

PuEnAf 323
Land Use Controls
Spring 2007

Laurel Phoenix
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Class meets: TTh 9:30-10:45
MAC C303

Office Hours: Th 11-12, F 12-12:30
or by appt.

This course looks at land use from a variety of perspectives: methods of land use controls, legal foundations, social implications, environmental impacts, civil and property rights, cumulative impacts, etc. The various forms of public land-use controls in planning and administration are analyzed. Land use is currently a contested topic due to the increase of growth pressures, shifting populations, and the more conditions placed on personal or property rights. You will be pleasantly surprised at how interesting this course is!

This course has been designated a Writing Emphasis (WE) course. A written assignment in the first two weeks of class will be used to establish a standard of reference. All written materials are subject to the Writing Policy of UWGB.

Reading assignments relevant to lecture material will be assigned during class.

Required Texts:

The Citizen's Guide to Zoning. 1983. Herbert H. Smith. APA Press.
Land Use in America. 1996. Henry Diamond w/ P. Noonan. Island Press.
Other readings will be placed on reserve at Cofrin Library.

Course Outline

A. Why have Land Use Controls?

Systems Theory

History of Property, Rights, and Responsibilities

History of Growth Pressures and local control

Roles in Land Use Control - State

- Regional
- Citizens

Shifting Missions

Zoning Stakeholders - Which stakeholders are included?

Legal Issues

B. Trends and Techniques of Planning and Zoning

First you plan, THEN you zone - Zoning Techniques

Subdivision Techniques

Monotonous tracts

PUDs (Planned Unit Development)

New Communities Trends

How cities time or afford development

Phased Development

Procedural streamlining

Capital Improvements - Provision of Services

C. Land Use affects EVERYTHING

Ecological Footprint, McMansions, and green building

Exclusionary Zoning and its effects

Issues of Housing Costs

Presuming Property Rights

Distributive Impacts of Land Use Decisions

**Environmental Impacts of: Land Development
: Energy (and water)**

Legal Standing for Natural Objects?

How to Preserve Prime Agriculture Land

Transfer of Development Rights models

Land Trust Techniques

Wisconsin Shoreland Management Act

Zoning on the Waters

D. Economics of Land Use

Economic Growth and Planning

Property Taxes and Land Use

Economic Fallout on Elderly

Development Bankruptcy and the Public Interest

When cities become like businesses

Grading

Participation	15
3 papers	25
First Mid-term	20
Second Mid-term	20
Final	<u>20</u>
	100 pts.

Due dates:

TBA
Feb 15, Thursday
March 29, Thursday
May 15, Tuesday, 8:00 - 10:00 am

Important notes:

- The final is only given at the allotted time in the campus schedule. **NO exceptions**
- Creating a distraction in class will result in your dismissal from class. Distractions include talking, passing notes, personal grooming, using electronic equipment of any kind, etc.

Students with Disabilities

Note:

Consistent with the federal law and the policies of the University of Wisconsin, it is the policy of the University of Wisconsin-Green Bay to provide appropriate and necessary accommodations to students with documented physical and learning disabilities. If you anticipate requiring any auxiliary aids or services, you should contact me or the Coordinator of Services for Students with Disabilities at 465-2841 as soon as possible to discuss your needs and arrange for the provision of services.

LAND USE WEB SITES

www.mlui.org/

Michigan Land Use Institute

<http://landuse.org/lufsys>

Land Use Network

www.clui.org

Center for Land Use Interpretation

http://darkwing.uoregon.edu/~pppm/~landuse/land_use.html

Oregon Land Use Information Center

www.sustainable.doe.gov/landuse/luintro.shtml

Land Use Planning

www.policy.rutgers.edu

Center For Urban Policy

www.1000friendsofwisconsin.com/

1000 Friends of Wisconsin

www.plannersweb.com/index.html

Planners Web

www.sierraclub.org

Sierra Club

<http://www.lta.org/>

Land Trust Alliance

GOOD BOOKS AND ARTICLES

- Smith, Herbert H. 1993. *The Citizen's Guide to Planning*. APA Planner's Press.
- Stone, Christopher D. 1996. *Should Trees Have Standing?* Oceana Press.
- MacCleery, D.W. 2000. Aldo Leopold's Land Ethic: Is it only Half a Loaf Unless a Consumption Ethic Accompanies it? *Forest History Today*, Spring 2000: 39-41.
- Sax, Joseph L. 1971. The Public Trust: A New Charter of Environmental Rights. In *Defending the Environment*. Knopf Publishing.
- Leopold, Aldo. 1949. The Land Ethic, pp. 201-226, In *Sand County Almanac*. Oxford University Press.
- Meck, Stuart and Edith Netter, eds. 1983. *A Planner's Guide to Land Use Law*. APA Planner's Press.
- Wright, Robert R. and M. Gitelman. 2000. *Land Use in a Nutshell*. West Publishing.
- Hunter, David B. 1988. An Ecological Perspective on Property: A Call for Judicial Protection of the Public's Interest in Environmentally Critical Resources. *Harvard Environmental Law Review*, 12: 311-383.
- Hagman, Donald G. and Dean J. Misczynski, eds. 1978. *Windfalls for Wipeouts: Land Value Capture and Compensation*. APA Planner's Press.
- Geisler, Charles and Gail Daneker, eds. 2000. *Property and Values: Alternatives to Public and Private Ownership*. Island Press.
- Fustanski, Julie Ann and Roderick Squires, eds. 2000. *Protecting the Land: Conservation Easements Past, Present, and Future*. Island Press.
- Meltz, Robert, Merriam, Dwight, and Richard Frank. 1999. *The Takings Issue: Constitutional Limits on Land Use Control and Environmental Regulation*. Island Press.
- Hanna, Susan S., Carl Folke, and Karl-Goran Maler, eds. 1996. *Rights to Nature: Ecological, Economic, Cultural, and Political Principles of Institutions for the Environment*. Island Press.
- Freyfogle, Eric T. 1998. *Bounded People, Boundless Lands: Envisioning a New Land Ethic*. Island Press.