ORDINANCE 200___-01
AN ORDINANCE ADOPTING ZONING REGULATIONS TO RESTRICT USES AND IDENTIFY APPROPRIATE USES WITHIN THE CLASSROOM

WHEREAS, the Professor finds that the primary purposes of this Course include the promotion of a functional environment for learning the skills necessary for successful lawyering and the illustration of information lending to such learning; and

WHEREAS, the Professor finds that unrestricted activity in the classroom can cause serious distractions, detracting from the purposes of this Course; and

WHEREAS, the Professor has duly considered a variety of use classifications, the orderly placement of which will promote the above-mentioned purposes; and

WHEREAS, the Professor has not subjected this matter to public notice, hearing or comment, finding that the divergent and conflicting interests in the implementation of a comprehensive zoning scheme will not result in productive input or influence from the affected parties;

IT IS HEREBY ORDERED, RESOLVED AND DECREED BY THE PROFESSOR AS FOLLOWS:

Section 1. ZONING ORDINANCE. The Professor hereby designates certain use districts and adopts the zoning regulations attached hereto, in accordance with, and implemented by, the zoning map set forth in Exhibit A and overlay map set forth in Exhibit B (annexed hereto).

Section 2. APPLICABLE AREA. The Zoning Ordinance affects only that area depicted in the map annexed hereto in Exhibit B, during class hours.

Section 3. EXCEPTIONS. This Ordinance shall not apply to any use lawfully established prior to the adoption of this Ordinance, where the continued operation of such use does not have a greater effect on other uses in the neighborhood than uses otherwise permitted in this ordinance.

ADOPTED this ____ day of __________________, 200__.

PROFESSOR
Land Use Classifications

I. Designation of Certain Use Districts

The intent of this section is to divide all land within the classroom into zoning districts; provide uniform provisions for each class of uses or structures within each district; provide the most appropriate use of seats in the classroom; and require that every use in the classroom, except as otherwise provided by law or by this ordinance, be subject to the regulations, restrictions, and requirements specified for the district in which it is located.

A. Cum Laude Zone (CL)

The purpose of the CL Zone is to encourage an area where the highest standards of educational promise and achievement are recognized and enforced. This zone is most appropriate in close proximity to the Professor’s location or within his direct line of sight and farthest from more intensive uses. Except as otherwise authorized in this code, the grading assessment of “A” will be awarded to all seats located within the Cum Laude Zone, and only to seats located within the Cum Laude Zone.

B. B Zone (B)

The purpose of the B zone is to protect the uses permitted in the Cum Laude from more intensive uses. The range of grades available to such designated seats is between “A-“ and “B.”

C. Participation Zone (PT)

The purpose of the PT Zone is to foster, and where needed, require a high level of class participation. All users must participate in every class discussion by providing at least one answer to every question asked by the Professor. As used in this section, “participate” means to actively contribute to the class discussion by means of voicing an opinion, observation or question that is relevant to, and furthers, the learning process within the scope of the goals of Land Use Law. The range of grades available to such designated seats is between “A-“ and “B-.”

D. Industrious Zone (IND)

The IND district is intended to allocate an area for particularly industrious, multi-tasking students. The district shall be located in a manner that minimizes the impacts of permitted uses in the zone on other districts. In this zone, certain extra-curricular activities may be permitted as accessory uses. The range of grades available to such designated seats is between “B+“ and “C-.”

E. Relaxation Zone (RL)

The RL district is intended to preserve the public's rights to physical and visual access throughout the entire classroom and to promote and enhance the use of the class relaxed learning and recreation. Limited space in the RL Zone will be allocated on a first-come, first-served basis, and shall in no event serve more than two people in any given class meeting. The range of grades available to such designated seats is between “B“ and “C-.”

F. Government/ Institutional Zone (GI)

The GI district is intended primarily to accommodate the space needs of educational institutions while preserving the learning character of existing seats within and adjacent to the
district. In order to evaluate and mitigate the cumulative impacts of institutional growth within this district, all uses other than quiet reading require conditional use approval. The range of grades available to such designated seats is between “A” and “B.”

**G. Transient Zone (TR)**

The TR Zone is intended to accommodate late comers to class, as well as those needing to depart before the end of class time. Uses in this zone cause impacts inherent to the use, but will not be permitted other types of impacts typically anticipated from other uses. The range of grades available to such designated seats is between “B+” and “C.”

**Table 1.1. Uses by Zone**

This table provides the list of permitted uses within the various zoning districts. Any use not specifically listed may be permitted if it similar to the other uses permitted in the applicable district, under the principle that this Code prefers the most unrestricted uses possible.

In Table 1.1, the following abbreviations are used:

- **P** = permitted outright
- **C** = permitted as a conditional use
- **X** = prohibited

<table>
<thead>
<tr>
<th></th>
<th>CL</th>
<th>B</th>
<th>PT</th>
<th>IND</th>
<th>RL</th>
<th>GI</th>
<th>TR</th>
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<tr>
<td>Talking: class participation</td>
<td>P</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td>C</td>
<td>P</td>
<td>C</td>
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<td>X</td>
<td>X</td>
<td>P</td>
<td>X</td>
<td>P</td>
<td>X</td>
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<td>X*</td>
<td>X*</td>
<td>X*</td>
<td>P</td>
<td>C</td>
<td>P*</td>
<td>X</td>
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<td>X*</td>
<td>X*</td>
<td>X*</td>
<td>P</td>
<td>C</td>
<td>X</td>
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<td>X</td>
<td>P</td>
<td>X</td>
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<td>X</td>
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<td>X</td>
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<td>P</td>
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<td>P</td>
<td>P</td>
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<td>C</td>
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<td>X</td>
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<td>X</td>
<td>C^</td>
<td>X</td>
<td>P</td>
<td>X</td>
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<tr>
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<td>P</td>
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<td>X</td>
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<td>X</td>
<td>X</td>
<td>C</td>
<td>P</td>
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<td>C</td>
<td>P</td>
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<td>P</td>
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<td>X</td>
<td>C</td>
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<td>X</td>
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<td>P</td>
<td>C*</td>
<td>C*</td>
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<td>X</td>
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<td>P</td>
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<td>X</td>
<td>X</td>
<td>X</td>
<td>P</td>
<td>X</td>
<td>X</td>
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<tr>
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<td>P</td>
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<td>X</td>
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<td>X</td>
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<td>C</td>
<td>C</td>
<td>X</td>
</tr>
<tr>
<td>Warehouse/storage</td>
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<td>X</td>
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<td>Playing music</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>C^</td>
<td>C</td>
<td>P</td>
<td>X</td>
</tr>
</tbody>
</table>

“*” = allowed when authorized by an overlay zone
“^” = allowed as an accessory use

G. Designation of Overlay Districts

The following districts are established as overlay districts, meaning that these districts are overlaid upon other districts and the land so encumbered may be used in a manner permitted in the underlying district only if and to the extent such use is permitted in the applicable overlay district:

1. **Cell Phone Overlay District (CP)**
   Within the CP Overlay district, use of cell phones are permitted outright for the purposes of text messaging. Any other proposed use of cell phones shall be subject to conditional use review. All cell phones must be registered with the Professor prior to use.

2. **Contemplation Overlay District (CT)**
   Within the CT Overlay district, no noise greater than a 5 decibel increase from
background (ambient) noise levels shall be permitted with any new use or any change in existing use. Zoning out and talking to oneself (subject to the applicable overlay restrictions) are permitted uses in this overlay district.

3. Classroom Scenic Area Overlay (CSA)
The CSA Overlay zone specifically the affects entire row facing the front of classroom. Students within the CSA overlay may wear only solid colors. CSA restrictions will be strictly enforced.

4. Enterprise Overlay Zone (ENT)
Seats in the ENT Overlay zones may be used for any post-graduation related purpose. Such uses include, but are not limited to the following: submitting applications for jobs via internet; cellular phone use to arrange interviews, negotiate terms of employment, and for confirmation of employment; to conduct a business; to research via internet for any purpose; to hold meetings, invite business or other guests; and, any other similar purpose. To the extent that any of the permitted uses in this zone conflict with the prohibited uses in the underlying zone, the more restrictive regulations apply.

II. Development Regulations

A. Uses subject to review.
All uses are subject to review and approval by permitting authority. No new use may be established without express approval.

B. Height and Bulk Standards.
All uses must be maintained within the boundaries of any given seat or designated area, as appropriate. Except in the GI zone, no uses may be conducted at an elevation over four feet, eight inches (4’ 8") above normal grade of surrounding seats.

C. Accessory Uses.
All accessory uses which are listed or are otherwise customary to the principal use, shall be approved by the permitting authority where the applicant demonstrates that the use is in fact secondary to the primary use.

D. Variance criteria
Any student in any seat within the limits of the City’s jurisdiction, unless otherwise specified in the applicable zoning district, is entitled to a variance from the zoning standards where the applicant has sustained the burden of proving the variance(s) complies with all of the following:

1. Unusual circumstances of conditions apply to the seat and/or to the intended use that do not apply generally to other seats in the same vicinity or district; and

2. A variance is necessary for the preservation and enjoyment of a
substantial property right of the applicant possessed by other seats in the same vicinity or district; and

3. The authorization of such variance will not be materially detrimental to the public welfare or injurious to seats in the vicinity or district in which seat is located; and

4. Application for a variance will not be approved where an application to rezone the seat would be a preferable method of obtaining relief for the seat owner and neighborhood.

E. Conditional Use Standards

1. In certain districts, conditional uses may be permitted, subject to the granting of a conditional use permit. Because of their unusual characteristics, or the special characteristics of the area in which they are to be located, conditional uses require special consideration so that they may be properly located with respect to the objectives of this title and their effect on surrounding seats and/or lawful uses of the classroom.

2. In order to grant any conditional use, the applicant must demonstrate that the establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case, be significantly detrimental to the health, safety or general welfare of persons learning in the neighborhood of such proposed use or be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the class.

F. Rezone applications

1. General. The map designation of any seat may be amended in any of the following ways:

a. By changing the boundaries of districts through a map amendment (rezone) where the proposed zoning is consistent with, and implements, the locational criteria of the zoning district; or

b. By changing code text through a legislative text amendment, whenever the public health, safety and general welfare requires such an amendment.

2. Approval Criteria. Zone changes may be approved only when all of the following are met:

a. The requested zone change is consistent with the policies, locational criteria and the purpose statement of the zoning district.
b. The zone change either:

   i. Responds to a substantial change in conditions applicable to the area within which the subject seat lies;

   ii. Better implements the goals of the class by enabling sound learning and studying practices than the current map designation; or

   iii. Corrects an obvious mapping error.

c. There are adequate public facilities and services to serve the requested zone change.

3. Rezone Agreements.
   a. The purpose of this subsection is to allow for the implementation of the course policies relating to learning process for future attorneys, as appropriate. If, from the facts presented, the Professor determines that the public health, safety and general welfare will be best served by a proposed change of zone, the Professor may indicate its general approval of the proposed rezoning by the adoption of a “resolution of intent to rezone” the area involved. This resolution shall include any conditions, stipulations or limitations which the Professor may feel necessary to require in the public interest as a prerequisite to final action. The fulfillment of all conditions, stipulations and limitations contained in said resolution, on the part of the applicant, shall make such a resolution a binding commitment on the Professor. Such a resolution shall not be used to justify spot zoning, to create unauthorized zoning categories by excluding uses otherwise permitted in the proposed zoning, or by imposing restrictions not specified in the code for the zoning classification, or as a substitute for a variance. Upon completion of compliance action by the applicant, the Professor shall, by ordinance, effect such award. The failure of the applicant to meet any or all conditions, stipulations or limitations contained in the resolution, including the time limit placed in the resolution, shall render the resolution of intent to rezone null and void.

   b. Applicability. This agreement process will not generally be used for rezones to Industrious Zone from any other classification. It may, however, be used for any situation where extraordinary potential adverse impacts from a proposed rezone may be neutralized by the agreement.

G. Interpretation of Boundary Uncertainties.

Where a district boundary line divides a seat or contiguous seats in a single ownership where at least fifty (50) percent of the area of the affected seat is within a less restrictive zone, the provisions of that less restrictive zone may be applied to the entire seat under that single
III. Enforcement

A. Authority. Compliance with the provisions in this chapter shall be subject to enforcement by the Professor. Any person found to have violated any section in this chapter shall be issued a Notice of Violation and fined no more than a 1/3 of a letter grade from their final grade for each offence.

B. Appeals. A Notice of Violation may be appealed if, within 20 minutes of service of the Notice, the student files a written and signed Notice of Appeal which clearly states in bold in the caption, “No Way!” and provides specific factual and legal basis for the appeal. Any appeal that is not administratively resolved shall be provided an open record hearing. Any interested and aggrieved student may be heard at said hearing.
RESOLUTION 101
A RESOLUTION RELATING TO AN AGREEMENT TO REZONE CERTAIN SEATS WITHIN THE CLASS ROOM.

WHEREAS, the Professor received several requests to award a grade of “A” to the students residing in seats affected by this Ordinance; and

WHEREAS, in exchange for the award, residents of such affected seats have voluntarily agreed to certain actions and activities that will further the public interest; and

WHEREAS, the Professor finds that this overlay zone furthers the public interest because an incentive-based overlay zone will result in less work for the Professor, thus saving him time to get more sleep, and may even alleviate the need for the Professor to prepare for lectures; and

WHEREAS, the Professor perceives no reason to delay the implementation of this overlay zone;

THE PROFESSOR HEREBY ADOPTS THIS RESOLUTION, AS FOLLOWS:
Section 1. OVERLAY ZONE ADOPTED. Students in seats subject to the overlay shall be awarded an “A” contingent upon the satisfaction of certain conditions.
Section 2. CONDITION OF ZONING IMPLEMENTATION. Residents of the affected seats will circulate their notes on the readings, which will be thorough and of insightful quality, to all students within Room ______ prior to the commencement of class, each week beginning September 1, 200__.
Section 3. IMPLEMENTATION. On May ____, 200____, upon certification by students of conformity to the standards governed herein, the Professor will determine whether those benefitting from this agreed overlay zone have met the conditions set forth herein, and in the event that students have met all of the conditions, will adopt an ordinance effectuating the award.
Section 4. APPLICABLE AREA. The Zoning Ordinance affects only that area depicted in the overlay map.

ADOPTED this ____ day of __________, 200__.

PROFESSOR

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