Instructor: John Davidson
Office location: WSQ 218
Telephone: (408)535-7895
Email: john.davidson@sanjoseca.gov
Office hours: Mondays, 5:30 to 6:30 p.m.
Class days/time: Mondays, 7:30 – 10:00 p.m.
Classroom: Sweeney Hall 241
Prerequisites: For URBP/ENVS 136, Upper Division standing is required.
Units: 4 units

Course Catalog Description
URBP 225: Study of contemporary growth and land use management techniques used by local, state and federal governments. Examination of the role of public law in addressing urban growth and environmental change issues, and the legal aspects of preparing and administering planning controls and incentives.

URBP/ENVS 136: Land use and facilities planning practices in the context of American cities, emphasizing interrelationships between various land uses and public facilities and service requirements. Study of the role of public law in addressing urban growth and environmental change issues. Prerequisite: Upper division standing or instructor consent.
Course Description and Course Learning Objectives

COURSE METHODS

Through lecture, discussion, field activities, and assignments, the class will examine fundamental land use controls (i.e., General Plans and Zoning) as well as contemporary growth and land use management techniques (i.e., Specific Plans, development policies, guidelines, interjurisdictional agreements, etc.). The class will discuss urban design and urban environments to inform the discussion of the land use policy framework. The class will pay particular attention to land use decision-making as a discretionary process, and will delve into the interaction between discretionary processes and environmental review. The class will also examine the legal precedents that have contributed to the policy framework.

Upon successful completion of the course, students will be able to:

1. Explain to the public the contexts in which planning takes place and the processes by which plans are made and implemented.

2. Explain to the public the fundamental growth and land use management controls and the interrelationships of these tools (e.g., general plan, zoning, and permitting).

3. Explain the implications of major legal precedents including, but not limited to:


4. Determine whether a proposed project, permit, or other land use action is ministerial or discretionary, and also whether it is quasi-judicial or legislative.

5. Determine whether the major components of land use and development proposals comply with a jurisdiction's planning policy framework (i.e., general plan, zoning ordinance, design guidelines, environmental legislation, etc.).

6. Analyze site plans and identify key issues associated with the plans, including consistency with a jurisdiction's planning policy framework and principles of sound planning.

7. Prepare a municipal staff report regarding land use and development that uses appropriate structure, content, and tone.

8. Prepare clear, concise reports and oral presentations regarding land use and development issues.

Planning Accreditation Board (PAB) Knowledge Components

This course partially covers the following PAB Knowledge, Skills and Values (KSV) components. A complete list of the PAB KSV Components can be found at http://www.sjsu.edu/urbanplanning/courses/pabknowledge.html.

San José State University
Urban and Regional Planning Department
1. (a) Purpose and Meaning of Planning: appreciation of why planning is undertaken by communities, cities, regions, and nations, and the impact planning is expected to have.

(c) Planning Law: appreciation of the legal and institutional contexts within which planning occurs.

(e) The Future: understanding of the relationships between past, present, and future in planning domains, as well as the potential for methods of design, analysis, and intervention to influence the future.

(f) Global Dimensions of Planning: appreciation of interactions, flows of people and materials, cultures, and differing approaches to planning across world regions.

2. (d) Plan Creation and Implementation: integrative tools useful for sound plan formulation, adoption, and implementation and enforcement.

3. (b) Governance and Participation: appreciation of the roles of officials, stakeholders, and community members in planned change.

(c) Sustainability and Environmental Quality: appreciation of natural resource and pollution control factors in planning, and understanding of how to create sustainable futures.

**Required Course Texts**


Students should consider purchasing one of the following law case books:


Selected articles and other materials to be distributed in class.

**REFERENCE TEXTS**

City of San Jose (2011). *Envision San Jose 2040 General Plan*.

City of San Jose (2014). *Zoning Ordinance*.


San José State University

Urban and Regional Planning Department
Course Assignments and Grading Policy

Your grade for the course will be based on the following assignments and other activities:
<table>
<thead>
<tr>
<th>Assignments</th>
<th>Percent of Course Grade</th>
<th>Learning Objectives Covered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assignment 1 – Investigating the Landscape</td>
<td>10%</td>
<td>1, 2, 8</td>
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<tr>
<td>All students, working individually: Document and describe development patterns in San Jose over time by investigating a major arterial.</td>
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<tr>
<td>Assignment 2 – Land Use and the Print Media</td>
<td>10%</td>
<td>1, 2, 8</td>
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<tr>
<td>All students, working individually: Collect at least five related planning articles, columns, and/or editorials published in the print media, and analyze their treatment of land use issues.</td>
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<tr>
<td>Assignment 3 – Planning Commission Meeting</td>
<td>10%</td>
<td>1 – 4, 8</td>
</tr>
<tr>
<td>All students, working individually: Attend a local Planning Commission and/or City Council meeting regarding land use matters and then document and analyze the Commission’s actions.</td>
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<tr>
<td>Assignment 4 – Neighborhood Plan</td>
<td>25%</td>
<td>1, 2, 6</td>
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<tr>
<td>All students, working in teams: Prepare a neighborhood plan for an Envision 2040 designated neighborhood village, and present the plan to the rest of the class.</td>
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<tr>
<td>Planning Law Quizzes</td>
<td>20%</td>
<td>2, 3, 4, 5</td>
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<tr>
<td>All Students, working individually: Periodically throughout the semester, take four at-home quizzes on relevant legal precedents in land use planning and the role and function of the California Environmental Quality Act (CEQA).</td>
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<tr>
<td>Final Examination, working both in teams and individually: Working in teams, evaluate a development proposal. As individuals, write an analysis of the development proposal, and the proposal’s conformance with the Zoning Code.</td>
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<tr>
<td>Class Participation including discussion, group work, and in-class assignments.</td>
<td>5%</td>
<td>1 – 5</td>
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</table>
For the undergraduate versions of the class (URBP/ENVS 136), page limits on assignments are shorter than page limits for URBP 225. For group work, however, undergraduates are expected to provide a contribution equal to their classmates.

**Calculation of Final Course Letter Grade**

Throughout the semester, individual assignments will be graded on a 0-100 point scale. The point values for each assignment will be pro-rated according to the table above, and a final letter grade will be assigned to the total score as follows:

- A (93 and above); A- (90 to 92.9);
- B+ (87 to 89.9); B (83 to 86.9);
- B- (80 to 82.9); C+ (77 to 79.9);
- C (73 to 76.9); C- (70 to 72.9);
- D+ (67 to 69.9); D (63 to 66.9);
- D- (60 to 62.9); F (below 60).

**Other Grading and Assignment Issues**

Assignments less than 48 hours late will be accepted with a three-letter grade penalty (30 points); assignments later than 48 hours late will not be accepted.

**Course Workload**

Success in this course is based on the expectation that students will spend, for each unit of credit, a minimum of forty-five hours over the length of the course (normally 3 hours per unit per week with 1 of the hours used for lecture) for instruction or preparation/studying or course related activities including but not limited to internships, labs, clinical practica. Other course structures will have equivalent workload expectations as described in the syllabus.

Because this is a four-unit class, you can expect to spend a minimum of nine hours per week in addition to time spent in class and on scheduled tutorials or activities. Special projects or assignments may require additional work for the course. Careful time management will help you keep up with readings and assignments and enable you to be successful in all of your courses. **For this class, you will have to undertake additional activities outside the class hours related to the fieldwork for the Urban Village Plan (Assignment 4). Success in the Urban Village Plan is directly related to the amount of time your group spends exploring and documenting your plan area.** Details on how to complete the Urban Village Plan will be provided in class later in the semester.

**Academic Integrity Statement, Plagiarism, and Citing Sources Properly**

Your commitment, as a student, to learning is evidenced by your enrollment at San Jose State University. The University Academic Integrity Policy S07-2 at http://www.sjsu.edu/senate/docs/S07-2.pdf requires you to be honest in all your academic course work. Faculty members are required to report all infractions to the office of Student Conduct and Ethical Development. The Student Conduct and Ethical Development website is available at http://www.sjsu.edu/studentconduct/.

Plagiarism is the use of someone else's language, images, data, or ideas without proper attribution. It is a very serious offense both in the university and in your professional work. In essence, plagiarism is both theft and lying; you have stolen someone else's ideas, and then lied by implying that they are your own.
Plagiarism will lead to grade penalties and a record filed with the Office of Student Conduct and Ethical Development. In severe cases, students may also fail the course or even be expelled from the university.

If you are unsure what constitutes plagiarism, it is your responsibility to make sure you clarify the issues before you hand in draft or final work.

Learning when to cite a source and when not to is an art, not a science. However, here are some common examples of plagiarism that you should be careful to avoid:

- Using a sentence (or even a part of a sentence) that someone else wrote without identifying the language as a quote by putting the text in quote marks and referencing the source.
- Paraphrasing somebody else's theory or idea without referencing the source.
- Using a picture or table from a webpage or book without reference the source.
- Using data some other person or organization has collected without referencing the source.

The University of Indiana has developed a very helpful website with concrete examples about proper paraphrasing and quotation. See in particular the following pages:

- Overview of plagiarism at www.indiana.edu/~istd/overview.html
- Examples of plagiarism at www.indiana.edu/~istd/examples.html
- Plagiarism quiz at www.indiana.edu/~istd/test.html

If you still have questions, feel free to talk to me personally. There is nothing wrong with asking for help, whereas even unintentional plagiarism is a serious offense.

Citation style

It is important to properly cite any references you use in your assignments. The Department of Urban and Regional Planning uses Kate Turabian’s *A Manual for Writers of Research Papers, Theses, and Dissertations*, 8th edition (University of Chicago Press, 2013, ISBN 780226816388). Copies are available in the SJSU King Library. Additionally, the book is relatively inexpensive, and you may wish to purchase a copy. Please note that Turabian’s book describes two systems for referencing materials: (1) “notes” (footnotes or endnotes), plus a corresponding bibliography, and (2) in-text parenthetical references, plus a corresponding reference list. Either style is acceptable in this class.

Accommodation for Disabilities

If you need course adaptations or accommodations because of a disability, or if you need to make special arrangements in case the building must be evacuated, please make an appointment with me as soon as possible, or see me during office hours. Presidential Directive 97-03 at http://www.sjsu.edu/president/docs/directives/PD_1997-03.pdf requires that students with disabilities requesting accommodations must register with the Accessible Education Center (AEC) at http://www.sjsu.edu/acc to establish a record of their disability.
You can find information about the services SJSU offers to accommodate students with disabilities at the Accessible Education Center website at www.sjsu.edu/aec.

**Accommodation to Students’ Religious Holidays**

San José State University shall provide accommodation on any graded class work or activities for students wishing to observe religious holidays when such observances require students to be absent from class. It is the responsibility of the student to inform the instructor, in writing, about such holidays before the add deadline at the start of each semester. If such holidays occur before the add deadline, the student must notify the instructor, in writing, at least three days before the date that he/she will be absent. It is the responsibility of the instructor to make every reasonable effort to honor the student request without penalty, and of the student to make up the work missed. See University Policy S14-7 at http://www.sjsu.edu/senate/docs/S14-7.pdf.

**Consent for Recording of Class and Public Sharing of Instructor Material**

Common courtesy and professional behavior dictate that you notify someone when you are recording him/her. You must obtain the instructor’s permission to make audio or video recordings in this class. Such permission allows the recordings to be used for your private, study purposes only. The recordings are the intellectual property of the instructor; you have not been given any rights to reproduce or distribute the material.

**Library Liaison**

The SJSU Library Liaison for the Urban and Regional Planning Department is Ms. Toby Matoush. If you have questions, you can contact her at toby.matoush@sjsu.edu or 408-808-2096.

**SJSU Writing Center**

The SJSU Writing Center is located in Clark Hall, Suite 126. All Writing Specialists have gone through a rigorous hiring process, and they are well trained to assist all students at all levels within all disciplines to become better writers. In addition to one-on-one tutoring services, the Writing Center also offers workshops every semester on a variety of writing topics. To make an appointment or to refer to the numerous online resources offered through the Writing Center, visit the Writing Center website at http://www.sjsu.edu/writingcenter. The SJSU Writing Center is located in Room 126 in Clark Hall.

**SJSU Counseling Services**

The SJSU Counseling Services is located on the corner of 7th Street and San Fernando Street, in Room 201, Administration Building. Professional psychologists, social workers, and counselors are available to provide consultations on issues of student mental health, campus climate or psychological and academic issues on an individual, couple, or group basis. To schedule an appointment or learn more information, visit Counseling Services website at http://www.sjsu.edu/counseling.

**Dropping and Adding**

Students are responsible for understanding the policies and procedures about add/drop, grade forgiveness, etc. Refer to the current semester's Catalog Policies section at
http://info.sjsu.edu/static/catalog/policies.html. Add/drop deadlines can be found on the current academic year calendars document on the Academic Calendars webpage at http://www.sjsu.edu/provost/services/academic_calendars/. The Late Drop Policy is available at http://www.sjsu.edu/aars/policies/latedrops/policy/. Students should be aware of the current deadlines and penalties for dropping classes.

Information about the latest changes and news is available at the Advising Hub at http://www.sjsu.edu/advising/.
### URBP 225: LAND USE AND URBAN PLANNING

**URBP/ENVS 136: INTRODUCTION TO LAND USE AND FACILITIES PLANNING**

**SPRING 2015**

**COURSE SCHEDULE**

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<thead>
<tr>
<th>Date</th>
<th>Topic</th>
<th>Assignments and Required Reading</th>
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<tbody>
<tr>
<td>January 30</td>
<td>Course Overview: &lt;br&gt; - Why plan? &lt;br&gt; - Issues and trends in California land use planning</td>
<td>None</td>
</tr>
<tr>
<td>February 8</td>
<td><strong>PAB KSV: 1.(f), Purpose and Meaning of Planning</strong>&lt;br&gt;Presidents' Day - No Class</td>
<td>Fulton, Chapters 4-6&lt;br&gt;<em>Pennsylvania Coal Co. v. Mahon (1922)</em>&lt;br&gt;*Fulton, Chapters 7+8&lt;br&gt;<em>Village of Euclid v. Amblor Realty Co. (1926)</em>&lt;br&gt;First Paper Due</td>
</tr>
<tr>
<td>September 8</td>
<td><strong>PAB KSV: 1.(a), Purpose and Meaning of Planning</strong>&lt;br&gt;Addresses/Content &lt;br&gt;Planning in San Jose and Taiwan</td>
<td><em>Hadacheck v. Sebastian (1915)</em>&lt;br&gt;<em>Pennsylvania Coal Co. v. Mahon (1922)</em>&lt;br&gt;<em>Village of Euclid v. Ambler Realty Co. (1926)</em>&lt;br&gt;<em>First Paper Due</em></td>
</tr>
<tr>
<td>September 29</td>
<td>Zoning: &lt;br&gt;- Legal Authority and Purpose &lt;br&gt;- Approaches/Content The Subdivision Map Act</td>
<td>*Planning in San Jose: A Community Guide, Fulton, Chapters 1-3&lt;br&gt;<em>Hadacheck v. Sebastian (1915)</em></td>
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**San José State University**

Urban and Regional Planning Department
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<tr>
<th>Date</th>
<th>Topic</th>
<th>Assignments and Required Reading</th>
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<tr>
<td>April 6</td>
<td>Village Plan – <em>Lynch Diagram</em></td>
<td>Lynch, <em>The Image of the City</em></td>
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<tr>
<td>April 13</td>
<td>Village Plan – <em>Lego Charette</em></td>
<td><strong>PAB KSVs: 1.(c), The Law, and 3.(c) Sustainability and Environmental Quality</strong></td>
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<td>April 20</td>
<td>Village Plan – <em>Land Use Plan</em></td>
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<td>April 27</td>
<td>Transportation Planning</td>
<td><strong>Third Paper Due</strong></td>
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<td>Village Plans group work</td>
<td><strong>PAB KSV: 3.(b) Governance and</strong></td>
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<tr>
<td>May 4</td>
<td>Putting It All Together:</td>
<td><strong>Fulton, Chapter 20</strong></td>
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<td>- The Permitting Process</td>
<td><strong>Case Law TBA</strong></td>
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<td>- Public Participation Models</td>
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<td></td>
<td>Current Planning Issues</td>
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<td></td>
<td>and Challenges</td>
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<td>Final Exam – practice session</td>
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<tr>
<td>May 11</td>
<td>Final Exam</td>
<td><strong>Fourth Paper Due</strong></td>
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<td><strong>Case Law TBA</strong></td>
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<tr>
<td>May 18</td>
<td>Neighborhood plans – presentations</td>
<td><strong>Start Time – 7:45 p.m.</strong></td>
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<td><strong>PAB KSV: 2.(d), plan formulation</strong></td>
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