

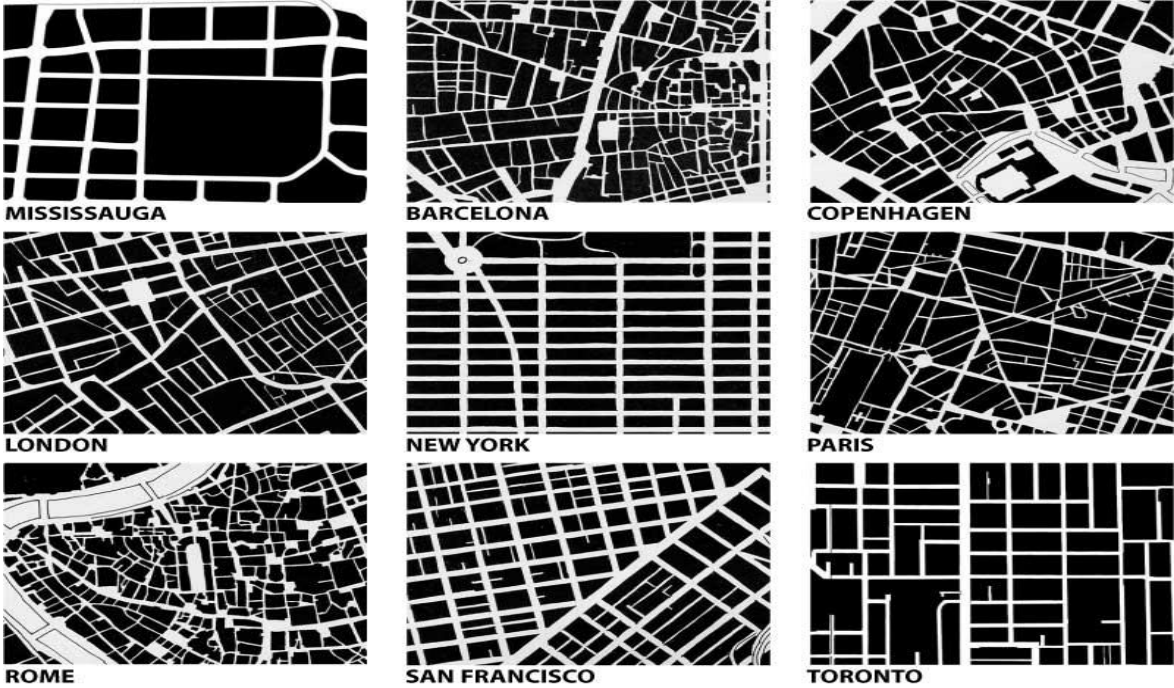
SAMPLE

LAND USE POLICY

PPD 244

[REDACTED]

What causes these different land use patterns?



This seminar examines the role of public policy in guiding and coordinating growth in urban and suburban environments. We will discuss a wide range of local and state policies and techniques used to manage land use development and will evaluate the impacts of these land use policies on a city's and region's welfare. The course will introduce important and innovative growth policies from across the country, with emphasis on those land use issues and techniques most useful to California planners.

In the first three weeks, the course examines the goals and tradeoffs associated with land use planning, the basic techniques of land use plan-making, and the inventory and analysis component of land use plans, especially focusing on environmental impacts. In weeks 4 and 5, the course provides a summary and survey of traditional and innovative planning policies that implement “public interest” land use goals and objectives. In weeks 6-8, we focus on regional planning and the spatial containment of growth, more detailed urban district planning at neighborhood and community levels, and efforts to integrate land use planning with infrastructure placement and capacity. To be effective, planners and policy analysts must be cognizant of the equity and inter-jurisdictional impacts of municipal land use policies, a topic we explore in week 9. We close in week 10 by investigating land use planning downtown (redevelopment) and in the greenfields (planned communities).

COURSE OBJECTIVES

Upon completion of this course, you will have gained:

- 1) knowledge of the **purposes, means, methods, and tools** of land use planning that seek to manage the rate, location and character of development.
- 2) ability to **critically evaluate** the goals, effectiveness, administrative feasibility, equity and appropriateness of a wide array of land use policies and techniques.
- 3) understanding of the complexities of **local** management of growth within an interconnected **regional** system.
- 4) knowledge of political obstacles and opportunities, and the planning processes, associated with land use policy **design and implementation**.

SEMINAR FORMAT, ASSIGNMENTS AND GRADES

The format of the sessions will vary from week to week, and will include: (1) straight lecture style to present the main concepts, (2) discussions of specific land use programs or policies, and (3) roundtable debates concerning controversies of land use policy and growth management.

Each student is expected to actively participate in class discussions, to write two memoranda evaluating particular aspects of land use planning (see guidelines attached to syllabus), and to satisfactorily pass a midterm review exam and a rigorous final exam. Grading will be based on the following.

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|---|-----|
| 1) Class participation | 5% |
| 2) Evaluation report 1 due [REDACTED] week 4) | 25% |
| 3) Exam I [REDACTED] 6) | 25% |
| 4) Evaluation report 2 due [REDACTED] week 9) | 15% |
| 5) Exam II (take-home before and during final exam week; TBA~~[REDACTED]) | 30% |

Notes:

Plan ahead for evaluation report 1, due [REDACTED] This assignment asks you to select a General Plan of your own choosing. Plan ahead so that you can obtain the needed Plan in time to do a thorough analysis. The Plan must be for a California city and should have been updated since 1995.

Exam I will test you on concepts, techniques and vocabulary.

Exam II will ask you to critically apply your knowledge to hypothetical cities.

READING

There are two required books for this course. Both are available at UCI bookstore.

1. Berke, Philip, David Godschalk, and Edward Kaiser. 2006. 5th edition. ***Urban Land Use Planning***. Urbana: University of Illinois Press.
2. Fulton, William. 2012. 4th edition. ***Guide to California Planning***. Point Arena: CA: Solano Press.

Note: the 4th edition of Fulton is now out of print. You may be able to find a copy through searching online. If you can't, I recommend purchasing Kindle version through Amazon. Don't purchase any earlier edition—they are out of date.

There will also be a few supplemental required readings handed out by instructor during the quarter.

WEEK BY WEEK COURSE OUTLINE

NOTE: with exception of first week, readings listed should be done before Tuesday sessions to facilitate discussion. Recommended readings listed on pages 10-15 may help you write evaluation reports, particularly the second report.

Week 1 Land use planning

Berke et. al, chapters 1-2
Fulton chapters 1 and 4

Values and goals of land use planning
Plan-making vs. implementation (plan and policies)
Structure of growth governance in California
Emerging land use challenges in California

Week 2 Land use plan-making

Berke et al., chapters 3 and 10
Fulton chapters 5 and 6

The different spatial scales of land use planning
Evaluating land use plans
Plan-making process and its stages
Designing the spatial arrangements of land uses—five tasks
The General Plan in California

Week 3 Inventory and analysis Environmental impact assessment

Berke et al., pp. 85-88, chapters 6 and 7
Fulton chapters 9 and 21

Classification of environmental resources
Environmental analysis-- land suitability, environmental impact, carrying capacity
Dynamics of land use change
Classification of land supply (land based classification standards, urban transect)
Indicators
CEQA

Week 4 ***Implementation and policy-making 1***

Fulton chapters 7-8, 11

Zoning
Subdivision regulations
Growth management

Week 5 ***Implementation and policy-making II***

Berke et al., chapter 15
Fulton chapters 17 and 18

Development management—active guiding of growth consistent with land use plan goals
Ramapo, Petaluma, and Boulder—why are they important?
Timing controls
Spatial containment
Aligning land use development and infrastructure

Week 6 ***Regional plan-making***
Spatial containment of growth

Berke et al., chapter 11

Regional (areawide) land use plan
Classifying and mapping land policy districts
 Open space conservation districts
 Urban growth and redevelopment districts
Urban growth boundaries

Week 7 *Urban district plan-making*

Berke et al., chapters 12-13, chapter 14 (pp. 421-432 only)

Urban district plans

Spatial structure of employment and commercial activity centers

 Different types of activity centers and their needs

Spatial structure and design principles for residential neighborhoods

 Suburban master-planned model

 Neighborhood unit model

 New urbanism (neotraditional, transit-oriented, urban villages)

Linking planned growth to urban services and infrastructure

Small area plans (in CA, Specific Plans)

Week 8 *Aligning land use policy and infrastructure capacity*

Berke et al. chapter 8

Fulton 10, 12, 19, 20

Transportation infrastructure indicators and modeling

Integrating land use and infrastructure availability

Exactions, impact fees, *Mello-Roos* districts

Transportation funding and planning in California

Concurrency requirements (adequate public facilities ordinances)

Week 9 ***Inter-municipal context of land use policy***
Competition, winners and losers

Fulton chapter 14 (pp. 289-294) and chapter 16

Fiscalization of land use
Regional and inter-municipal impacts of local land use planning/policy
Planning and affordable housing

Week 10 ***Redevelopment***
Planned communities

Fulton chapter 15 and 24

Downtown redevelopment
Tax increment financing
Planned communities—characteristics, private and public sector interests

GUIDELINES FOR EVALUATION REPORTS

These reports are due [REDACTED] and [REDACTED]. Combined, the two written products constitute 40 percent of your course grade. Each report should be about 2,250-2,500 words (about 8-10 double-spaced pages).

These reports should use policy memo format. Memos are concise written products that convey much significant information in a limited space for busy and easily diverted policymakers. "Filler" material has no place in a memo. The information presented should be directly and forcefully conveyed. You are constructing an argument that will advise and direct policymakers.

Evaluation report 1 – PLAN

(25 percent of grade)

(This assignment asks you to select a General Plan of your own choosing. Plan ahead so that you can obtain the needed Plan in time to do a thorough analysis. The Plan must be for a California city and should have been updated since 1995.)

Land use plan analysis. The planning director of a California city has asked you, in your role as private consultant, to evaluate his city's current General Plan. The director wants you to focus on these parts:

Description of current and forecasted conditions, including depiction of what are the existing and emerging conditions and issues in the city. Are descriptions and analyses clearly portrayed and based on sound, and accessible, factual bases?

Articulation of city's goals and objectives pertaining to future land use/development, including whether they are clear and meaningful, and whether they appear well connected to the description of current and predicted conditions. Are goals adequately supported by measurable objectives and policy prescriptions?

Presentation of land use classification in the city based on opportunities and constraints. Is there a mapped policy plan that identifies where growth should be encouraged and discouraged in the future? To what extent does land use classification effectively incorporate land supply constraints and urban growth demands, protection of environment, and goals and objectives of the city?

Synthesis of above factors into a land use map that lays out the future land use pattern for city and that can provide effective guidance for the use of implementation measures.

Land use policy analysis. The planning director has asked you, in your capacity as assistant planner, to write a concise analysis that describes and evaluates a specific type of land use policy. She wants you to focus on the following characteristics in your analysis:

Note: this policy may or may not be used by the jurisdiction for whose General Plan you evaluated for report 1. If you do not use your General Plan jurisdiction, you should answer these questions in the abstract and/or assuming certain characteristics of the city that you should state explicitly.

What are the primary goals of the planning technique?

- assure that public services are available to new development.
- shape urban form.
- maintain community character.
- protect the environment.
- promote housing diversity or affordability.
- other.

How does the policy seek to meet its primary planning goal?

What administrative mechanisms are used? What legal or controversial issues should we be aware of?

What are the likely outcomes of using this technique in terms of other local planning goals?

Are there discernable winners and losers from using this technique?

What is your overall evaluation as to the appropriateness of using this technique in pursuit of its stated goal?

Are there other techniques that could achieve the stated goal more effectively than your chosen technique?

Useful sources by topic

Basic terms and concepts:

Davidson, Michael and Fay Dolnick (editors.) 1999. *A Glossary of Zoning, Development, and Planning Terms*. Planning Advisory Service Report 491/492. Chicago: American Planning Association.

California GHG emissions law and planning

2006

AB 32

Global Warming Solutions Act of 2006

Assembly Bill 32 requires California to lower, through regulations and market mechanisms, greenhouse gas emissions to 1990 levels by 2020, representing a 25% reduction statewide.

2008

SB 375

Sustainable Communities and Climate Protection Act of 2008

Senate Bill 375 (Steinberg) is California state law that became effective January 1, 2009. It requires California's Air Resources Board (CARB) to develop regional reduction targets for greenhouse gas emissions (GHG), and prompts the creation of regional plans to reduce emissions from vehicle use throughout the state. California's 18 Metropolitan Planning Organizations (MPOs) have been tasked with creating "Sustainable Community Strategies" (SCS). The MPOs are required to develop the SCS through integrated land use and transportation planning and demonstrate an ability to attain the proposed reduction targets by 2020 and 2035.

2016

SB 32

California Global Warming Solutions Act of 2016: emissions limit

In summer 2016 the Legislature passed, and the Governor signed, Senate Bill 32 (SB 32) (Pavley, Chapter 249, Statutes of 2016) and Assembly Bill 197 (AB 197) (Garcia, Chapter 250, Statutes of 2016). SB 32 affirms the importance of addressing climate change by codifying into statute the GHG emissions reductions target of at least 40 percent below 1990 levels by 2030 contained in Governor Brown's April 2015 Executive Order B-30-15. SB 32 builds on AB 32 and keeps on the path toward achieving the State's 2050 objective of reducing emissions to 80 percent below 1990 levels, consistent with an Intergovernmental Panel on Climate Change (IPCC) analysis of the emissions trajectory that would stabilize atmospheric GHG concentrations at 450 parts per million carbon dioxide equivalent (CO₂e) and reduce the likelihood of catastrophic impacts from climate change.

Southern California Association of Governments. 2016. *Regional Transportation Plan/ Sustainable Communities Strategy (RTP/SCS): A Plan for Mobility, Accessibility, Sustainability and a High Quality of Life*. SCAG: April

Decker, Nathaniel, Carol Galante, Karen Chapple, and Amy Martin. 2017. "Right Type, Right Place: Assessing the Environmental and Economic Impacts of Infill Residential Development Through 2013". UC Berkeley School of Law and Next 10. March.

"Nuts-and-bolts" material on growth policies and techniques:

American Planning Association. 2006. *Planning and Urban Design Standards*. Hoboken, NJ: John Wiley and Sons. I recommend that for your future professional life that you purchase a paperback student edition of this indispensable guide (\$85.00).

California, State of. 2003. *General Plan Guidelines*. PDF accessible online at: www.opr.ca.gov/planning/PDFs/General_Plan_Guidelines_2003.pdf

California, State of. 2011. *The California Planners' Book of Lists*. Governor's Office of Planning and Research

American Planning Association (Stuart Meck). 2002. Growing Smart Legislative Guidebook: Model Statutes for Planning and the Management of Change. Chicago: APA Planners Press.

Merritt, Robert E. and Ann R. Danforth (eds.) 1994. *Understanding Development Regulations*. Point Arena, CA: Solano Press.

Schiffman, Irving. 1989. *Alternative Techniques for Managing Growth*. Berkeley, CA: Institute of Government Studies.

Planning Advisory Service (PAS) Reports. Subject index can be accessed online at: <http://www.planning.org/pas/subject.html>

Zoning News

Council of Planning Librarians (CPL) Bibliographies of topical material.

Land Use Law and Zoning Digest.

Environmental analysis and planning:

Assessing Environmental Impact

Kaplan-Wildmann, Jay and Janet McBride. 1992. "The California Environmental Quality Act: Current Practice and Prospects for Reform." *California Land Use Law and Policy Reporter*. April. Pp. 190-8.

Wildlife Conservation

Bosselman, Fred P. 1992. "Planning to Prevent Species Endangerment." *Land Use Law*. March. Pp. 3-8.

Beatley, Timothy. 1991. "Regional Approaches to Wildlife Habitat Conservation." *Urban Land* 50, 8: 36-9.

Capacity-based Planning

- Godschalk, David R. and Francis H. Parker. 1975. "Carrying Capacity: A Key to Environmental Planning". *Journal of Soil and Water Conservation*. 30, 4: 160-165.
- South Coast Air Quality Management District. 1993. *Draft Handbook for Preparing a Local Government Trip Reduction Ordinance*. Diamond Bar, CA: SCAQMD. Pp. I-1 through I-21 and Table 4-1 (pp. 4-3 through 4-5.)
- Clark, John. 1981. "The Search for Natural Limits to Growth." Pp. 65-82 in de Neufville, Judith Innes (ed.). *The Land Use Policy Debate in the United States*. New York: Plenum

Open space protection

- Conservation Foundation. 1990. *Creating Successful Communities*. Washington, D.C.: Island Press. Pp. 113-24. Chapter 5: Open Space Resources.
- Irvine, City of. 1991. *General Plan*. "Conservation and Open Space Element. Pp. L1, L8-L24. Case study-Irvine "phased dedication" program

Growth management/ development management: origins and evolution:

- Chapin, Timothy S. 2012. "Introduction: From Growth Controls, to Comprehensive Planning, to Smart Growth: Planning's Emerging Fourth Wave." *Journal of the American Planning Association* 78, 1: 5-15.
- Porter, Douglas. 1997. *Managing Growth in America's Communities*. Washington, D.C.: Island Press.
- Kelly, Eric Damian. 1993. *Managing Community Growth: Policies, Technique, and Impacts*. Westport, CT: Praeger
- Godschalk, David R., David J. Brower et al. 1979. *Constitutional Issues of Growth Management*. Chicago: American Planning Association. Pp. 243-266 (Petaluma, CA. and Boulder, CO.)
- Schiffman, Irving. 1989. *Alternative Techniques for Managing Growth*. Berkeley: UC Institute of Governmental Studies. Chapters 1 and 2.
- Scott, Randall W., David J. Brower and Dallas D. Miner (eds.). 1975. Pp. 2-14 in *Management and Control of Growth*. Washington, D.C.: Urban Land Institute. Volume 1.
- Deakin, Elizabeth. 1989. "Growth Controls and Growth Management: A Summary and Review of Empirical Research." Pp. 3-14 in Brower, David J., David R. Godschalk, and Douglas R. Porter (eds.) *Understanding Growth Management: Critical Issues and a Research Agenda*. Washington D.C.: Urban Land Institute.
- Conservation Foundation. 1990. "A Primer on Growth Management Tools and Techniques." Pp. 177-188 in *Creating Successful Communities: A Guidebook to Growth Management Strategies*. Washington D.C.: Island Press.
- Fagin, Henry. 1975. "Regulating the Timing of Urban Development". In Scott, Randall W., David J. Brower, and Dallas D. Miner (eds.) *Management and Control of Growth*. Washington, D.C.: Urban Land Institute. Volume 1. pp. 296-301.

"New urbanism" and urban design

- Congress for the New Urbanism. 2004. "Codifying New Urbanism" 2004. Planning Advisory Service Report no. 526. 97pp.
- Young, Dwight. 1995. *Alternatives to Sprawl*. Cambridge, Massachusetts: Lincoln Institute of Land Policy, pp. 24-27.
- Calthorpe, Peter. 1993. *The Next American Metropolis: Ecology, Community and the American Dream*. New York: Princeton Architectural Press.

- Sutro, Suzanne. 1991. *Reinventing the Village: Planning, Zoning, and Design Strategies*. Planning Advisory Service Report No. 430. Chicago: American Planning Association.
- Duany, Andres and Elizabeth Plater-Zyberk. 1991. *Towns and Town-Making Principles*. Rizzoli.
- Porter, Douglas. 1997. *Managing Growth in America's Communities*. Chapter 6.

Inter-municipal, regional impacts of land use policy
Winners and losers
Affordable housing

Porter, Douglas. *Managing Growth in America's Communities*. Chapter 7 (pp. 175-188 and 212-217.)

"Growth Management: Satan or Savior?" debate in *Journal of the American Planning Association* 58, 4: 419-424.

- Downs, Anthony. "Regulatory Barriers to Affordable Housing."
- Godschalk, David R. "In Defense of Growth Management."

Advisory Commission on Regulatory Barriers to Affordable Housing. 1991. *"Not In My Back Yard": Removing Barriers to Affordable Housing*. Washington D.C.: U.S. Department of Housing and Urban Development.

U.S. Department of Housing and Urban Development. 2004. *"Why Not In Our Community?" Removing Barriers to Affordable Housing*. An Update to the report of the Advisory Commission on Regulatory Barriers to Affordable Housing.

U.S. Commission on Civil Rights. 2003. *Not in my Backyard: Executive Order 12,898 and Title VI as Tools for Achieving Environmental Justice*. PDF accessible outline at: www.usccr.gov/pubs/envjust/ej0104.pdf

Smith, Marc. 1993. "Evolution and Conflict in Growth Management." Pp. 44-57 in Stein, Jay M. (ed.) *Growth Management: The Planning Challenge of the 1990s*. Newbury Park, CA: Sage.

Lillydahl, Jane H. and Larry D. Singell. 1987. "The Effects of Growth Management on the Housing Market: A Review of the Theoretical and Empirical Evidence." *Journal of Urban Affairs* 9, 1: 63-77.

Blaesser, Brian W. and Alan C. Weinstein (eds.) 1989. *Land Use and the Constitution: Principles for Planning Practice*. Chicago: American Planning Association. Case study pp. 172-8, 196-8..

Godschalk, David R., David J. Brower and others. 1979. *Constitutional Issues of Growth Management*. Chicago: American Planning Association. Pp. 337-343 (fiscal zoning-- Mt. Laurel, NJ).

Spatial containment
Urban growth boundaries

Easley, Gail. 1992. "Staying Inside the Lines", *Planning Advisory Service (PAS)* report 440.

Pendall, Rolf, Jonathan Martin and William Fulton. 2002. *Holding the Line: Urban Containment in the United States*. Discussion paper prepared for Brookings Institution, Center on Urban and Metropolitan Policy. August.

Young, Dwight. 1995. *Alternatives to Sprawl*. Cambridge, Massachusetts: Lincoln Institute of Land Policy.

Flint, Anthony. 2006. *This Land: The Battle Over Sprawl and the Future of America*. Baltimore: Johns Hopkins University Press.

- Porter, Douglas. 1997. *Managing Growth in America's Communities*. Chapter 3 (pp. 55-78.)
- Real Estate Research Corporation. 1974. *The Costs of Sprawl: Detailed Cost Analysis*. Summary of report prepared for Council on Environmental Quality, HUD, and EPA. Washington, D.C.: U.S. Government Printing Office.
- Knaap, Gerrit and Arthur C. Nelson. 1992. *The Regulated Landscape*. Cambridge, MA: Lincoln Institute of Land Policy. Pp. 39-42 and 58-68. Case study--Oregon.
- San Diego, City of. 1979. *Progress Guide and General Plan*. Pp. 13-20. San Diego: City Planning Department.

"Smart growth" and development

- American Planning Association. 1998. *The Principles of Smart Development*. Planning Advisory Service (PAS) Report #479. Chicago: APA.
- Urban Land Institute. 1998. *Smart Growth: Economy, Community, Environment*. Washington, D.C.: ULI
- National Association of Home Builders. 1999. *Smart Growth: Building Better Places to Live, Work and Play*. Washington, D.C.: NAHB.

Sustainable development / climate policy

- Wheeler, Stephen. 2000. "Planning for Metropolitan Sustainability." *Journal of Planning Education and Research* 20, 2: 133-145.
- Wheeler, Stephen and Timothy Beatley (eds.) 2004. *Sustainable Urban Development Reader*. London: Routledge.
- Barbour, Elisa and Elizabeth A. Deakin. 2012. "Smart Growth Planning for Climate Protection." *Journal of the American Planning Association* 78, 1: 70-86.
- Godschalk, David R. and William Anderson. 2012. *Sustaining Places: The Role of the Comprehensive Plan*. Chicago: American Planning Association.
- Feiden, Wayne. 2011. *Assessing Sustainability: A Guide for Local Governments*. Chicago: American Planning Association.

Land use planning and infrastructure

Infrastructure concurrency / Adequate public facilities ordinances

- Godschalk, David R., David J. Brower and others. 1979. *Constitutional Issues of Growth Management*. Chicago: American Planning Association. Pp. 227-242, 309-327. Case studies--Ramapo and Montgomery County.
- Porter, Douglas. 1992. "Facing Growth With a Plan." *Urban Land* 51, 6. Case studies--Carlsbad and Tracy, CA.

Exactions and impact fees

- Porter, Doug. 1997. *Managing Growth in America's Communities*. Chapter 5, pp. 133-46.
- Nicholas, James C. 1989. "The Costs of Growth: A Public Vs. Private Sector Conflict or a Public/Private Responsibility." Pp. 43-58 in Brower, David., David Godschalk, and Douglas Porter (eds.) *Understanding Growth Management: Critical Issues and a Research Agenda*. Washington D.C.: Urban Land Institute.

Development agreements

Porter, Douglas R. and Lindell L. Marsh (eds.) 1989. *Development Agreements: Practice, Policy, and Prospects*. Washington D.C.: Urban Land Institute. Pp. 2-7, 29-39, 48-55, 199-205, 148-152.

School facilities planning

Gorsen, Maureen F., et al. 2006. *California School Facilities Planning: A Guide to Laws and Procedures for Funding, Siting, Design, and Construction*. Point Arena, CA: Solano Press.

Redevelopment and infill

Beatty, et al. 2004. *Redevelopment in California*. 3rd edition. Point Arena, CA: Solano Press.

Northeast Midwest Institute (with Congress for a New Urbanism). 2001. *Strategies for Successful Infill Development*.

Planned communities

Ewing, Reid. *Developing Successful New Communities*, pp. 2-13, 74-87, 98-115.

Forsyth, Ann. 2002. "Planning Lessons from Three U.S. New Towns of the 1960s and 1970s" *Journal of the American Planning Association* 68, 4 (Autumn)

Weiss, et al. 1971. *New Community Development: Planning Process, Implementation, and Emerging Social Concerns*. Volume 1. Chapel Hill, NC: Center for Urban and Regional Studies, University of North Carolina.

State and regional growth programs

Ingram, Gregory K. et al. 2009. *Smart Growth Policies: An Evaluation of Programs and Outcomes*. Cambridge, MA: Lincoln Institute of Land Policy.

Porter, Douglas. 1997. *Managing Growth in America's Communities*. Chapters 8 and 9.

Fulton, William. 2005. *Guide to California Planning*. Chapter 25.

Bollens, Scott A. "State Growth Management: Intergovernmental Frameworks and Policy Objectives." *Journal of the American Planning Association* 58, 4: 454-66.

Modernizing State Planning Statutes. The Growing Smart Working Papers. 1996 and 1998. Planning Advisory Service Report 462-63 (volume 1) and 480-81 (volume 2)

Fischer, Michael L. 1985. "California's Coastal Program: Larger-than-Local Interests Built into Local Plans." *Journal of the American Planning Association* 51, 3: 312-321.

Governor's Office of Planning and Research (California). 1993. *Strategic Growth: Taking Charge of the Future*. Report of the Growth Management Council to Governor Wilson. Sacramento, CA: Governor's Office of Planning and Research. January 25. Press release and pp. ES1-ES10, 12-14.

Porter, Douglas R. "Issues in State and Regional Growth Management." In Porter, Douglas R. (ed.) *State and Regional Initiatives for Managing Development: Policy Issues and Concerns*. Washington, D.C.: Urban Land Institute.