

Fall Semester, 2023

UP 651: Municipal Land Use Planning and Implementation

Section 201 / Class #: 14610

3 Credits Undergraduate/Graduate

Instructor: Adjunct Assistant Professor Gregory Kessler, AICP

Time: Wednesday, 2:30 p.m. – 5:10 p.m. (September 6th thru December 13th)

Location: Architecture and Urban Planning Building (SARUP); Online Only **thru**
Canvas / Zoom

Office Hours: By **appointment, email, call and/or text**

Phone/Email: Greg Kessler 262.613.2478 (cell phone)

Email: gkessler@newberlin.org

Course Description

The purpose of this course is to explain the background and day-to-day activities, opportunities and constraints faced by municipal land use planning departments. Specific land planning methods; state, local & regional statutes/ordinances; and applications (subdivision regulation, zoning, site plan review, staff report creation, the building permit process) used to implement community plans will be presented and discussed. The course will combine everyday challenges, constraints and strategies used by both municipal planning departments. The course will also briefly explore the ways that municipal officials and private developers interact.

This requires addressing a variety of different topics, including economics, financial implementation, history, social realities, organizational realities & structures, policies (including sustainability), and legislation considerations.

This course will seek to familiarize students with how land use planning often involves many participants with different perspectives related to land use outcomes and how municipal planning officials perform their work. The focus will be specifically on municipal land use planning, interactions and realities.

The policies and practices discussed in this class will assist students in identifying ways that municipal land-use planning is often times conducted. The policies and practices discussed here are intended to help define some challenges; they *are not* intended to constrain your own creativity in how to develop better solutions to those challenges.

Assignments and Grading Distribution:

There will be a total four (4) assignments, of which, only three will be required for undergraduate students. Graduate students will have one extra assignment to complete.

- 1) Planning Commission Meeting Memo: (Due: Nov. 29th) 30 pts.
- 2) Smart Growth Comprehensive Plan Research Report: (Due: Nov. 29th) 50 pts.

Note: The Smart Growth Comprehensive Plan Research Report is required for (GRADUATE STUDENTS ONLY)

- 3) Public Land Survey Basics, Legal Descriptions and Grading Plan Review (**Due: Nov. 8th**) 30 pts.
- 4) Site Plan Review and Staff Report: (Due: Dec. 6th) 50 pts.
- 5) Class Attendance and Participation: 40 pts. (Note: There may be additional assigned readings throughout the semester based upon current events and/or published planning articles or literature that will be discussed in class).

Total: 170 pts. (Undergraduate)
200 pts. (Graduate)

Planning Meeting Memo (Assignment # 1)

For this assignment you must attend a public Plan Commission meeting of a local unit of government, turn in a copy of the agenda, and report on five planning topics or priorities you heard. Attendance at this meeting must be either virtual in real-time or by viewing online videos of the meeting once it has been uploaded to the community's website. Viewing past meetings is acceptable. You may not substitute a Plan Commission meeting with a Common Council, Town Board, and/or neighborhood meeting. You must collect a staff report for one of the agenda items and, in your memo, summarize the content / headings of the report and what criteria / documents were used, by staff and the board or commission, to make their recommendation(s). The purpose of this assignment is to familiarize you with the types of issues a Planning Commission/Board considers, and the resources used by municipal staff, and to get you thinking of how you might have addressed the problems.

Smart Growth Comprehensive Plan Research Report (Assignment # 2)

Because this class is listed as eligible for both graduate and undergraduate credit, graduate students are required to demonstrate additional effort in order to get graduate credit, described in Graduate Faculty Council Document #: 916.

In this class, that goal is met by requiring graduate students to prepare a research report by researching five (5) Wisconsin communities and how they prepared their Smart Growth Comprehensive Plan Update(s). Students will need to review each community's public participation plan; the Plan chapters; the Plans overall format, goals & objectives; the various tools, graphics, resources, methods, code requirements, or other planning methods to implement their comprehensive plans and summarize the differences between communities.

Public Land Survey Basics, Legal Descriptions and Grading Plan Review (Assign. # 3)

This assignment will be used to orient students to the use of Engineering and Architect Scales, the Public Land Survey System, preparing legal descriptions, reading grading plans and determining water flow direction and percent slopes.

Site Plan Review and Staff Report (Assignment # 4)

For this assignment you will review a commercial site plan or a multi-lot single family subdivision (your choice) and prepare a staff report that will be used by a Plan Commission and Common Council. The review will be completed in sufficient detail so that you are able to successfully articulate your recommendation (for approval or denial) in your staff report ("*Findings of Fact and Conclusions of Law*"). You will utilize accompanying Zoning Ordinance and Comprehensive Plan documentation in order to formulate your recommendation and report. You will also need to cite other information found in relevant documents such as Traffic Impact Studies, Wetland / Environmental Reports and/or Stormwater Management Studies.

Class Attendance and Participation

Class attendance and participation are important, especially during "guest speaker" presentations. The intent of the discussion in this class is to be conversational. Everyone brings creative ideas and diverse backgrounds and incorporating them into our discussions will benefit everyone.

Please note, attendance is mandatory as it will take more than one pass through any given set of materials to really put them into the context of this class. Also, class time is a great place to bounce ideas off your colleagues, our guest lecturers and myself. If you cannot make a specific class, please make arrangements with me or one of your classmates to get the missed information. If you will need accommodations in order to meet any of the requirements of this course, please contact me as soon as possible.

Due Dates, Submission, and Late/Missed Assignment Policy

Assignment Submission Policy

An assignment is considered submitted when it is turned in on the date it is due, by the end of class. You may submit your assignment one of two ways: 1) In class, on the date it is due or 2) E-mail it to me on the date it is due.

Students will be given some latitude for deadlines that are missed because of a religious observance. Otherwise, except in extreme circumstances (e.g., family emergency, automobile accident, etc.) the standard penalty for late submission of an assignment is 1 pt. per day (not counting the weekends). After 5 days, or the papers being returned to the class (whichever comes first), I will not accept the assignment. The only possible modification to this policy is if I am contacted in advance of the due date to say that the assignment will be late. Under those circumstances, I will reduce the penalty by half.

Class Notifications

All announcements / changes to the class not announced in lecture will be made via Canvas and/or direct emails to the class. If you check an e-mail address other than the university, please make arrangements to ensure the class reflector is pointed to the appropriate e-mail address.

I assume your e-mail (both university and / or private) is set up in such a way that you will receive any messages and / or attachments sent to the address listed in the class reflector. It is ***your responsibility*** to ensure that your e-mail is functioning, and to read it

on a sufficiently frequent basis to make sure you are familiar with any changes to the schedule.

Reading Assignments

Readings should be completed in advance of the class where they will be discussed as it will enhance your understanding of the material. The reading list below is tentative, but for the most part, will not change radically in terms of overall length or length of weekly reading assignments. Additional readings may be assigned and / or current readings may be reduced, depending on our pace through the material or current events. Periodic readings of current events or articles may be assigned and/or uploaded D2L as reference material. There will be a number of handouts provided throughout the semester that will enhance and provide you with relevant resources to help with material comprehension.

For the most part, the lecture materials used for this class will be taken from the following text: Tyler and Ward; **“Planning and Community Development – A Guide for the 21st Century”**; W.W. Norton & Company, 2011 – Current Edition. Available at the UWM Bookstore.

Another textbook, that is considered optional, that will also be referenced and is quite a good resource is: Hoch, Dalton, and So (Editors); **“The Practice of Local Government Planning”**; American Planning Association and International City/County Management Association, 2000; 3rd Edition.

Although it is not part of the official reading list, all technical terms used in this class will be consistent with the definitions put forth in: **“A Planners Dictionary”**; Michael Davidson and Fay Dolnick (Editors); American Planning Association, Planning Advisory Service Report #521/522. This publication is available through me, online and/ or the SARUP reference room.

**** Note: an “Engineering” and an “Architect” Scale are also required for this course and are available online or through the University Bookstore.**

Special Accommodations

Students with limitations due to disability, including learning disability may request for any reasonable accommodations. Students will be allowed to complete examinations or other requirements that are missed because of a religious observance. In case of special accommodations are needed in order to meet any of the requirements of this course, please contact me as soon as possible.

Academic Conduct

The University, as an instrument of learning, is predicated on the existence of an environment of integrity. Faculty have the primary responsibility for establishing and maintaining an atmosphere and attitude of academic integrity such that the enterprise may flourish in an open and honest way. Students share this responsibility for maintaining standards of academic performance and classroom behavior conducive to the learning process. Please review Chapter UWS 14 and Faculty Document No. 1686 at:

<https://uwm.edu/deanofstudents/academic-misconduct/> for both UWM's and our expectations of appropriate student academic conduct.

Credit Hour Policy

To meet federal Department of Education requirements on credit hours, the revised syllabus policy includes the following: "A.1.i. Specific information on the investment of time by the average student necessary to achieve the learning goals of the course in accordance with the campus credit hour policy, Faculty Document # 2838." The credit hour policy states, "Study leading to one semester credit represents an investment of time by the average student of not fewer than 48 hours for class contact in lectures, for laboratories, examinations, tutorials and recitations, and for preparation and study; or a demonstration by the student of learning equivalent to that established as the expected product of such a period of study."

Urban Planning 651 meets weekly for, 16 weeks, from 2:30 pm to 5:10 pm.
Assignments, readings, course reference materials and/or other pertinent lecture preparation items will be posted weekly in Canvas.

Total Hours UP 651: 3 credits x 48 hours = 158 hours
In Class: 160 minutes x 15 weeks = 40 hours
Reading/Viewing Course Materials: 2x class time = 80 hours
Working on Presentations/Assignments/Research Paper = 38 hours

Original Work and Plagiarism

All work in this course should be your own. In written work, cite your sources for quotes, facts, and opinions, both in the body of your work and in the bibliography. Do not copy word for word unless you place the words in quotation marks. Any plagiarism will be dealt with as a serious ethical breach. If you have questions about whether you are crossing an ethical line, ASK ME. Here is a link to some good information on plagiarism from the Harvard Guide to Using Sources:
<https://usingsources.fas.harvard.edu/avoiding-plagiarism>

Other Course Policies

This course adheres to campus policies regarding students with disabilities, religious observances, active military service, incompletes, discriminatory conduct, academic misconduct, complaints about the course, grade appeals, and firearms. For details about these policies, see:
<http://uwm.edu/secu/wp-content/uploads/sites/122/2016/12/Syllabus-Links.pdf>

Odds and Ends

I check e-mail quite regularly, and will do my best to get back to you as soon as your message is read. Appointments are not usually a problem. I will schedule a break in the middle of class. If anyone has any questions or problems with their assignments, I am available fairly readily to either meet virtually online or via phone.

Syllabus COVID Statement

Please note, this course will be taught entirely online during this semester via Canvas / Zoom (Online Class Recording).

Panther Community Health and Safety Standards

UWM has implemented reasonable health and safety protocols, taking into account recommendations by local, state and national public health authorities, in response to the COVID-19 pandemic. As a member of our campus community, you are expected to abide by the Panther Community Health and Safety Standards and the Interim COVID-Related Health & Safety Rules (SAAP 10-12), which were developed in accordance with public health guidelines. These standards apply to anyone who is physically present on campus, UWM grounds, or participating in a UWM-sponsored activity.

With respect to instructional spaces (classrooms, labs, performance spaces, etc.): Six-foot social distancing must always be maintained.

Masks are always required on campus, with limited exceptions—environments where hazards exist that create a greater risk by wearing a mask (for example, when operating equipment in a lab with the risk of a mask strap getting caught in machinery, or when flammable materials are being used).

A student who comes to class without wearing a mask will be asked to put on a mask or to leave to get one at a mask handout station. Failure to do so could result in student conduct processes.

You should check daily for COVID symptoms by completing the self-check at <https://uwm.edu/coronavirus/symptom-monitor/>. Symptoms may appear 2-14 days after exposure to the virus and include fever, cough, or shortness of breath or difficulty breathing. See the CDC's Website for more information about COVID-19 symptoms.

Students who test positive for or who are diagnosed based on symptoms with COVID-19 should complete this Dean of Students form:

https://cm.maxient.com/reportingform.php?UnivofWisconsinMilwaukee&layout_id=4.

By doing so, students will get information on resources, help UWM identify individuals they may have come into contact with on campus so that UWM can work with the local health department, and allow UWM to clean campus areas you visited as appropriate.

Students in Need

Any student who faces challenges securing their food, housing, or technology, or is struggling with mental, physical, or emotional health, and believes this may affect their performance in the course is urged to contact the Dean of Students (dos@uwm.edu) for support. Furthermore, please notify the professor if you are comfortable doing so. This will enable them to provide any resources that they may have and can connect you to the Dean of Students as well.

Attendance Policy

Do not attend your in-person class if you have COVID-19, if you are experiencing symptoms consistent with COVID-19, if you have been in close contact with others who

have symptoms, if you need to care for an individual with COVID-19 or have other health concerns related to COVID-19.

Students who miss class due to the above conditions will not be penalized for their absence and will not be asked to provide formal documentation from a healthcare provider.

If you are unable to attend class, take the following steps.

Notify me in advance of the absence or inability to participate, if possible.

Participate in class activities online and submit assignments electronically, to the extent possible.

Reach out to me if illness will require late submission or other modifications to deadlines.

If remaining in a class and fulfilling the necessary requirements becomes impossible due to illness or other COVID-related circumstances, contact me to discuss other options.

As your instructor, I will trust your word when you say you are ill, and in turn, I expect that you will report the reason for your absences truthfully.

Class Content

Face-to-Face Class Recording

Our class sessions will be audio-visually recorded for students who are unable to attend in person and for students who are unable to attend at the scheduled time. Students who participate during an in-person class session are agreeing to have their audio/video or image recorded.

Synchronous Online Class Recording

UP651 – Land Use Planning Practice lecture sessions will be audio-visually recorded for students who are unable to attend at the scheduled time. Students who participate with their camera engaged or who utilize a profile image are agreeing to have their audio/video or image recorded. Likewise, students who un-mute during class and participate orally are agreeing to have their voices recorded.

Potential for Reversion to Fully Online Instruction

Changing public health circumstances for COVID-19 may cause UWM to move to fully online instruction at some point during the semester. UWM will communicate with students about moving to fully online instruction if the situation develops.

Navigate Student Success Platform and Mobile App

Students are encouraged to use a tool called Navigate. This tool can help you learn about academic resources, set up study groups in your courses, make appointments with your academic advisor, get reminders on important dates, and much more. In addition, Navigate allows instructors to send Progress Reports to students throughout the term, allowing for updates on your academic progress in a course in addition to your grade. You can log into the platform here: <https://uwmilwaukee.campus.eab.com/> or by finding the Navigate link under the Current Students tab on the UWM home page. More

information on how you can use Navigate and the app, including tutorials, can be found on UWM's Navigate website.

Other

To enable safe entry/exit from classrooms, all in-person instruction will end 15 minutes early, with additional course content to be covered online.

All individual student meetings with faculty and teaching assistants will happen online.

FALL 2023 CLASS SCHEDULE

September 6: Introductions and Background to Municipal Land Use Planning & the Planning Profession in General

Lecture: **Tyler** – The Practice of Planning, pg. 13-20; Traditional and Tactical Approaches, pg. 31-33; Chapter 3, pgs. 36-45

September 13: Comprehensive Plans and Planning

Lecture: **Tyler** – Chapters 2, 3, and 4

September 20: Implementation of the Comprehensive Plan & Elements and Water Resources Management & Land Use

Lecture: **Tyler** – Chapters 2, 3, 4, and 6

September 27: Controlling Land Uses and Growth

Lecture: **Tyler** – Chapters 11, 12, 13 and 16

October 4: Subdivisions and Land Platting

Lecture: **Tyler** – Chapters 10 & 15 and Handouts

October 11: Controlling Land Uses & Growth and Land Use Law Updates

Lecture: **Tyler** – Chapters 11, 12, 13 and 16

October 18: Transportation Planning and Land Use

Lecture: **Tyler** - Chapters 5, 8, and 14

October 25: Concept of Staff Reports, How to Write Staff Reports, Site Planning and Site Plan Review

Lecture: **Tyler** – Chapter 15 and Handouts

November 1: Plan Implementation and Building Permit Processes

Lecture: **Tyler** – Chapters 13, 14 and 16

November 8: TIDs and Municipal Finance

Lecture: **Tyler** – Chapters 11 and 12

Assignment # 3 Due

November 15: Private Development Site Selection / Pro-Forma Analysis

November 22: Environmental and Land Use Planning

Lecture: Tyler – Chapters 11 and 12

November 29: Land Use Case Studies & Implementation; Municipal Planning and Emergency Management (NIMs and ICS)

Assignments # 1 and #2 Due

December 6: Stormwater and Land Use Planning

Assignment # 4 Due

December 13: LEED and Form-Based Codes

Lecture: **Tyler** – Chapter 12 and Traditional Zoning Codes, LEED, Form-Based Codes and New Urbanism