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## Alternative Learning Formats In a Land Use Seminar

MICHAEL LEWYN\*

Since 2004, I have taught a seminar on legal issues related to suburban sprawl – first at Southern Illinois University College of Law in Carbondale, Illinois,<sup>1</sup> and more recently at Florida Coastal School of Law in Jacksonville, Florida.<sup>2</sup> The purpose of the seminar is to inform the students about legal rules that encourage sprawl, and to discuss whether and how those rules should be altered.<sup>3</sup>

At Southern Illinois, I focused on the traditional legal skills of reading and writing. My students read cases, statutes, and policy-related scholarship, and wrote a midterm exam and a research paper on what they had learned.<sup>4</sup> At Florida Coastal, I have tried to add some alternative learning formats – in particular, field trips and guest speakers. This article describes how and why I used each of these techniques.

### I. FIELD TRIPS

I suspected that many of my students had experienced little but sprawl; some had lived all their lives in suburbia, and Florida Coastal, unlike Southern Illinois, is located in a suburban office park.<sup>5</sup> I had no need to show them what suburbia looks like.

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1. See Michael Lewyn, *The Law of Sprawl: A Road Map*, 25 QUINNIPIAC L. REV. 147 (2006) (describing seminar as taught at Southern Illinois).

2. Because I am joining the Touro faculty in Fall 2011, I have not yet had a chance to teach the sprawl seminar at Touro.

3. Lewyn, *supra* note 1, at 153-69 (describing substance of course).

4. *Id.* at 169-70.

5. Although the school's address is not visible with Google Maps' Street View function, its general location (Baypine Road in Jacksonville, Florida) is visible with Street View. To view this location, visit GOOGLE MAPS, <http://maps.google.com> (enter "Baypine Road, Jacksonville, Florida" in the

However, I did not think they could understand sprawl until they had seen an alternative to sprawl, and thus had a chance to reflect on what made “non-sprawl” neighborhoods different from the environment around Florida Coastal.

To solve this problem, I always take my classes on field trips to two of Jacksonville’s more walkable neighborhoods, San Marco and Riverside.<sup>6</sup> The first trip is to San Marco. San Marco is on a city bus route going to the school, so I give the students a chance to sample the city’s bus system by riding with me to San Marco. This bus trip also gives students a chance to view the 1950s suburbs between San Marco and the school, and think about how those suburbs compare with San Marco.

In San Marco, we walk through the neighborhood, as I point out the respects in which it is different from most Jacksonville neighborhoods. I begin on the neighborhood’s main commercial street, San Marco Boulevard.<sup>7</sup> As we walk on this street, I point out two major differences between San Marco and the commercial streets near Florida Coastal. First, the shops are in front of the sidewalk rather than being set back behind yards of parking,<sup>8</sup> thus making it more comfortable for pedestrians to walk to stores.<sup>9</sup> Second, San Marco Boulevard is much narrower than

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search box and select “Search Maps” hyperlink; then click and drag the yellow person-shaped icon onto the map to see a street view).

6. For descriptions of these neighborhoods, see *Great Places in America: Neighborhoods*, AM. PLANNING ASS’N, <http://www.planning.org/greatplaces/neighborhoods/2010/> (last visited June 11, 2011) (describing Riverside); *San Marco*, INSIDEFLORIDA.COM, <http://www.insideflorida.com/detail/san-marco/> (last visited June 11, 2011); *The 14 Parks of San Marco*, METRO JACKSONVILLE, <http://www.metrojacksonville.com/article/2010-sep-the-14-parks-of-san-marco> (last visited June 11, 2011) (describing San Marco as “Jacksonville’s most walkable neighborhood”).

7. To see what my class saw, see *Walking San Marco Square: Photo Tour*, METRO JACKSONVILLE, <http://www.metrojacksonville.com/article/2007-may-walking-san-marco-square-photo-tour> (last visited June 11, 2011).

8. *Id.* (see photos for examples).

9. See Douglas G. French, *Cities Without Soul: Standards for Architectural Controls with Growth Management Objectives*, 71 U. DET. MERCY L. REV. 267, 280 (1994) (suggesting that pedestrians find such places more aesthetically appealing because “small setbacks and shopfront windows provide more interesting scenery for pedestrians and create a feeling of connection between the buildings and the public spaces bordering them.”); Jil McIntosh, *It’s no cakewalk being a pedestrian*, TORONTO STAR, July 18, 2009, at W2 (where shops

most Jacksonville-area commercial streets. San Marco has four lanes,<sup>10</sup> while Jacksonville's suburban arterials can be as many as ten lanes wide.<sup>11</sup> As a result, pedestrians can cross San Marco more easily and safely than other Jacksonville streets.<sup>12</sup>

Then we walk through the residential section of San Marco. While suburban streets separate residences from each other and from shops through a maze of cul-de-sacs, San Marco's system is more grid-like, allowing pedestrians to walk from one residence to another without having to go out of their way to a commercial street.<sup>13</sup>

A few weeks later, we tour Riverside, another of Jacksonville's more walkable neighborhoods. I do not lead the Riverside tour; a friend and longtime Riverside resident does so, focusing on the neighborhood's history as well as its walkable design.

In addition, we have occasionally toured other Jacksonville neighborhoods. One year we had a staffer from the city's planning department guide us through downtown, showing how downtown redevelopment has occasionally succeeded and occasionally failed. We also did one tour of Tapestry Park, an attempt to create a San Marco-like walkable neighborhood in one

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set back behind parking lots, pedestrians in danger because drivers "busy looking for spots or avoiding cars backing out, making pedestrians vulnerable").

10. To see the commercial part of San Marco, visit GOOGLE MAPS, <http://maps.google.com> (enter "2000 San Marco Boulevard, Jacksonville, Florida" in the search box and select "Search Maps" hyperlink; then click and drag the yellow person-shaped icon onto the map to see a street view).

11. See Michael Lewyn, *How Government Regulation Forces Americans Into Their Cars: A Case Study*, 16 WIDENER L.J. 839, 848 (2007) (describing regulations in city's comprehensive plan). For an example of an eight-lane street, visit GOOGLE MAPS, <http://maps.google.com> (enter "10571 San Jose Boulevard, Jacksonville, Florida" in the search box and select "Search Maps" hyperlink; then click and drag the yellow person-shaped icon onto the map to see a street view).

12. See Lewyn, *supra* note 11, at 849 (wider streets take more time to cross, increase the amount of time a pedestrian is exposed to traffic, and encourage faster traffic).

13. Cf. "10571 San Jose Boulevard," *supra* note 11 (almost no residential streets intersect with commercial street), with "2000 San Marco Boulevard," *supra* note 10 (street part of a web of intersections).

of Jacksonville's least walkable suburban areas.<sup>14</sup> Students visited Tapestry Park only after visiting older walkable neighborhoods, so they were able to see not only how Tapestry Park seeks to imitate those neighborhoods, but how it falls short. For example, as one student pointed out, the project's retail development was limited to restaurants and hotels as opposed to more practical day-to-day shops such as supermarkets and drug stores. As a result, most Tapestry Park residents would have to drive to other neighborhoods to meet their daily needs for food and sundries.

## II. GUEST LECTURERS

Because Jacksonville is a larger city with more resources than Carbondale, I was able to obtain guest speakers to a much greater extent than at Southern Illinois.<sup>15</sup> I found guest speakers to be especially useful in this course for three reasons. First, sprawl relates not just to law, but to other disciplines such as urban planning and engineering, so bringing in experts from those disciplines would enhance student learning. Second, because I did not practice land use law, I decided that planners and land use attorneys might be able to bring a "real world" perspective to zoning and development issues that I might otherwise miss in my classroom discussions. Third, because I am not from Jacksonville or Florida, I found that sometimes a guest speaker would add an interesting "local angle" that I could not. Each year that I taught the course, my focus was slightly different.

In the first year that I taught the sprawl seminar at Florida Coastal, I sought out local experts to elaborate on our classroom discussions. For example, after we discussed new urbanism (a city planning movement that seeks to accommodate pedestrians

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14. For information on the area, see *Suburban Infill: Tapestry Park*, METRO JACKSONVILLE, <http://www.metrojacksonville.com/article/2008-jun-suburban-infill-tapestry-park> (last visited June 11, 2011).

15. I did have one speaker at Southern Illinois, an employee of the city's planning department. His speech was more of an overview of zoning than a discussion of sprawl-related issues.

as well as automobiles),<sup>16</sup> Doris Goldstein, an attorney who represents new urbanist developers, spoke to my class about new urbanism.<sup>17</sup> After we discussed street design, I hosted Michael Wallwork, a traffic engineer who specialized in redesigning streets to make them more pedestrian-friendly.<sup>18</sup>

Rather than try the patience of my original speakers by asking them to visit my class regularly, I decided to bring in new speakers every year. In my second and third years at Florida Coastal, I focused more on making students familiar with urban planning in Jacksonville and in Florida. For example, I brought in an alumna of Florida Coastal (and of my first urban sprawl course there in 2006) to discuss her current position at an urban planning firm, and numerous speakers on Florida's land use planning system.<sup>19</sup>

In the fall of 2010, the Florida electorate voted on (and rejected) Amendment 4, a state constitutional amendment that would have required voters to approve all changes to local comprehensive plans.<sup>20</sup> I focused two weeks of the course on Amendment 4, bringing in one supporter and one opponent of the proposal. In addition, I tried to put the discussion of Amendment 4 in context by bringing in experts on local and statewide planning, hosting a local land use attorney and the head of the

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16. See Morgan E. Rog, *Highway to the Danger Zone: Urban Sprawl, Land Use, and the Environment*, 22 GEORGETOWN INT'L ENVTL. L. REV. 707, 717 (2009) (describing new urbanism in more detail).

17. For a list of Doris Goldstein's articles on New Urbanism, see *Articles*, NEW TOWN LAW, <http://www.newtownlaw.com/articles.htm> (last visited June 11, 2011).

18. For a video of Michael Wallwork's remarks to another audience, see Michael Wallwork, *Designing Streets From the Outside In: Complete Streets and Beyond*, available at <http://www.mefedia.com/watch/31439464> (last visited June 11, 2011).

19. Some of the speakers included Sarah Owen Gledhill of the Florida Wildlife Federation and Margo Moehring of the Northeast Florida Regional Council. See Sarah Owen Gledhill, FLORIDA WILDLIFE FEDERATION GOES DUTCH, <http://fwfgoesdutch.blogspot.com/> (last visited June 11, 2011); see also NORTHEAST FLORIDA REGIONAL COUNCIL, <http://www.nefrpc.org/> (last visited June 11, 2011).

20. See Christian Conte, *Jacksonville business leaders relieved by heavy defeat of Amendment 4*, JACKSONVILLE BUS. J., Nov. 5, 2010 (describing Amendment 4 and some of the arguments made by its supporters and opponents).

Jacksonville planning department (as well as a representative of the local transit agency).

### III. SO WHAT?

My sense is that my use of trips and speakers has made my sprawl seminar more interesting and more successful. Students remark in course evaluation forms that they appreciate both – especially the tours, which are a sharper break from traditional teaching methods than the guest speakers.<sup>21</sup> Of course, the proof of the pudding is in student papers. Are they better than they would be otherwise? I would like to think so – though, of course, a controlled experiment is impossible.

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21. For example, my Fall 2010 evaluations contained the following comments: “I really enjoyed going on our trips to see the concepts we were talking about in class in real life”; “[The professor] used the Internet, used field trips, and brought in guest speakers to break up the monotony that can sometimes dominate class time”; and “I enjoyed the mix of lecture, guest speakers, and neighborhood tours to better grasp the issues.”