

Princeton University
Woodrow Wilson School
Graduate Program

Spring Term - 2007

WWS 528a
Land Use Policy and Planning

David N. Kinsey

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INTRODUCTION

Land use decisions shape the built and natural environment, influence local and regional economies, define community character, and affect the daily lives of residents, workers, and visitors. This course examines the theory and practice of land use policy and planning in the United States. After exploring definitions of and arguments for and against sprawl and smart growth, the seminar introduces key principles of land use law and plan making. The seminar examines selected land use programs, issues, and techniques, at diverse levels of government, including state smart growth programs, regional land use-environmental agencies, exclusionary municipal land use policies and inclusionary housing programs, land conservation, the challenge of rebuilding post-Katrina New Orleans, the private sector perspective on real estate development, and the transportation-land use connection.

FORMAT

- Lectures, discussions of readings, case materials, role-playing exercises, and student presentations
- Guest speakers on developing residential and commercial real estate, protecting environmentally sensitive regions, and conserving land
- Field trip to Washington Town Center, a New Urbanist, mixed use, multi-developer, partially completed, planned community in nearby Robbinsville, New Jersey

COURSE REQUIREMENTS

- Active, informed participation in class discussions and exercises
- An oral presentation on a state smart growth program
- A midterm, three hour, take-home, closed-book, policy problem-solving examination
- A one-two page written statement in advance of a role-playing exercise
- A 10-15 page term paper, with oral presentations on the proposed topic and draft findings and recommendations

EVALUATION

The final course grade and written evaluation of a student's performance in the class will be based upon:

Class participation	30%
Student presentations	10%
Midterm examination	30%
Term paper	30%

READINGS

Books listed in the syllabus are on reserve in the Stokes Library. Articles and chapters of books are on e-reserves, at: <http://infoshare1.princeton.edu/reserves/elecres.html>. Click on Login Directly to your Course Reading Page and enter the user ID and password available from the instructor. Non-electronic readings can be located through the University Library Main Catalogue, at: <http://lib-terminal.princeton.edu/ereserves/logon.asp>. Enter the instructor's name and department (Woodrow Wilson School) and scroll to highlight the course number, then click Search. Other readings are accessible on the Web through links in this syllabus. Four books are available for purchase at the Princeton University Store. These books are also on reserve in Stokes Library:

Dowling, Timothy J., Douglas T. Kendall, and Jennifer Bradley. *The Good News About Takings*. Chicago: American Planning Association, 2006.

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

Kelly, Eric Damian and Barbara Becker. *Community Planning: An Introduction to the Comprehensive Plan*. Washington, D.C.: Island Press, 2000.

Kirp, David L., John P. Dwyer, and Larry A. Rosenthal. *Our Town: Race, Housing and the Soul of Suburbia*. New Brunswick, N.J.: Rutgers University Press, 1995

Readings are listed below in descending order of importance for the week's discussions in class, on a continuum from required to recommended. Skimming is an important skill to learn. Some listed readings may provide useful references for the term paper.

WEEKLY SCHEDULE (Readings, Assignments, and Guest Speakers)

Week 1 Feb. 5 Land Use, Sprawl, and Smart Growth

Flint, Anthony. *This Land: The Battle over Sprawl and the Future of America*. Baltimore: Johns Hopkins University Press, 2006. Introduction, Chapters 1-2, pp. 1-60.

Squires, Gregory D. "Urban Sprawl and the Uneven Development of Metropolitan America." in Gregory D. Squires, ed. *Urban Sprawl: Causes, Consequences and Policy Responses*. Washington, D.C.: Urban Institute Press, 2002, Chapter 1, pp. 1-22.

Smart Growth Network. *This Is Smart Growth*. [2006], 26 pp.
http://www.smartgrowthonlineaudio.org/pdf/TISG_2006_8-5x11.pdf

Burchell, Robert W., Anthony Downs, Barbara McCann, and Sahan Mukherji. *Sprawl Costs: Economic Impacts of Unchecked Development*. Washington, D.C.: Island Press, 2005, Chapter 2, "Sprawl and Its Definition," and Chapter 11, "The Benefits of Sprawl," pp. 12-19 and 125-144.

Downs, Anthony. "Smart Growth: Why We Discuss It More than We Do It." *Journal of the American Planning Association*. Vol. 71, No. 4, Autumn 2005, pp. 367-378.

Hayward, Steven. "The Suburbanization of America." In Jane S. Shaw and Ronald D. Utt, eds. *A Guide to Smart Growth: Shattering Myths, Providing Solutions*. Washington, D.C.: The Heritage Foundation, 2000, pp. 1-16.

Week 2 Feb. 12 Land Use and the Law: Takings, Regulation, and Redevelopment

Dowling, Timothy J., Douglas T. Kendall, and Jennifer Bradley. *The Good News About Takings*. Chicago: American Planning Association, 2006. 68 pp.

Flint. *This Land*. Chapter 6, "Hands Off My Land," pp. 127-148.

Kelly and Becker. *Community Planning*. Chapters 10-11, "Controlling the Use of Private Land" and "Controlling the Development of Land," pp. 203-244.

Platt, Rutherford H. "Property Rights: The Owner as Planner." *Land Use and Society: Geography, Law, and Public Policy*. Washington, D.C.: Island Press, 1996, Chapter 4, pp. 93-120.

Staley, Samuel R. "Reforming the Zoning Laws." In Shaw and Utt. *Guide to Smart Growth*. Chapter 5, pp. 61-75.

Week 3 Feb. 19 Making Land Use Plans

Assignment No. 1: Make a brief, two-minute oral presentation on your proposed term paper topic.

Kaiser, Edward J. and David R. Godschalk. "Twentieth Century Planning: A Stalwart Family Tree." *Journal of the American Planning Association*, Vol. 61, No. 3, Summer 1995, pp. 365-385.

Kelly and Becker. *Community Planning*. Chapters 2- 8, pp. 43-191.

Garvin, Alexander. *The American City: What Works, What Doesn't*. 2nd ed. New York: McGraw-Hill, 2002. Chapter 1, "A Realistic Approach to City and Suburban Planning," and Chapter 2, "Ingredients of Success," pp. 1-30.

Hamill, Samuel M., John C. Keene, David N. Kinsey, and Roger K. Lewis. "Planning for the Future." *The Growth Management Handbook*. Princeton, N.J.: MSM Regional Council, 1989, Chapter 4, pp. 37-49.

Washington Township (Mercer County, N.J.) Planning Board. *2000 Master Plan, Washington Township, Mercer County, New Jersey*. Prepared by Brown & Keener Urban Design, Philadelphia, PA, December 2000. (location of Washington Town Center New Urbanist community to be visited in the field trip in Week 10) Read Part II and skim other parts.

Regional Planning Board of Princeton. *Princeton Community Master Plan*. Adopted December 12, 1996, with amendments adopted May 6, 1999
1996 Land Use Element, pp. 20-37, at <http://www.princetontwp.org/masterplan/Land.doc> and the
1996 Land Use Plan Map, at: <http://www.princetontwp.org/masterplan/landusemap.html>
2001 Master Plan Reexamination Report, at <http://www.princetontwp.org/masterplan/reexam2001-10-18-01Final.pdf>

Week 4 Feb. 26 Real Estate Development: The Private Sector Perspective

Guest Speaker: Sydney Kitson, Chairman/CEO, Kitson & Partners, L.L.C., West Palm Beach, FL

Schmidt, Adrienne, et al. *Residential Development Handbook*, Third Edition. Washington, D.C.: ULI-The Urban Land Institute, 2004, Chapters 1-3, "Introduction, Project Feasibility, and Financing." pp. 3-89.

Bernstein, Fred. "Betting the Ranch in Southwest Florida." *The New York Times*. July 30, 2006.
<http://www.nytimes.com/2006/07/30/realestate/30nati.html?ex=1311912000&en=12c918db774ddf39&ei=5088&partner=rssnyt&emc=rss>

Kitson & Partners, Babcock Ranch Community, <http://www.babcockranchflorida.com/> (website for 143 square mile ranch in Florida Kitson acquired in 2006, sold 80% of the tract to the State of Florida for \$351.5 million for conservation and is a developing 19,500 housing units and 6 million square feet of nonresidential development on the remaining 17,000 acres)

Kelly and Becker. *Community Planning*. Chapter 9, "Decisions That Change the Land," pp. 195-202.

Duany, Andres, Elizabeth Plater-Zyberk, and Jeff Speck. *Suburban Nation: The Rise of Sprawl and the Decline of the American Dream*. New York: North Point Press, 2000, Chapter 6, "Sprawl and the Developer," pp. 99-114.

Kitson & Partners, L.L.C. web site: <http://www.kitsonpartners.com/> and <http://www.ibisgolf.com/> (website of distressed country club community project Kitson acquired and turned around)

Babcock Ranch Preservation Partnership website: <http://www.babcockranch.org/>

Week 5 March 5 Regional Land Use and Environmental Planning

Guest Speaker: John R. Weingart (MPA '75), Chair, N.J. Highlands Water Protection and Planning Council and Associate Director, Eagleton Institute of Politics, Rutgers

Lapping, Mark B. and Owen J. Furuseh. Chapter 1, "Introduction" and Chapter 9, "Lessons for the Future." In Mark B. Lapping and Owen J. Furuseh, eds. *Big Places, Big Plans*. Aldershot, UK and Burlington, VT: Ashgate, 2004, pp. 1-3 and 179-183.

New Jersey Office of the Governor. "Governor McGreevey Enacts Historic Highlands Legislation, Protects Drinking Water for 5.4 Million New Jersey Residents." Press Release. August 10, 2004.
http://www.state.nj.us/cgi-bin/governor/njnewsline/view_article_archives.pl?id=2093

New Jersey Highlands Council. *Highlands Draft Regional Master Plan*. November 2006. Read Part I and skim other parts.

Text of the Plan: http://www.highlands.state.nj.us/njhighlands/master/rmp_table_contents.html

Land Capability Map: http://www.highlands.state.nj.us/njhighlands/master/rmp_table_contents.html

New Jersey Farm Bureau. "Statement from the NJ Farm Bureau about the Draft Highlands Regional Master Plan." November 30, 2006. <http://www.njfb.org/FBStatement11-30.pdf>

Mason, Robert J. "The Pinelands." In Lapping and Furuseh. *Big Places, Big Plans*. pp. 29-53.

Harris, Glenn R. and Michael G. Jarvis. "A History of Planning in the Adirondack Park." In Lapping and Furuseh. *Big Places, Big Plans*. pp. 139-177.

Twiss, Robert H. "Planning and Land Regulation at Lake Tahoe: Five Decades of Experience." In Lapping and Furuseh. *Big Places, Big Plans*. pp. 83-95.

Week 6 March 12 State Smart Growth Programs

Assignment No. 2: Make a brief (five-minute maximum) oral presentation on a new, emerging, or reinvigorated state smart growth program (such as Arizona, Connecticut, Maine, Maryland, Massachusetts Michigan, Montana, New Mexico, Pennsylvania, and Tennessee), analyzing its key features, accomplishments, and weaknesses. Choose the state program in consultation with the instructor to avoid duplication.

Flint. *This Land*. Chapter 4, "The Smart Growth Revolution," and Chapter 8 (partial), "Pitched Battles," pp. 81-103 and 172-186.

Gale, Dennis E. "Eight State-Sponsored Growth Management Programs: A Comparative Analysis." *Journal of the American Institute of Planners*. Vol. 58, No. 4, Autumn 1992, pp. 425-439.

Anthony, Jerry. "Do State Growth Management Regulations Reduce Sprawl?" *Urban Affairs Review*, Vol. 39, No. 3, January 2004, pp. 376-397. <http://uar.sagepub.com/cgi/reprint/39/3/376>

DeGrove, John. *Planning, Policy, and Politics: Smart Growth and the States*. Cambridge, MA: Lincoln Institute of Land Policy, 2005, Chapter 1, "Introduction," Chapter 2, "Oregon," and Chapter 9, "Conclusion," pp. 1-42, and 321-329.

Frece, John W. "Twenty Lessons from Maryland's Smart Growth Initiative." *Vermont Journal of Environmental Law*. Vol. 6, 2004-2005; <http://www.vjel.org/articles/articles/Frece11FIN.htm>

Charles, John A. "Lessons from the Portland Experience." in Shaw and Utt. *Guide to Smart Growth*. Chapter 9, pp. 119-134.

Assignment No. 3: The three hour, take-home, closed-book, policy problem-solving midterm exam will be distributed at the end of class. The exam is to be completed and submitted by Friday, March 30, 5 pm by e-mail to: dkinsey@princeton.edu

Spring Recess

Week 7 March 26 Land Conservation and Farmland Preservation

Assignment No. 4: Submit a one-page outline of your proposed term paper by email to the class by Sunday, March 25th at 9 pm.

Guest Speaker: Michael Catania, President, Conservation Resources, Inc., Mendham, N.J.

Kelly and Becker. *Community Planning*. Chapter 15, "Preserving Open Space," pp. 301-320.

Brewer, Richard. *Conservancy: The Land Trust Movement in America*. Hanover: University Press of New England, 2003, Chapter 3, "Why Save Land," Chapter 5, "Choosing Land to Save," Chapter 6, "Stewardship," Chapter 7, "How to Save Land," pp. 57-77, 97-162.

Daniels, Tom and Deborah Bowers. *Holding Our Ground: Protecting America's Farms and Farmland*. Washington, D.C.: Island Press, 1997, Chapter 6, "State Farmland Protection Programs" and Chapter 13, "Creating a Farmland Protection Package," pp. 87-103, 235-249.

Daniels, Tom. "Land Preservation in New York, New Jersey, and Pennsylvania: Strategy, Funding, and Cooperation are Key." In Keith Goldfield, ed., *The Race for Space: The Politics and Economics of State Open Space Programs*. Princeton, N.J.: Policy Research Institute for the Region, 2006, pp. 9-24 http://region.princeton.edu/media/pub/pub_4_37.pdf

Catania, Michael. "Ten Things Every Town Can Do To Create or Improve Your Open Space Program," 2004. <http://conservationresourcesinc.org/news-tenthings.htm>

Conservation Resources, Inc. website: <http://www.conservationresourcesinc.org/index.htm>

Week 8 April 2 Exclusionary Land Use Policies, *Mount Laurel*, and Inclusionary Housing Programs

In-class exercise: design a state-wide inclusionary housing program

Kirp, David L., John P. Dwyer, and Larry A. Rosenthal. *Our Town: Race, Housing and the Soul of Suburbia*. New Brunswick, N.J.: Rutgers University Press, 1995, Chapters 1, 3-7, pp. 1-10 and 35-164.

Calavita, Nico, Kenneth Grimes, and Alan Mallach. "Inclusionary Housing in California and New Jersey: A Comparative Analysis." *Housing Policy Debate*. Vol. 8, Issue 1, 1997, pp. 109-142. http://www.fanniemae.foundation.org/programs/hpd/pdf/hpd_0801_calavita.pdf

Meck, Stuart, Rebecca Retzlaff, and James Schwab. *Regional Approaches to Affordable Housing*. Planning Advisory Service Report Number 513/514. Chicago: American Planning Association, 2003, "Portland Metro, Oregon," pp. 68-76 and Chapter 6, "State Affordable Housing Appeal Systems," pp. 141-158.

Porter, Douglas R. *Inclusionary Zoning for Affordable Housing*. Washington, D.C.: ULI-the Urban Land Institute, 2004, pp. 1-47 (skim other case studies, pp.48-109).

Pendall, Rolf, Robert Puentes, and Jonathan Martin. "From Traditional to Reformed: A Review of the Land Use Regulations in the Nation's 50 Largest Metropolitan Areas." Research Brief. The Brookings Institution, August 2006. http://www.brook.edu/metro/pubs/20060802_Pendall.pdf

Week 9 April 9 Big City Planning: The Challenge of Rebuilding Post-Katrina New Orleans

Assignment No. 5: Prepare for an in-class roundtable discussion on rebuilding New Orleans, by selecting a role (such as Mayor Nagin, Governor Blanco, New Orleans executive director for recovery management Ed Blakely, city planning director, real estate developer, affordable housing advocate, neighborhood activist, Executive Director of Louisiana Recovery Authority, planner-architect Andres Duany, Rockefeller Foundation program officer funding the Unified New Orleans Plan, ACORN organizer, Federal Coordinator-Office of Gulf Coast Rebuilding, etc.), in consultation with the instructor, and submitting to the class, by email by Sunday, April 15, 9 pm, a two page maximum memo with your position, from your role's perspective, on how the land use planning and rebuilding of New Orleans should proceed now, from April 2006 onwards.

Jacobs, Allan B. *Making City Planning Work*. Chicago: American Planning Association, 1980, Chapter 2, "City Planning in the Context of Local Government," Chapter 6, "Making City Planning Work," and Chapter 12, "Looking Back," pp. 23-51, 129-157, and 303-317.

The Rockefeller Foundation. "New Orleans: Planning for a Better Future." September 2006. 8 pp. http://www.rockfound.org/library/no_better_future.pdf

Brookings Institution. *Building a Better New Orleans: A Review of and Plan for Progress One Year after Hurricane Katrina*. August 2006. 48 pp.; focus on pp. 1-3, 21-23, and 26-28 on citywide planning.

http://www.brookings.edu/metro/pubs/200608_katrinareview.pdf

The Unified New Orleans Plan (UNOP) website: <http://unifiedneworleansplan.com/home2>

Nussbaum, Paul. "City at Crossroads: As New Orleans Looks Ahead, Which Path Will it Follow?" *The Philadelphia Inquirer*. August 29, 2006.

<http://www.uli.org/AM/Template.cfm?Section=Search&template=/CM/HTMLDisplay.cfm&ContentID=67773>

Colvin, Mark. "Australian professor to oversee New Orleans reconstruction." Australian Broadcasting System. December 14, 2006. <http://www.louisianaspeaks.org/news/2112.html>

MacCash, Doug. "The visionaries; There are a number of smart, talented and acclaimed planners and architects who spend virtually all day every day thinking about a better future for New Orleans. Spend a week in the life of one, the prince of 'new urbanism,' Andres Duany." *Times-Picayune* (New Orleans) December 10, 2006 <http://www.louisianaspeaks.org/news/2092.html>

ACORN. "Rebuilding After Hurricane Katrina: ACORN Planning Principles." July 2006.

http://acorn.org/fileadmin/KatrinaRelief/report/Planning_Principles.pdf

Louisiana Speaks (multi-faceted planning process endorsed by the Louisiana Recovery Authority) website: <http://www.louisianaspeaks.org/>

The Rockefeller Foundation. Rebuilding New Orleans website.

http://www.rockfound.org/initiatives/new_orleans/no_home.shtml

Brookings Institution. Metropolitan Policy Program. Katrina website:

<http://www.brookings.edu/metro/katrina.htm>

The Times-Picayune (New Orleans daily newspaper): <http://www.nola.com/>

City of New Orleans, City Planning Commission: <http://www.cityofno.com/Portals/Portal52/portal.aspx>

Louisiana Recovery Authority. <http://www.lra.louisiana.gov/>

U.S. Department of Homeland Security, Office of the Federal Coordinator for Gulf Coast Rebuilding.

http://www.dhs.gov/xprepresp/programs/editorial_0816.shtm

American Planning Association, New Orleans Planning Assessment Team. *Charting the Course for Rebuilding a Great American City: An Assessment of the Planning Function in Post-Katrina New Orleans*, November 2005. <http://www.planning.org/katrina/pdf/rebuildingreport.pdf>

Bring Back New Orleans Commission. <http://www.bringneworleansback.org/>

ULI-Urban Land Institute. *New Orleans, Louisiana: A Rebuilding Strategy*. An Advisory Services Program Report, November 2005.

http://www.uli.org/AM/Template.cfm?Section=Search§ion=Reports_PDF_files_&template=/CM/ContentDisplay.cfm&ContentFileID=18351

Week 10 April 16 New Urbanism

Field trip: Washington Town Center, Robbinsville, New Jersey
Host and Speaker: Thomas F. Troy, Senior Vice President, Sharbell Development Corporation; primary developer of a New Urbanist community with 1,250 acres, 1,000 housing units, and 450,000 square feet of non-residential development

Readings:

Flint. *This Land*. Chapter 4, "New Paradigm: New Urbanism," pp. 61-80

Melvin, Robert F. "Washington Township Smart Growth Planning and Implementation Case Study." Township of Washington, Mercer County, NJ, February 20, 2002, 32 pages.

Washington Township, Mercer County, N.J. *Township Code, § 142-19 TC Town Center District* (Town Center Zoning and Design Regulations), 1997.

Axelrod, Myri. "Anything but Cookie-Cutter, A central New Jersey township trades homogeneity for variety in building a New Urbanist community and town center." *Professional Builder* 08/01/2002
<http://www.housingzone.com/topics/pb/build/pb02ha019.asp>

Duany et al. *Suburban Nation*. Chapter 10, "How to Make a Town," pp. 183-214.

Leventry, Ellen. "Smart Growth Equals Smart Money for New Jersey Municipality." *New Urban News*. March 2003. pp. 9-11. http://www.newurbannews.com/Washington_0303.html

Washington Town Center:

<http://www.sharbell.com/html/washingtontowncenter.html> (click "slide show" and download and watch the slideshow)

Week 11 April 23 The Transportation-Land Use Connection

Assignment No. 6: Student presentations of term paper initial findings and recommendations

Cervero, Robert. "Growing Smart by Linking Transportation and Urban Development." *Virginia Environmental Law Journal*. Vol. 19, 2000, pp. 357-374.

Antonelli, Angela M. "Lessons from the Atlanta Experiment." In Shaw and Utt. *Guide to Smart Growth*, pp. 135-152.

Downs, Anthony. *Still Stuck in Traffic*. Washington, D.C. The Brookings Institution, 2004, Chapter 18, "Summary and Conclusions," pp. 321-354.

Georgia Regional Transportation Authority website. <http://www.grta.org/>

Week 12 April 30 Land Use Policies for the Future

Assignment No. 6: Student presentations of term paper initial findings and recommendations

Flint. *This Land*: "Six Healthy Habits for Sensible Growth," pp. 246-260.

Nelson, Arthur C. "Leadership in a New Era." *Journal of the American Planning Association*. Vol. 72, No. 4, Autumn 2006, pp. 393-409.

Burchell, et al. *Sprawl Costs* Chapter 12, "Developing Policies in Response to Sprawl," pp. 146-172.

Duany et al. *Suburban Nation: The Rise of Sprawl*. Chapter 11, "What Is To Be Done," pp. 215-243.

Smart Growth Network. *Getting to Smart Growth: 100 Policies for Implementation*. 2002.
<http://www.smartgrowth.org/pdf/gettosg.pdf>

Smart Growth Network. *Getting to Smart Growth: 100 More Policies for Implementation*. 2003.
<http://www.smartgrowth.org/pdf/gettosg2.pdf>

Assignment No. 7: Submit draft term paper by Wednesday, May 9, 5 pm to dkinsey@princeton.edu and submit the final term paper by Tuesday, May 15, 5 pm to dkinsey@princeton.edu

Term Paper Requirements and Schedule

The term paper analyzes a land use topic, selected in consultation with the instructor, for a specific client or audience, real or hypothetical, with analyses, findings, and recommendations. Its maximum length is 10-15 pages (double-spaced, including references, tables, maps, appendices, and endnotes and/or works consulted, which may be single-spaced). The proposed topic will be presented orally in class for discussion and a one page outline will be submitted to the class for discussion and advice. An oral presentation will be made to the class of initial findings and recommendations for discussion. A complete, polished draft of the paper will be submitted, reviewed and commented on by the instructor, and then, after revisions and final editing, the final paper will be submitted to the instructor.

February 19 (Week 3)	Oral presentation in class of proposed term paper topic
March 25, 9 pm (Week 7)	Draft term paper outline due (by email to the class)
March 26 (Week 7)	Brief discussion in class of submitted term paper outlines
April 23 & April 30 (Weeks 11 & 12)	Oral presentations of term paper initial findings and recommendations
May 9, 5 pm	Complete "draft" term paper due (by email to dkinsey@princeton.edu); papers may be submitted earlier
May 12, 5 pm	Instructor returns draft papers with comments
May 15, 5 pm	Final term paper due (end of Reading Period) (by email to dkinsey@princeton.edu)

Additional Resources

Additional web resources are available via Blackboard. Additional documents and weekly clippings on land use topics will be distributed throughout the semester.