

RED 351: Land Use Regulation

Units: 4

Spring 2023, Wednesdays from 6:00 p.m. to 9:20 p.m.

Location: Verna and Peter Dauterive Hall (VPD) 112

Instructor: Silvia Saucedo, Esq.

Office: RGL Visiting Faculty Space, First Floor

Office Hours: By appointment (in person or via zoom) and as announced in class.

Contact Info: silvias@usc.edu Please feel free to email me. Every effort will be made to respond to emails within 24 hours during the week. Emails will not be responded to over the weekend.

Course Description

This course will introduce students to the regulation of land, restrictions on its use, and strategies to navigate within this framework in order to entitle and develop land. The course is designed to familiarize students with standard zoning and land use policies, issues and procedures encountered by developers. The course will focus on local governance, securing entitlements, environmental regulation, community/stakeholder involvement and government relations and how these fit into the development process. Because most land regulation and policy is local, and changing all the time, the course will focus on training students in general concepts and skills rather than specific laws or ordinances. Nonetheless, the course's geographic focus will be primarily the United States and California.

Learning Objectives

1. To provide a working knowledge of key land use regulatory and zoning concepts relevant for future real estate developers.
2. To familiarize students with the players and processes that shape land use policies, regulations and decisions.
3. For students to learn to "issue spot" potential development issues during the project due diligence and entitlement phase and use tools to possibly affect the outcomes.
4. For students to problem solve in situations where projects have multiple competing interests and to consider and weigh those competing interests.
5. For students to think critically about current issues in the land use field as they relate to urban planning and real estate development and how these may impact a project.

Course Notes

The course will use Blackboard, PowerPoint slides and other materials that will be posted online. Students are advised to check Blackboard at least twice a week.

Required Readings and Supplementary Materials

California Land Use & Planning Law, Cecily Talbert Barclay and Matthew S. Gray, 37th Edition 2020 ("Barclay/Gray").

The Instructor will provide supplemental reading materials on Blackboard.

Students are required to read all assigned material prior to the class session in order to prepare for the class discussion and lecture.

Description and Assessment of Assignments

Assignments are to be submitted as follows:

Planning Commission Assignment: In assigned groups, students are required to attend one meeting of a local planning commission (or if virtual, review the hearing audio/video) and prepare a brief report and presentation. The oral presentation will be given by students during the Class specified below, all team members must participate, and the report must be submitted no later than 6:00PM PST that same day. Student's may attend commission meetings (or if virtual, review the hearing audio/video) in other jurisdictions if approved in advance by the Instructor. Details on this assignment as well as sign-up details will be posted on Blackboard. By Class #5 teams must have an identified and instructor-approved project before a planning commission. No two teams may have the same project, therefore it is to team's benefit to identify a project early. It is important that all team members participate as all team members will receive the same grade. Team members will grade each other's contribution and at Instructor's discretion, this grade may account for 10% of an individual's grade for the team project. Make every attempt to email with last minute questions 48 hours prior to assignment being due.

Homework Assignments: These assignments will be posted on Blackboard during the class prior to when they are due. Students not in attendance will be required to obtain the assignment on their own to complete and submit when due. Assignments are due at 6:00 PM PST. Please upload your assignment using the "Assignment" and the "Turnitin Assignment" tabs. Make every attempt to email with last minute questions 48 hours prior to assignment being due.

Homework assignments will be graded on thoughtful attention to questions and detail, response to the actual questions asked and each component of the question asked, if a multiple-part question, and explanation of how conclusions were drawn. While points cannot be gained or lost on presentation, it is a good professional and future exercise to consider the appearance of your finished work, including use of headings, legible fonts, and professionally and neatly-printed materials.

Midterm Exam: The Midterm Exam will be held during Class #7. The Midterm will be open book and open note. Details will be provided in the class prior to the exam.

Final Exam: The Final Exam will be held in Class when assigned by the University Calendar. The Final Exam is open book and open note. Details will be provided in the class prior to the exam.

Grading Breakdown

Assignment	Points	% of Grade
In-Class Participation	10	10
Homework Assignment #1	10	10
Midterm Exam	20	20
Homework Assignment #2	10	10
Planning Commission Assignment	20	20
Final Exam	30	30
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

Assignments should be submitted through Blackboard at or before 6:00 PM PST the day they are due, if received at 6:01PM or later it will be considered late. Late assignments and exams will be accepted with a 10% penalty up to 48 hours after they are due (the Friday at 6:00PM PST after the original due date). Please upload your assignment using the "Assignment" and the "Turnitin Assignment" tabs.

Grading Timeline

Every effort will be made to grade and return assignments and exams by the following class. Appeals of grades will be accepted by the Professor only if accompanied by a coherent argument as to why the grading should have differed within 48 hours after assignment was returned.

In-Class Participation

Students are expected to attend all classes, be on time, 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. There will be in-class activities and participation in said activities will be factored into students' grades.

Sharing of Course Material Outside of the Learning Environment

USC has a policy that prohibits sharing of any course content outside the learning environment.

SCampus Section 11.12(B)

Distribution or use of notes or recordings based on university classes or lectures without the express permission of the instructor for purposes other than individual or group study is a violation of the USC Student Conduct Code. This includes, but is not limited to, providing materials for distribution by services publishing class notes. This restriction on unauthorized use also applies to all information, which had been distributed to students or in any way had been displayed for use in relationship to the class, whether obtained in class, via email, on the Internet or via any other media. (See Section C.1 Class Notes Policy).

Course Schedule: Weekly Breakdown

Depending on progress during classes, the topics and readings for each week may be subject to change.

CLASS # & DATE	TOPIC	READINGS, ASSIGNMENTS, KEY DELIVERABLES
Class #1 January 11, 2022	Introductions & Course Overview Real Property Rights	None
Class #2 January 18, 2022	Restrictions On Land & Legal Authority Government & Government Structures Assignment #1: Discussed	Barclay/Gray: Chapter 1
Class #3 January 25, 2022	Planning Process General Plans and Other Plans	Barclay/Gray: Chapters 2 & 3 Assignment #1: Due
Class #4 February 1, 2022	General Plans and Other Plans: Continued Zoning	Barclay/Gray: Chapter 4, pages 43-51, 66-70. Forbidden City: How Los Angeles Banned Some of its Most Popular Buildings, by Mark Vallianatos, Urbanize LA
Class #5 February 8, 2022	Zoning: Continued Discretionary Requests & Actions In Class Activity	Barclay/Gray: Chapter 4, pages 59-65; Chapter 17, pages 517-519 "Findings" 'All that Glitters is Not Gold': A Planner Replies About L.A. Zoning, by Jeremy Rosenberg, KCET All teams must have Planning Commission Assignment approved by Instructor.
Class #6 February 15, 2022	Braiding it all Together: General Plan, Zoning & Discretionary Actions In Class Activity	

Class #7 February 22, 2022	Stakeholder Outreach: The importance of community and elected official outreach, tactics and strategies plus pitfalls to avoid. In Class Activity Midterm Review	Barclay/Gray: Chapter 17, pages 513-519;519-524; 529
Class #8 March 1, 2022	Midterm	MIDTERM
Class #9 March 8, 2022	Housing: Affordable housing, creation and preservation, rent control ordinances, Ellis Act, homelessness Q&A on Planning Commission Presentation & Report	Barclay/Gray: Chapter 15, pages 445, 450-468.
March 15, 2022	Spring Break	Spring Break
Class #10 March 22, 2022	Housing: Continued In Class Activity Assignment #2: Discussed	Wake up, California Millennials: Rent Control is a Generational Con Game, by Corbin Barthold, Forbes. The New Housing Crisis, Shut Out of the Market by Kirk Siegler, NPR.
Class #11 March 29, 2022	Environmental Regulation: California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA), impact on entitlement and development.	Barclay/Gray: Chapter 6, pages 147-169 How Californians are Weaponizing Environmental Law by Nolan Gray, The Atlantic. Assignment #2: Due
Class #12 April 5, 2022	Environmental Regulation: Continued Quick Hits on Several Topics: Historic Preservation, Takings, Exactions, Subdivision Maps Q&A on Planning Commission Presentation and Report	Barclay/Gray: Chapter 9, pages 282-285; Chapter 6, pages 175-176 Opinion: Can California Fix CEQA, Johnny Khamis, San Jose Inside. Barclay/Gray: Chapter 11, pages 319-327; Barclay/Gray: Chapter 12, pages 351-361; Barclay/Gray: Chapter 5, pages 77-83, 107-108

Class #13 April 12, 2022	Planning Commission Presentations	Planning Commission Team Presentations & Reports Due
Class #14 April 19, 2022	Challenging Land-Use Decisions	Barclay/Gray: Chapter 19, pages 564-571.
Class #15 April 26, 2022	Final Exam Review	None
Class #16 May 3, 2022	Final Exam	Final Exam

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” policy.usc.edu/scampus-part-b. Other forms of academic dishonesty are equally unacceptable. See additional information in SCampus and university policies on [Research and Scholarship Misconduct](#).

Unauthorized recordings not permitted:

Recording a university class without the express permission of the instructor and announcement to the class is prohibited. Recording can inhibit future free discussion and thus infringe on the academic freedom of other students as well as the instructor.

Students and Disability Accommodations:

USC welcomes students with disabilities into all of the University’s educational programs. The Office of Student Accessibility Services (OSAS) is responsible for the determination of appropriate accommodations for students who encounter disability-related barriers. Once a student has completed the OSAS process (registration, initial appointment, and submitted documentation) and accommodations are determined to be reasonable and appropriate, a Letter of Accommodation (LOA) will be available to generate for each course. The LOA must be given to each course instructor by the student and followed up with a discussion. This should be done as early in the semester as possible as accommodations are not retroactive. More information can be found at osas.usc.edu. You may contact OSAS at (213) 740-0776 or via email at osasfrontdesk@usc.edu.

Support Systems:

Counseling and Mental Health - (213) 740-9355 – 24/7 on call
studenthealth.usc.edu/counseling

Free and confidential mental health treatment for students, including short-term psychotherapy, group counseling, stress fitness workshops, and crisis intervention.

National Suicide Prevention Lifeline - 1 (800) 273-8255 – 24/7 on call
suicidepreventionlifeline.org

Free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week.

Relationship and Sexual Violence Prevention Services (RSVP) - (213) 740-9355(WELL), press “0” after hours – 24/7 on call
studenthealth.usc.edu/sexual-assault

Free and confidential therapy services, workshops, and training for situations related to gender-based harm.

Office for Equity, Equal Opportunity, and Title IX (EEO-TIX) - (213) 740-5086
eeotix.usc.edu

Information about how to get help or help someone affected by harassment or discrimination, rights of protected classes, reporting options, and additional resources for students, faculty, staff, visitors, and applicants.

Reporting Incidents of Bias or Harassment - (213) 740-5086 or (213) 821-8298

usc-advocate.symplicity.com/care_report

Avenue to report incidents of bias, hate crimes, and microaggressions to the Office for Equity, Equal Opportunity, and Title for appropriate investigation, supportive measures, and response.

The Office of Student Accessibility Services (OSAS) - (213) 740-0776

osas.usc.edu

OSAS ensures equal access for students with disabilities through providing academic accommodations and auxiliary aids in accordance with federal laws and university policy.

USC Campus Support and Intervention - (213) 821-4710

campussupport.usc.edu

Assists students and families in resolving complex personal, financial, and academic issues adversely affecting their success as a student.

Diversity, Equity and Inclusion - (213) 740-2101

diversity.usc.edu

Information on events, programs and training, the Provost's Diversity and Inclusion Council, Diversity Liaisons for each academic school, chronology, participation, and various resources for students.

USC Emergency - UPC: (213) 740-4321, HSC: (323) 442-1000 – 24/7 on call

dps.usc.edu, emergency.usc.edu

Emergency assistance and avenue to report a crime. Latest updates regarding safety, including ways in which instruction will be continued if an officially declared emergency makes travel to campus infeasible.

USC Department of Public Safety - UPC: (213) 740-6000, HSC: (323) 442-120 – 24/7 on call

dps.usc.edu

Non-emergency assistance or information.

Office of the Ombuds - (213) 821-9556 (UPC) / (323-442-0382 (HSC)

ombuds.usc.edu

A safe and confidential place to share your USC-related issues with a University Ombuds who will work with you to explore options or paths to manage your concern.

Occupational Therapy Faculty Practice - (323) 442-3340 or otfp@med.usc.edu

chan.usc.edu/otfp

Confidential Lifestyle Redesign services for USC students to support health promoting habits and routines that enhance quality of life and academic performance.