

Zoning Amendment Evaluation Checklist (Sample)

When a text amendment, map amendment, or new regulation is proposed, the local government boards involved should consider a variety of elements and the impact the amendment and the development it allows has on such elements.

GENERAL CONSIDERATIONS	
ELEMENT	WHAT TO CONSIDER
Natural Environment	What is the impact on: <ul style="list-style-type: none"> <input type="checkbox"/> air quality <input type="checkbox"/> water quality <input type="checkbox"/> flooding <input type="checkbox"/> erosion <input type="checkbox"/> important natural areas
Transportation System	Will the amendment: <ul style="list-style-type: none"> <input type="checkbox"/> affect the amount of traffic generated by development <input type="checkbox"/> impact whether traffic can be safely and efficiently accommodated by area roads <input type="checkbox"/> create undue traffic burdens on the transportation system
Provision of Utilities and Services	How will the amendment affect demands for: <ul style="list-style-type: none"> <input type="checkbox"/> water supply <input type="checkbox"/> sewage disposal <input type="checkbox"/> electricity <input type="checkbox"/> trash collection <input type="checkbox"/> fire and police protection <input type="checkbox"/> education <input type="checkbox"/> health care <input type="checkbox"/> recreation <input type="checkbox"/> cost burden on local government to provide these services <input type="checkbox"/> other
Provision of Affordable and Convenient Housing	How might the amendment affect people's ability to: <ul style="list-style-type: none"> <input type="checkbox"/> find affordable housing <input type="checkbox"/> find housing that is reasonably accessible to their place of employment
Economy	Will the amendment affect: <ul style="list-style-type: none"> <input type="checkbox"/> employment opportunities <input type="checkbox"/> the general health of places of employment
Historic Resources (resources of historic, architectural, archeological, or cultural significance)	Would development allowed by the amendment: <ul style="list-style-type: none"> <input type="checkbox"/> threaten or enhance the continued existence of such resources <input type="checkbox"/> threaten or enhance the integrity of such resources
Neighboring Development	Would development allowed by the amendment affect neighboring areas in terms of: <ul style="list-style-type: none"> <input type="checkbox"/> living conditions <input type="checkbox"/> working conditions <input type="checkbox"/> deterring or enhancing appropriate development <input type="checkbox"/> deterring or enhancing conservation of neighboring property

GENERAL CONSIDERATIONS	
ELEMENT	WHAT TO CONSIDER
Community Function, Character, and Attractiveness	<p>How might the amendment affect the development of the community in terms of:</p> <ul style="list-style-type: none"> <input type="checkbox"/> the functional mix of land uses needed to meet the needs of future populations <input type="checkbox"/> avoiding adverse impacts <input type="checkbox"/> the conservation of rural character <input type="checkbox"/> open space <input type="checkbox"/> the preservation of scenic areas <input type="checkbox"/> the general visual attractiveness of the community
LEGAL CONSIDERATIONS	
Enabling Authority	<input type="checkbox"/> Is the amendment in compliance with NC General Statutes?
Clarity	<ul style="list-style-type: none"> <input type="checkbox"/> Is the regulation or rezoning decision clear and precise? <input type="checkbox"/> Does it allow for clear administration? <input type="checkbox"/> Can an individual exercising ordinary common sense reasonably comply with it? <input type="checkbox"/> Does an amendment regulating an activity contain explicit standards or criteria that are capable of being clearly and precisely interpreted and applied in accord with commonly understood meanings and practices within the law of zoning?
Legitimate Governmental Purpose	<ul style="list-style-type: none"> <input type="checkbox"/> Does the amendment result in a regulation that advances a legitimate governmental purpose, as described in the State enabling legislation or in a land use plan or other adopted plans? <input type="checkbox"/> Does the amendment protect or advance the public health, safety, and general welfare? <input type="checkbox"/> What is the link between the regulation or rezoning and the public purpose it serves? <input type="checkbox"/> How is the link to the public purpose documented? <ul style="list-style-type: none"> o in the regulation itself o in the ordinance that was adopted (usually the “whereas” statement) o in reports or memos o in an adopted plan
Takings	<p>The amendment or regulation does not result in the “taking” of private property without compensation.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Property owners are left with one or more economically viable uses.
Procedures	<p>Established procedures were followed when reviewing, holding a hearing on and deciding on an amendment.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Followed rules of procedure <input type="checkbox"/> Followed rules in State enabling legislation <input type="checkbox"/> Followed local ordinance requirements <input type="checkbox"/> Followed any other procedural rules found applicable to local governments (i.e. open meetings law, public records retention, etc.)

Source: Adapted from the Wake County Planning Board; <http://www.wakegov.com/planning/minutes/Boards.htm>