

Syllabus for Legal Processes in Urban Planning (USP 553) 2025

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04/9/25 The Oregon Planning System I – This class will deal with the structure of the Oregon Planning System in general, with an examination of the statutes, goals, and rules, and an emphasis on those goals relating to the planning process, and urban areas. We shall also examine recently adopted LCDC rules relating to carbon-friendly and equitable communities.

Readings – Litwak & Sullivan 1-179 (pp. 33-38 and portions relating to Goals 1, 2, and 9 through 14, required; other portions optional)

04/23/25 The Oregon Planning System II – This class will deal with the formulation, role, and implementation of the comprehensive plan. This class will also deal with amendments and revisions to plans and to implementing those plans, among other things, through zoning and subdivision regulations, and with other special features of the Oregon land use system. the student will receive a handout that evening with questions involving the materials covered in the last two classes and must return the responses to the questions by email no later than 9 PM on May 3rd.

Readings – Litwak & Sullivan 225-295 (Required)

05/7/25 Practical Issues in Urban Planning – Applications and Decision-Making –This class will focus on legal issues in review of discretionary land use regulatory applications and hearings held on those applications. Those issues include the planning and land use regulatory framework, type of land use decisions and decision-making processes, required timelines, required disclosures bias, and ex-parte contacts. The student will receive a handout that evening with questions involving the materials covered that evening and must return the responses to the questions by email no later than 9 PM on May 17th.

Readings – Lecture Notes 1-29 (Required) and Litwak & Sullivan 295-308 and 314-398 (Optional)

05/21/2025 Findings and Conditions and Legal Liabilities – This class will focus on the evaluation of evidence, interpretation of legal standards, the drafting of findings, and the imposition of conditions of approval, and the possibility of legal liabilities arising out the planning process. Again, the student will receive a handout that evening with questions involving the materials covered that evening and must return the responses to the questions by email no later than 9 PM on May 31st.

Readings – Lecture Notes 30-54 (Required) and Litwak & Sullivan 295-467 (Optional)

Your course materials are online. They consist of the 2025 *Lecture Notes* and portions of Litwak & Sullivan, *Oregon Land Use Law* (2025).

The grade for this course will be based on three things: the responses from the handouts for the first two classes (50%), and the response to the final handout following the last two classes (25% each).

ADDITIONAL COURSE CONSIDERATIONS

At the request of the administration, I bring the following to your attention:

1. Ethical Considerations – Students are expected to be ethical not only in the classroom, but also out of the classroom. It is in all students' interest to avoid committing acts of academic dishonesty and to discourage others from committing such acts. Academic dishonesty includes, but is not limited to, the following examples: engages in any form of academic deceit; refers to materials or sources or uses devices not authorized by the instructor for use during any quiz or assignment; provides inappropriate aid to another person in connection with any quiz or assignment; engages in Plagiarism. Plagiarism is the act of claiming someone's work as your own through copying it without giving the creator of the work credit. Plagiarism can also include using another person's theories, ideas, or phrases without proper attribution. The simplest way to avoid plagiarizing is to always cite the sources from which you gather information or develop arguments – just cite anything you use from someone else (it actually makes your work stronger!). Plagiarism is a serious issue and is a violation of the [PSU Student Conduct Code](#). University policy requires instructors to report all instances of plagiarism and penalize the perpetrator(s) according to guidelines set. Please see me if you ever have any questions about how to cite your work.
2. Disability Resource Center (DRC) statement – I concur with the statement entitled Access and Inclusion for Students with Disabilities found at <https://www.pdx.edu/drc/syllabus-statement> and the [Title IX syllabus statement](#).
3. Sexual Harassment and Misconduct –
Portland State is committed to providing an environment free of all forms of prohibited discrimination and sexual harassment (sexual assault, domestic and dating violence, gender or sex-based harassment and stalking). If you have experienced any form of gender or sex-based discrimination or sexual harassment, know that help and support are available. PSU has staff members trained to support survivors in navigating campus life, accessing health and counseling services, providing academic and on-housing accommodations, helping with legal protective orders, and more. Information about PSU's support services on campus, including confidential services and reporting options, can be found on PSU's [Sexual Misconduct Response](#) website or you may call a Confidential Advocate at 503-894-7982 or by scheduling on-line: psuwrc.youcanbook.me. You may also report any

incident of discrimination or discriminatory harassment, including sexual harassment, to the [Title IX Coordinator, Office of Equity and Compliance](#), or the [Office of the Dean of Student Life](#).

Please be aware that all PSU faculty members and instructors **are required to report** information of an incident that may constitute prohibited discrimination, including sexual harassment and sexual violence. This means that if you tell me about a situation of sexual harassment or sexual violence that may have violated university policy or student code of conduct, I have to share the information with the University's Title IX Coordinator or the Office of the Dean of Student Life. Please complete the required student module [Understanding Sexual Misconduct and Resources](https://www.pdx.edu/diversity/understanding-sexual-misconduct-and-resources-student-module) at <https://www.pdx.edu/diversity/understanding-sexual-misconduct-and-resources-student-module>, which provides information about PSU policy and resources.

4. Cultural Resources at PSU: Please note the culturally diverse resources available for students at <https://www.pdx.edu/cultural-resource-centers/>.
5. As to Diversity, Equity or Inclusion (DEI) at the Toulon School, *see* https://docs.google.com/document/d/1nv4x5tUmoEdePmfyzU1FtYdzyeY_dy1lu7WZ4jt_0Ac/edit?usp=sharing. PSU welcomes kudos, ideas, and concerns, related to this particular class or other issues in the Toulon School. Students are welcome to *submit anonymous feedback here*, and/or communicate with the DEI committee members directly.
6. PSU also requires that, for submitting work online:
 - a. For assignments that require uploading files to Canvas, it is the student's responsibility to verify that (1) all files are submitted in Canvas prior to the deadline and (2) all submitted files are those that the student intends to be graded for the assignment. Submitting the "wrong" file by accident is not acceptable grounds for a deadline extension. Assignment grades will be based on the file submitted prior to the posted deadline. Files submitted in a format that cannot be accessed by the instructor cannot be graded and will therefore receive a 0. Acceptable file formats are MS Office formats (e.g. Word, Excel, Power Point) or PDF files. Individual assignment instructions may contain a required file format.
 - b. Technology access
Proficiency in the use of Canvas, PSU email, and other computer tools such as ZOOM or part of google suite is required for this course. This course requires consistent access to functioning computer equipment and Internet access throughout the length of the course. Reliance on a cellular connection may not provide reliable and fast access to online learning resources. Here are some broadband programs that are free or low-cost:

<https://www.hightspeedinternet.com/resources/are-there-government-programs-to-help-me-get-internet-service>

7. Learning Outcomes for the PSU Degree Program – *See*
<https://docs.google.com/document/d/1watyYxsT8YbmC2W0CK2trSM6nMYlZZIHm4gPG5QCeNc/edit>