

COURSE OUTLINE

PURPOSE AND GOALS

The purpose of this course is to provide students with a basic understanding of the governmental structure, legal aspects, and practice of local planning, with special emphasis on zoning and land development regulation. The civic and legal bases for the field of urban planning will be explored at a basic level. More detailed exploration of legal topics as they pertain to planning and the practice of zoning, subdivision/development regulation, and comprehensive planning will follow. The course is intended for advanced undergraduates in Urban and Regional Planning and other related fields. The course provides an introduction for students interested in pursuing more advanced studies in land use law and urban planning. It will also provide practical knowledge for students seeking careers in local government planning. Prior knowledge of urban planning principles is helpful, but not essential.

The course objectives are to understand:

1. The Civic and Legal Basis for Planning. We will look at governmental structures at the local, regional, state, and federal levels as they pertain to the field of planning. We will review the constitutional principles that guide the practice of planning and zoning, including property rights, due process, equal protection, religious freedom, public purpose, and free speech. Students will follow local planning issues to learn about local governments in action. Current topics and issues noted in the media as they pertain to planning will be identified and discussed by students throughout the semester.
2. Legal Topics as they Pertain to the Practice of Planning. We will explore a range of legal topics that pertain to the practice of planning, zoning and development as manifested in the common law. Issues include takings, impact fees, eminent domain, religious freedom, nuisance law, inclusionary zoning, free speech and signage regulation, historic preservation, proper procedures, planning jurisdictions, and environmental law. Current cases that affect the practice of planning in Illinois will be highlighted. Students will study landmark cases that have formed current approaches and will prepare a paper on a pertinent case.
3. The Basics of Zoning. Using the prior units as a base, students will explore the realm of zoning, using the Urbana Zoning Ordinance and "A Better Way to Zone" as a practical guide. Topics to be covered include the origins of zoning, use regulation, development regulations, nonconformities, typical approaches to zoning, and special applications of zoning. We will discuss practical administration of zoning, including amendments, annexation agreements, variances, appeals, and enforcement. Students will conduct a zoning exercise based on a real life example.
4. An Overview of Subdivision Regulations. Subdivision and development regulations will be explored as an overview. Topics will include the legal basis for the control of land division (Plat Act), linkage to comprehensive planning and zoning, subdivision layout, platting process, and public improvements. Current trends in street, sewer, and stormwater management design will be discussed. Students will conduct a subdivision platting exercise based on a real life example.
5. An Overview of Comprehensive Planning. An overview of comprehensive planning and its role in development regulation and growth management will be discussed, using local examples. We will

discuss the legislative basis for comprehensive planning, uniform act, current legislation, and relationship to zoning and subdivision regulations. Different approaches to planning, types of plans, and public participation will be addressed.

This course will provide the student with a general introduction to the study of local government planning and land use law, with special applications to the practice of zoning and subdivision review. The student will have a basic understanding of the relationship of planning to the law and will gain an introduction to major planning law cases. The student will have a better understanding the role of planners in local and regional government and their day to day administrative duties.

ORGANIZATION AND APPROACH

The course is designed as a participatory lecture. The instructor will identify required readings and present lecture materials for each class meeting, but a portion of the class time will be devoted to class participation and short, scheduled presentations by students. Guest lecturers will be scheduled for special topics and some core lessons. You will be required to attend each session, complete all assigned readings, complete all class assignments and quizzes, and participate in class discussions/presentations.

COURSE REQUIREMENTS

Student contributions consist of the following:

Attendance

The primary value you can derive from this class will be to attend and to participate. Attendance will be taken. If you cannot attend a class session due to illness or other reason, please e-mail the instructor or Teaching Assistant ahead of time so that your absence can be excused. Perfect or near perfect attendance will enhance your grade, while more than three absences will have a detrimental effect on your grade and can result in the loss of one or more grade letters. Please contact the instructor or Teaching Assistant s soon as possible if you believe you will have difficulty meeting attendance requirements.

Participation

Participation involves discussion in class as well as presentation of assigned oral reports throughout the semester. Both physical attendance and mental engagement are essential to successful participation. When presenting to the class, put yourself “on stage”, be friendly and outgoing, speak clearly, and be respectful and semi-formal with your audience. Audience members in class must reciprocate by listening closely, being respectful, and asking good questions. Well done presentations and active, constructive participation will enhance your grade. Lack of participation could have a detrimental effect on your grade.

Readings

Students will be required to complete identified readings prior to class in order to better follow the lecture materials and to participate more successfully in class discussion. Completion of readings will be helpful for mastery of the regular quizzes and the course final.

Assignments

There will be five assignments that must be completed as part of this class. Assignments will encompass both individual and group responsibilities and will be presented in both written and oral formats. Detailed assignment instructions will be provided separately. Student presentations will be scheduled throughout the semester.

Local Board/Commission Review

Students will work in groups to learn about and to attend a meeting of a local elected or appointed board or commission. Students will report on the quality of the board's service to the public, along with any pertinent legal or planning issues that the Board is addressing. This assignment will involve a group presentation and paper.

Current Planning Issues in the News

Identify planning and land use law issues in the local, regional, or national media. Select a topic that is of particular interest to you and which relates to topics covered in class. Provide a written summary and oral presentation summarizing the topic, showing how it relates to the course, and encouraging class discussion. This is an individual assignment.

Case Summary Report

This assignment is the most important one of the semester. Choose a landmark case pertinent to the course. Study it closely and prepare a paper (e.g., 7 to 9 pages with 1 ½ spacing) describing it and analyzing it as it pertains to the field and practice of planning. This is an individual assignment.

Zoning Exercise

Students will be given an exercise requiring the identification and analysis of the zoning requirements for a local development example.

Subdivision Exercise

Students will be given an exercise requiring the analysis of subdivision platting requirements for a local development example.

Quizzes

A short essay/short answer quiz will be administered at the conclusion of each instructional block or group of blocks. Students will have a chance to prepare for the quiz in advance, but the quiz will be administered in class. If you are unable to take a quiz due to illness, you must e-mail the instructor in advance to make alternative arrangements.

Final

A cumulative short essay/short answer final based on the materials covered in the prior quiz reviews will be administered during the assigned exam period. Students may opt to use their combined Quiz scores in lieu of taking the Final. Those students opting to take the Final will be able to substitute their lowest Quiz score with their score on the Final.

READINGS AND ON-LINE RESOURCES

A COMPASS website has been set up for this class for on-line access to readings and other information.

There are two short books that are assigned for this course and available for purchase at the bookstore. If the bookstore runs out of copies, the books are also available through Amazon.com or other on-line booksellers. The texts are:

1. Nolon, John R. and Patricia E. Salkin, Land Use in a Nutshell, Thomson/West Group, Rev. Ed. 2006.
2. Elliott, Donald L. A Better Way to Zone, Island Press, 2008.

These texts cover the material for the first two-thirds of the course. Additional readings and other resources for the course will be provided through the course COMPASS site. These additional readings will include relevant case summaries and articles or chapters regarding the course content. Cases and journal articles can also be accessed through the University of Illinois Library Lexis database. We will review how to access this data base in class.

Copies of the Urbana Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan will be referenced during the last three instructional units and are available at www.urbanainillinois.us (under Community Development/Planning Division) or for purchase from the Urbana City Clerk. One class copy of these documents will also be available during class time. City of Champaign documents are available at www.ci.champaign.il.us Regional planning documents including the Land Resource Management Plan are available at www.ccrpc.org

A helpful resource for relevant readings is located at <http://law.wustl.edu/landuselaw/> This website has been developed by Professor Daniel R. Mandelker, a land use attorney who teaches at Washington University. Information regarding the practice of planning is provided at www.planning.org (look under Resources/Research), the website of the American Planning Association. Information pertaining to Illinois planners is at www.ilapa.org

GRADING

This class will be graded on a normal scale. Grading will be well distributed throughout the semester and across a number of relatively small assignment and examination opportunities. If you attend the class within the parameters identified above, participate in discussion, and complete all of the assignments and examinations in a timely manner, you will be successful in this class and have a good mastery of the subjects covered.

1. Attendance (required, see guidelines above)
2. Participation (required, see guidelines above)
3. Assignments
 - a. Board/Commission (report and presentation) 15%
 - b. Planning Issue (report and presentation) 10%
 - c. Case Summary 25%
 - d. Zoning Exercise 10%
 - e. Subdivision Exercise 10%
4. Quizzes 30%
5. Final (optional; may substitute for lowest quiz score)

OFFICE HOURS

Office hours with the instructor are by appointment, and can be arranged before or after class. The best way to reach the instructor is via e-mail at eh Tyler@illinois.edu This e-mail account will be checked at least once per day during the semester. If you have an emergency and must contact the instructor immediately, you can call her City office at 384-2439 and leave a detailed message or send an e-mail to eh Tyler@urbanainillinois.us . The TA can be reached at dijiac2@illinois.edu

COURSE SCHEDULE*

Dates	Monday	Wednesday	Assignments	Readings
8-22&24	Class Introduction	I. Governmental Structures Civics 101: U.S. Constitution & Bill of Rights		Course syllabus/other materials Declaration of Independence U.S. Constitution Bill of Rights
8-29&31	I. Governmental Structures The Illinois Constitution; Illinois Statute; Legislative tracking; Case Access & Reviews	II. Legal Bases Property, Common Law, Legal Challenges, Judicial Standards, Forms of Relief, Delegation of Power	<i>Start planning issue in news & commission assignments</i>	Illinois Constitution Nolon, Ch. 1, 6, 11 Elliott, Ch 4
9-5&7	LABOR DAY - NO CLASS	Guest Senator Scott Bennett: The Legislative Process	<i>Start Case Summaries</i>	
9-12&14	III. Legal Topics Vagueness, Procedural & Substantive Due Process	III. Legal Topics Just Compensation/ Takings; Property Rights; Public Interest; Redevelopment; Impact Fees		Nolon, Ch. 5, 6 Elliott, Ch. 5 Takings Cases/Readings
9-19&21	III. Legal Topics Equal Protection, Freedom of Religion, RLUIPA	III. Legal Topics Free Speech; Billboards and Signage		Nolon, Ch. 8, 10 Elliott, Ch. 5 Mandelker, Weinstein
9-26&28	III. Legal Topics Case Examples	III. Legal Topics Guest James Simon: Role of the Municipal Attorney ILAPA Conference*		Hanna/Klaeren cases
10-3&5	III. Legal Topics Environmental Law	Quiz 1	<i>Quiz 1 (I-III)</i>	Nolon, Ch. 7, 9, 12
10-10&12	IV. Zoning Origins of zoning; separation of uses, the Standard Acts; early case law, Zoning in Illinois, zoning jurisdiction, annexation agreements	IV. Zoning Zoning in Urbana: districts, use regulations, conditional & special uses, principal vs. accessory uses, home occupations, LULUs occupancy		Nolon, Ch 3 Elliott, Ch, 1 Standard Enabling Acts Urbana Zoning Ordinance (skim Article IV, V, VII)

*Subject to change throughout the semester. Discussion topics may vary from those shown.

** Students attending the Illinois APA State Conference will be excused

Dates	Monday	Wednesday	Assignments	Readings
10-17&19	IV. Zoning Development Regulations: Height, yards, floor area, density; Screening, Parking, Loading, Signage	IV. Zoning Zoning Methods: Overlay, floating, trigger, performance zoning, PUDs, TDR, special regulations	<i>Start Zoning Exercise</i>	Elliott, Ch. 2, 3, 4 Weiss article Urbana Zoning Ordinance (skim Article VI, VII, IX, XIII) LaSalle case
10-24&26	IV. Zoning Historic Preservation; Neighborhood Conservation; Urban Design: Design guidelines, TNDs, form-based codes	<i>Quiz 2 Case Summaries Due</i>	<i>Quiz 2 (IV) Case Summaries Due</i>	Nolon, Ch. 10 Elliott, Ch. 6, 7, 8 Urbana Zoning Ordinance (Article X, XI, XII & XIII)
10-31 &11-2	IV. Zoning Guest Lorrie Pearson: Zoning Administration and Enforcement	V. Subdivision/Development Purpose, Authority, Illinois Plat Act; Terms, Subdivision Process <i>Zoning Exercise Due</i>	<i>Zoning Exercise Due</i>	Illinois Plat Act
11-7&9	V. Subdivision/Development Guest Don Wauthier: Subdivision Design & Construction; Public Improvements; Streets, Sidewalks, Lighting	V. Subdivision/Development Guest Don Wauthier: Subdivision Design (cont): Water, Sanitary Sewers; Stormwater Management	<i>Start Subdivision Exercise</i>	Nolon, Ch. 4 Urbana Subdivision Code (skim)
11-14&16	V. Subdivision/Development Conservation Subdivisions, new development forms, Smart Growth	VI. Comprehensive Planning Guest Scott Tess Sustainability Planning <i>Subdivision Exercise Due</i>	<i>Subdivision Exercise Due</i>	Arendt Urbana Climate Action Plan Water Management Plan
11-21&23	FALL BREAK	FALL BREAK		
11-28&30	VI. Comprehensive Planning Early Plans, the Standard Act, Illinois Statute, Planning Jurisdictions, Planning Process, Plan Elements	VI. Comprehensive Planning Guest Ben Leroy: Local Examples and Lessons		Nolon, Ch. 2 Urbana Comprehensive Plan (skim); Planning 123; Practice Consistency
12-5&7	Quiz 3	VI. Comprehensive Planning Public Participation Methods, Types of Plans; Systems of Plans	<i>Commission and Issue Assignments Completed Quiz 3 (V-VI)</i>	Urbana Comprehensive Plan (skim)
Friday 12/9	FINAL EXAM, FRIDAY, DECEMBER 9, 8 AM TO 11 AM			

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