-67; 257-274; 235-257 Homework: None	
Week 10 3-25-2021	Segregation by Design Book Discission	Asynch: None Readings: None Homework: None	Segregation by Design Book Assignment due prior to class.

Week 11 4-1-2021	Entitlements and Vested Rights	Asynch: Video Lecture Readings: Burke, pp. 379-399 Homework: None	
Week 12 4-8-2021	Controlling the Location of Growth: Redevelopment, In-Fill Development, Moratoria and Growth Controls	Asynch: Video Lecture Readings: Burke, pp. 133-154 Homework: Comprehensive Planning Assignment	Comprehensive Planning Assignment is due next week.
Week 13 4-15-2021	Community Outreach	Asynch: Video Lecture Readings: Blackboard Article Homework: None	Public Hearing Assignment is due next week.
Week 14 4-29-2021	California Environmental Quality Act ("CEQA")	Asynch: Video Lecture Readings: None Homework: None	

Planning Commission Presentations

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>