

URP 503 – Winter 2024






Comparative Planning Institutions and Law








Prof. Ana Paula Pimentel Walker
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When: Tu/Th: 10:00-11:30 a.m.
2108 A&AB

This course focuses on the legal aspects of urban and regional planning from a comparative perspective. Throughout the world, legal systems enable and constrain developers, landowners, environmentalists, housing advocates, and other actors in the achievement of their visions of the good (urban) life. Planning practice is inserted in this legal field of contention. Thus, we will examine how different countries exercise public control of land use and development and the impact that these distinct legal institutions have on social and racial justice and environmental sustainability. Reading materials and course assignments analyze the U.S. practice of land use regulations vis-à-vis the legal-institutional context of other common and civil law countries. Topics include alternatives to public regulations (e.g., nuisance law), constitutional and statutory considerations of community planning, the administration of zoning and other land-use regulations, equal protection, reparations, ethnic land rights, and innovations on inclusionary zoning and environmental protection.

Learning Goals: students completing this course should be able to:

-  Identify potential legal issues involving planning interventions in the U.S.
-  Better understand how lawyers and judges in civil law and common law countries think; and, converse intelligently with legal staff about planning alternatives to legal problems.
-  Recognize the limitations of their legal expertise and never provide formal legal advice.
-  Critically evaluate the potential impact of recommending adopting the U.S. planning and property law model for low- and middle-income countries. Conversely, recognize the innovations in land use law coming from these countries.
-  Learn how other wealthy nations have been deploying diverse land use regulations to solve problems related to balancing the needs for local economic development and social and environmental justice.

Course Requirements Include:

-  Two-minute quizzes (open book, 20% of the grade)
-  Three short take-home assignments
 - Legal Opinion (15% of final grade)
 - Amicus Brief (15% of final grade)
 - Documentary Report (5% of final grade)
-  Two case briefs: one U.S. and one foreign (worth 5% of the grade each, 10% combined).
-  Constitutional Comparison (10% of final grade)
-  Final Exam (25% of final grade)