Land Use Law & Policy—Syllabus (Draft)
Spring Semester Odd-Numbered Years
Professor Kaplowitz

**Description:** An introduction to land use law and policy for advanced undergraduates, graduate students, and law students. The course will address planning and control of land use, property rights, the economics of land use and property rights, and growth management.

**Text:** The primary texts for this course are: Mandelker, Cunningham, and Payne *Planning and Control of Land Development* (1995) and Kaplowitz, ed., *Property Rights, Economics, and the Environment* (2000). Copies of additional assigned readings will be distributed prior to most classes.

**Attendance:** Class attendance is mandatory. You should not miss more than two classes for any reason. If your absences exceed that amount, your grade will be adversely affected.

**Class preparation:** You are expected to be prepared for each class session. Preparation includes not only reading the assigned materials, but also reflecting upon the readings and being able to discuss them intelligently. The instructor will solicit class participation by calling on students, asking students to meet & present as groups, and by asking for volunteers.

**Office hours:** I would like to get to know as many of you as possible, and encourage you to drop by during office hours (posted outside my office).

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**Announcements:** Class announcements (if any) will be distributed by e-mail. You are responsible for checking your e-mail on a regular basis.

**Paper and presentation:** There will be no final examination in this course. Instead, you will be expected to produce a research paper that is twenty five pages in length (double-spaced). In addition, each student will be expected to make a class presentation and to participate in class.

**Speaker series:** For several classes during the second half of the course, we will attend and participate in the MSU Spring Speaker Series on Environmental Policy, which will bring to campus five leading environmental and natural resource policy experts from across the United States. The series will take place in the law school’s moot court room. From 3:00-3:45 p.m., each guest speaker will meet informally with the students enrolled in this course (as well as with students enrolled in other participating seminars). Participating students will then attend the public lecture from 4:00-5:30 p.m. Each week, several students will be assigned the role of “questioner” at the public lecture. Please note that one class/Speaker Series date has been scheduled for Tuesday, March 14, 2000.
**Grading policy:** Your grade will be based upon the following components:

- **Paper (65% total)**
  - Components: Final paper (50%), Rough draft (10%), Outline and research proposal (5%)

- **Presentation (20% total)**
  - Components: Presentation (15%), Executive summary (5%)

- **Class participation (15% total)**
  - Components: Attendance; Volunteered and Called-upon contributions

**Presentation Guidelines**

**Panels:** Groups of students will be grouped into a panel for presenting their paper topics. After students hand-in their proposed paper topics, the instructor will suggest possible panel groupings. Each panel will be assigned a very broad overview topic, with plenty of room for a variety of individual responses and contributions.

**Presentation:** Each panel will have approximately fifty minutes for its presentation. Each student on the panel should be prepared to make a brief presentation to the class. The remaining class time will be devoted to class discussion and/or a question and answer session. If your panel would like to propose an alternative format for its class presentations, please see your instructor.

Please do not read your individual presentations to the class! Be as creative as possible in your presentations, within the bounds of professionalism. Consider diagrams or other visual aids.

**Executive Summary:** It is the panel’s responsibility to promote a general class discussion of the papers presented. To do so, you are required to prepare an Executive Summary (1-2 page summary of your presentation) and other brief readings that you would like the class to read as background for your presentation. Please make enough copies for the instructor and for each student in the class, and bring them to class one week prior to your scheduled presentation.

**Responsibilities of the listeners:** Please read all materials distributed by the panel. Think about those materials, prepare questions for the panel, and pose them to panel members at any appropriate time during the presentations. It is your responsibility to help the panel members maintain a lively class discussion.

**Final paper – additional requirements**

1. **Format:** Papers should be 25 pages in length (double-spaced). Margins should not exceed one inch with 12-point font, including footnotes/endnotes.

2. **Citations to sources:** Students may use any accepted journal style (Chicago Manual, APA, etc.) or may use footnotes (not endnotes) carefully in accordance with THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (follow model of “Law Review Footnotes” on the inside front cover).
3. **Creativity:** A good paper is analytical in nature, rather than merely descriptive. It contributes something *new* to the literature and is not simply a “book report” summarizing the ideas of others. In fact, coming up with your own creative twist is one of the most rewarding aspects of academic writing. Note that past class writing assignments have been used by students as springboards for subsequent submissions to journal and law reviews.

4. **Plagiarism:** Plagiarism is the appropriation of the words, ideas, or thoughts of another and representation of them as one’s own original work. Notice the breadth of that definition. You must cite another author not only for direct quotations, but also for the use of *ideas* and for the *paraphrasing* of another’s work. To do a proper job of crediting you sources, it is not uncommon to have one citation for every two or three sentences of your paper.

5. **Paper topic – due Class #3:** You will be required to turn in a one-paragraph, typed description of your topic.

6. **Outline and research proposal – due Class #6:** You will be required to turn in a brief outline and research proposal for your paper. Your outline (about 1-2 typewritten pages) will be subject to change as you continue your research and writing process. Your brief research proposal (about 2 typewritten pages) should include the following: a) tentative list of proposed sources, and b) statement of your research question or issue (this should be a 1-2 sentence statement of the creative idea, argument or theme that is your unique contribution to the existing literature).

7. **Draft paper – due Class #11:** This should be a substantially-completed version of your paper, and not merely a skeleton. Footnotes/endnotes should be in proper citation format – do not underestimate the amount of time it takes to properly format your citations!

8. **Revised final paper – due Class #14:** A piece of serious, scholarly writing requires many drafts of the same article. You are expected to make substantial revisions to the first draft of your paper, incorporating your instructor’s comments and your own ideas for improvement. To receive the best good grade, a student will avoid simply resubmitting the first draft with only minor, technical changes.

9. **Deadlines:** To be fair to your classmates, the deadlines listed on the syllabus will be strictly enforced and the grade for late documents will be reduced.

10. **Finding a topic:** Newspapers are full of natural resource issues (the Wall Street Journal, New York Times, and Washington Post provide fairly extensive coverage). Topical news services include the ABA SONREL (section on natural resources and environment) newsletters and Natural Resources and Environment quarterly publication; Environmental Law Institute Forum (ELI), and BNA Environment Reporter. Other interesting publications include the Sierra Club and Audubon magazines, as well as High Country News (although these latter sources do a nice job of bringing “hot topics” to light, we do not vouch for their accuracy). Web pages of governmental entities and environmental groups might also provide ideas and links to other sites. A suggested topics list will be distributed to the class.
## Land Use Law Syllabus (Draft)

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<th>?? Date</th>
<th>?? Topic</th>
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<th>Deadlines</th>
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<td>Efficiency &amp; Equity</td>
<td>MCP: 1-36, K: 1-10</td>
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<td>Class #2</td>
<td>Legal Basis for Land Use Controls</td>
<td>MCP: 45-65, 94-156 K: 11-66</td>
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<tr>
<td>Class #3</td>
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<td>Class #5</td>
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<td>Class #6</td>
<td>Controlling Residential Development</td>
<td>MCP: 567-653</td>
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<td>Class #7</td>
<td>Growth Management</td>
<td>MCP: 653-704 K: 142-174</td>
<td>Outline/proposal due</td>
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<td>Class #8</td>
<td>Environmental Land Use Controls</td>
<td>B&amp;H: 135-57, K: 123-141</td>
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**SPRING BREAK**

| Class #9 | Land Use & Land Cover Change Speaker #1 | Handouts | |
| Class #10 | Land Use & Land Cover Change Speaker #2 | Handouts | Rough draft due |
| Class #11 | Land Use & Land Cover Change Speaker #3 | Handouts | |
| Class #12 | Land Use & Land Cover Change Speaker #4 | Handouts | |
| Class #13 | Land Use & Land Cover Change Speaker #5 | Handouts | Panels 1 and 2: executive summaries due |
| Class #14 | Panel 1 and 2: Class presentation | Executive Summaries 1 & 2 | Panel 3 and 4: executive summaries due |
| Class #15 | Panels 3 and 4: Class presentation | Executive Summaries 3 & 4 | |
| Exam Day | | | Final Paper Due |

* All page numbers referred to as MCP are: Mandelker, Cunningham, and Payne Planning and Control of Land Development (1995); and K refers to: Kaplowitz, ed., Property Rights, Economics, and the Environment (2000). Supplemental handouts will also be distributed as part of your reading assignment.