



# Part 2

\* User Needs Checklists

# User Needs Checklists

Part 2 divides user needs and goals into four checklists (see sidebar). Look through the list of needs and check all of those that apply. This part of the *User Manual* directs you to the appropriate chapters and sections of the *Legislative Guidebook*. You may also want to review Part 3 of this *Manual* for a synopsis of those particular sections of the *Legislative Guidebook* that interest you.

Note that in some cases a particular need or goal is not easily classified into one of these four groups. Sometimes, it depends on your perspective as to whether a particular issue is regarded as a state, regional, or local matter. Therefore, to be comprehensive, the user should read through all four checklists to find the checklist description that best fits the needs and goals of your state.

Where a Section number is provided in the checklists, the user should note that only the number of the Section that begins to cover a topic is provided. Readers should look immediately past that statute Section number to the following statute Sections number to see if additional model statutory provisions apply.

## *Needs and Goals Are Grouped by:*

- \* *State*
- \* *Regions*
- \* *Local governments*
- \* *Specific subject areas*

# User Needs Checklist I

## Needs and Goals Related to States

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Decide how to approach statutory reform	I, Ingredients of Successful Reform Efforts	
<input type="checkbox"/> Decide whether planning should be required	4, Table 2-I	
<input type="checkbox"/> Organize state bureaus for planning	4, Organizing for State Planning; see also Table 4-2	4-10I
<input type="checkbox"/> Coordinate the efforts of various state agencies	4, State Plans; see also Table 4-3	4-202
<input type="checkbox"/> Consider and choose what type of state plan(s) to produce, and learn how	4, Organizing for State Planning	4-20I
<input type="checkbox"/> See what goals have been adopted by other states	4, Note on State Planning Goals	
<input type="checkbox"/> Prepare and adopt a state biodiversity conservation plan	4	4-204.I
<input type="checkbox"/> Decide which entity will adopt a particular state plan	4, Procedures Related to State Planning; see also Table 4-4	4-210
<input type="checkbox"/> Make sure all state agencies get copies of state plans	4, Procedures Related to State Planning	4-21I
<input type="checkbox"/> Promote and ensure wiser investments by state agencies	4, State Capital Budget and Capital Improvement Program	4-30I
<input type="checkbox"/> Require or guide state adoption of a capital improvement budget and program	4, State Capital Budget and Capital Improvement Program	4-30I
<input type="checkbox"/> Introduce greater fairness in the siting of state facilities by exercising state control	5, Siting State Facilities	5-10I
<input type="checkbox"/> Consider different approaches to siting state facilities	5, Siting State Facilities	5-10I
<input type="checkbox"/> Designate areas of critical state concern	5, State Land Use Control	5-20I
<input type="checkbox"/> Consider alternatives for reconciling inconsistencies between state environmental policy statute and local planning	12, Integrating State Environmental Policy Acts with Local Planning; see also Table 12-I	12-10I
<input type="checkbox"/> Establish a statewide geographic information system	15	15-10I
<input type="checkbox"/> Ensure citizens have access to land development records and regulations	15	15-20I

## User Needs Checklist 2

### Needs and Goals Related to Regions

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Decide whether regional planning should be encouraged or required	6, text box on first page	
<input type="checkbox"/> Consider alternatives and decide how to organize regional planning	6, Organizational Structure	6-101
<input type="checkbox"/> Create one or more regional planning agencies	6, Organizational Structure	6-101
<input type="checkbox"/> Designate substate planning districts and agencies	6, Designation of Regional Planning Agency as Substate District Organization	6-601
<input type="checkbox"/> Address disproportional voting powers on regional planning agencies	6, Organizational Structure	6-103
<input type="checkbox"/> Empower existing regional agencies to plan	6, Organizational Structure	6-107
<input type="checkbox"/> Learn about the experiences of regional planning in other states	6, Regional Plan Preparation, Note on Existing Regional Plans	
<input type="checkbox"/> Provide guidance to regional agencies in adopting functional plans	6, Regional Plan Preparation	6-202
<input type="checkbox"/> Establish procedures for public review, preparation, and adoption of regional plans	6, Procedures for Plan Review and Adoption	6-301
<input type="checkbox"/> Authorize regional agencies to enter into agreements for planning and service coordination	6, Relationships and Agreements With Other Units of Government	6-401
<input type="checkbox"/> Govern whether a local government can withdraw from a regional planning agency	6, Miscellaneous Provisions	6-501
<input type="checkbox"/> Address impacts of development that go beyond the borders of one jurisdiction	5, Developments of Regional Impact	5-301
<input type="checkbox"/> Learn from the experiences of other states with regard to developments of regional impact programs	5, Developments of Regional Impact	5-301
<input type="checkbox"/> Provide for regional or metropolitan tax-base sharing	14, Regional [Metropolitan] Tax-Base Sharing	14-101

## User Needs Checklist 3

### Needs and Goals Related to Local Governments

#### Local Planning

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Establish local planning agencies	7, Organizational Structure	7-101
<input type="checkbox"/> Consider alternatives for organizing local planning	7, Organizational Structure	7-105
<input type="checkbox"/> Authorize local planning commissions	7, Organizational Structure	7-105
<input type="checkbox"/> Require education and training of planning commissioners (and other appointed board members)	7, Organizational Structure	7-105
<input type="checkbox"/> Authorize local governments to prepare plans	7, Plan Preparation	7-201
<input type="checkbox"/> Decide whether a particular comprehensive plan element should be required or optional for local governments	7, Local Comprehensive Plan Elements	7-203
<input type="checkbox"/> Guide the review, adoption, and amendment of plans by local governments	7, Procedures for Plan Review, Adoption, and Amendment	7-401
<input type="checkbox"/> Authorize or guide the preparation of small area plans by local governments	7, Local Comprehensive Plan Elements	7-301
<input type="checkbox"/> Establish procedures for adoption, amendment, and periodic review of local comprehensive plans	7, Procedures for Plan Review, Adoption, and Amendment	7-403
<input type="checkbox"/> Create a local comprehensive plan appeals boards to hear appeals of state reviews of local comprehensive plans	7, Procedures for Plan Review, Adoption, and Amendment	7-402.1
<input type="checkbox"/> Decide whether review and/or approval of local comprehensive plans by the state should be required	7, Procedures for Plan Review, Adoption, and Amendment	7-402.2

#### Funding and Technical Assistance for Local Planning

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Provide for smart growth technical assistance by the state to local governments	I3, Smart Growth Technical Assistance Act	I3-201

## User Needs Checklist 3 (continued)

### Needs and Goals Related to Local Governments

#### Local Land Development Regulation

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Authorize local governments to adopt a variety of local land development regulations	8, General Provisions	8-101
<input type="checkbox"/> Ensure due process by establishing procedures for adoption and amendment of local land development regulations	8, General Provisions	8-102
<input type="checkbox"/> Provide for a unified development permit review process for land-use decisions	10, General Provisions	10-201
<input type="checkbox"/> Ensure local land development regulations are consistent with local comprehensive plans	8, General Provisions	8-104
<input type="checkbox"/> Ensure local land development regulations relate properly and legally to state and federal laws	8, General Provisions	8-105
<input type="checkbox"/> Clarify whether local land development regulations apply to lands owned by the state and/or other governmental units	8, General Provisions	8-106
<input type="checkbox"/> Authorize and guide (or require) local preparation of zoning ordinances	8, Zoning; see also Table 2-I	8-201
<input type="checkbox"/> Guide the processes of reviewing and approving conditional uses	10, Administrative Actions and Remedies	10-502
<input type="checkbox"/> Guide the processes of reviewing and approving variances	10, Administrative Actions and Remedies	10-503
<input type="checkbox"/> Authorize and guide local review and approval of subdivisions	8, Review of Plats and Plans	8-301
<input type="checkbox"/> Authorize and guide local review and approval of planned unit developments	8, Review of Plats and Plans	8-303
<input type="checkbox"/> Decide which body should review and approve local subdivision plats	8, Who Reviews Subdivisions	
<input type="checkbox"/> Provide for uniform development standards	8, Uniform Development Standards	8-401
<input type="checkbox"/> Review which states have vested rights statutes	8, Uniform Development Standards	8-501
<input type="checkbox"/> Clarify when a development has its rights vested	8, Development Rights and Privileges	8-501

## User Needs Checklist 3 (continued)

### Needs and Goals Related to Local Governments

#### Local Land Development Regulation (continued)

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Provide for local governments to negotiate mediated agreements	10, Administrative Actions and Remedies	10-504
<input type="checkbox"/> Provide for local regulation and amortization of nonconforming uses	8, Development Rights and Privileges	8-502
<input type="checkbox"/> Authorize local moratoria on issuance of development permits	8, Exactions, Impact Fees, and Sequencing of Development	8-604
<input type="checkbox"/> Learn more about which states have adopted statutes authorizing local development agreements	8, Development Agreements	8-701
<input type="checkbox"/> Authorize local governments to adopt development agreements	8, Development Agreements	8-701
<input type="checkbox"/> Authorize local hearing examiners	10, Hearing Examiners	10-301
<input type="checkbox"/> Authorize local land-use review boards	10, Land-use Review Board	10-401
<input type="checkbox"/> Establish procedures for the judicial review of local land-use decisions	10, Judicial Review of Land-Use Decisions	10-601
<input type="checkbox"/> Read relevant material on administrative and judicial review of land-use decisions	10, Appendix—Articles on Administrative and Judicial Review of Land-Use Decisions	
<input type="checkbox"/> Authorize or guide local governments to enforce land development regulations	11, Enforcement of Land Development Regulations	11-101
<input type="checkbox"/> Provide for administrative procedures for local enforcement of land development regulations	11, Enforcement of Land Development Regulations	11-201
<input type="checkbox"/> Provide for judicial procedures for enforcement of local land development regulations	11, Enforcement of Land Development Regulations	11-301

## User Needs Checklist 4

### Needs and Goals Related to Specific Subject Areas

#### Agriculture and Forest Preservation

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Guide content of local farm and forest resource protection plans	7, Local Plan Preparation	7-212
<input type="checkbox"/> Authorize transfer of development rights to protect agricultural lands	9, Transfer of Development Rights	9-40I
<input type="checkbox"/> Authorize local governments to purchase development rights and secure conservation easements to protect agricultural lands	9, Purchase of Development Rights; Conservation Easements	9-402; 9-402.I
<input type="checkbox"/> Provide local land-use incentives for open space dedications	9, Land-Use Incentives	9-50I
<input type="checkbox"/> Authorize preferential tax assessment of agricultural districts	14, Agricultural Districts	14-40I

#### Community Design

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Guide content of local community design elements	7, Local Plan Preparation	7-214
<input type="checkbox"/> Authorize local design review regulation	9, Historic Districts and Landmarks; Design Review	9-30I
<input type="checkbox"/> Provide local land-use incentives for good community design	9, Land-Use Incentives	9-50I

#### Corridor Maps

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Authorize local governments to adopt corridor maps to protect future transportation corridors	7, Implementation; Agreements With Other Government and Nonprofit Organizations	7-50I

## User Needs Checklist 4 (continued)

### Needs and Goals Related to Specific Subject Areas

#### Development Patterns

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Guide spatial development patterns and manage growth to control sprawl	4, State Plans; see also Table 4-3; State Functional Plans; Smart Growth Act	4-204; 4-401
<input type="checkbox"/> Guide content of local land-use elements	7, Local Plan Preparation	7-204
<input type="checkbox"/> Consider the pros and cons of establishing urban growth areas	6, Urban Growth Areas, Table 6-I	
<input type="checkbox"/> Adopt a statute to guide the designation and change of urban growth areas	6, Urban Growth Areas; see also Note on Urban Growth Areas and Regional Planning	6-201.I
<input type="checkbox"/> Provide for appeals of urban growth area designations	7, Procedures for Local Plan Review, Adoption, and Amendment	7-402.3
<input type="checkbox"/> Ensure an adequate land supply for development by requiring a land market monitoring system	7, Local Plan Preparation	7-204.I
<input type="checkbox"/> Help to time development through local concurrency (adequate public facilities) requirements	8, Concurrency or Adequate Public Facilities; Development Timing	8-603
<input type="checkbox"/> Authorize transfer of development rights to protect selected areas	9, Transfer of Development Rights	9-401
<input type="checkbox"/> Authorize local governments to purchase development rights and secure conservation easements to protect selected areas	9, Purchase of Development Rights; Conservation Easements	9-402
<input type="checkbox"/> Provide local land-use incentives for various objectives	9, Land-Use Incentives	9-501

#### Economic Development

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Provide for state role in promoting economic development	4, State Functional Plans	4-206
<input type="checkbox"/> Guide the content of local economic development plans	7, Local Plan Preparation	7-208
<input type="checkbox"/> Create joint economic development zones	14, Intergovernmental Agreements	14-201

## User Needs Checklist 4 (continued)

### Needs and Goals Related to Specific Subject Areas

#### Environment; Natural Hazards

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Clarify terms related to critical and sensitive areas and areas constituting natural hazards	7, Organizational Structure	7-101
<input type="checkbox"/> Guide content of local critical and sensitive area plan elements	7, Local Plan Preparation	7-209
<input type="checkbox"/> Guide content of local natural hazards plan elements	7, Local Plan Preparation	7-210
<input type="checkbox"/> Authorize local regulation of areas constituting natural hazards and critical and sensitive areas	9, Regulation of Areas Constituting Natural Hazards and Critical and Sensitive Areas	9-101
<input type="checkbox"/> Authorize transfer of development rights to protect ecologically sensitive areas	9, Transfer of Development Rights	9-401
<input type="checkbox"/> Authorize local governments to purchase development rights and secure conservation easements to protect ecologically sensitive areas	9, Purchase of Development Rights; Conservation Easements	9-402; 9-402.I
<input type="checkbox"/> Authorize local ordinances creating mitigation programs	9, Mitigation	9-403
<input type="checkbox"/> Provide local land-use incentives for open space preservation	9, Land-Use Incentives	9-501
<input type="checkbox"/> Consider alternatives for reconciling inconsistencies between state environmental policy statute and local planning	12, Integrating State Environmental Policy Acts with Local Planning; see also Table I2-I	12-101
<input type="checkbox"/> Review summaries of state environmental policy acts	12, Appendix B	
<input type="checkbox"/> Prepare and adopt a state biodiversity conservation plan	4	4-201.I

#### Geographic Information Systems

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Establish a state role in developing geographic information systems	15, Division of Geographic Information	15-101

## User Needs Checklist 4 (continued)

### Needs and Goals Related to Specific Subject Areas

#### Historic Preservation

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Guide content of local historic preservation plans	7, Local Plan Preparation	7-215
<input type="checkbox"/> Authorize local historic district and landmarks regulation	9, Historic Districts and Landmarks; Design Review	9-301
<input type="checkbox"/> Authorize transfer of development rights to protect historic areas and landmarks	9, Transfer of Development Rights	9-401
<input type="checkbox"/> Authorize local governments to purchase development rights and secure conservation easements to protect historic areas and landmarks	9, Purchase of Development Rights; Conservation Easements	9-402; 9-402.I

#### Housing

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Consider alternative approaches to promote affordable housing	4, Note on State Planning Approaches to Promote Affordable Housing	
<input type="checkbox"/> Address housing issues via state planning	4, State Functional Plans	4-207
<input type="checkbox"/> Address housing issues via regional housing planning	6, Regional Plan Preparation	6-203
<input type="checkbox"/> Determine contents of local housing plans	4, State Functional Plans; 7, Local Plan Preparation	4-208.9; 7-207
<input type="checkbox"/> Provide local land-use incentives for affordable housing	9, Land-Use Incentives	9-501

#### Human Services

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Guide content of local human services plans	7, Local Plan Preparation	7-213

## User Needs Checklist 4 (continued)

### Needs and Goals Related to Specific Subject Areas

#### Implementation

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Address implementation of local comprehensive plans	7, Local Plan Preparation	7-211
<input type="checkbox"/> Authorize implementation agreements among various governments and nonprofit organizations	7, Implementation; Agreements With Other Government and Nonprofit Organizations	7-503
<input type="checkbox"/> Use a benchmarking system to measure and track performance in local planning	7, Implementation; Agreements With Other Government and Nonprofit Organizations	7-504

#### Infrastructure

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Guide content of local community facilities plans	7, Local Plan Preparation	7-206
<input type="checkbox"/> Guide content or require local capital improvement programs and budgets	7, Implementation; Agreements With Other Government and Nonprofit Organizations	7-502
<input type="checkbox"/> Address when and how local governments can require development improvements and exactions	8, Development Improvements and Exactions	8-601
<input type="checkbox"/> Coordinate state capital improvement programming and budgeting	4, State Capital Budget and Capital Improvement Program	4-301
<input type="checkbox"/> Guide the spatial location of state infrastructure	4, Smart Growth Act	4-401
<input type="checkbox"/> Authorize local governments to adopt development impact fees	8, Development Impact Fees	8-602
<input type="checkbox"/> Review a list of “good” elements of development impact fee enabling statutes	8, Elements of a Good Impact Fee Statute	7-108
<input type="checkbox"/> Authorize and guide local concurrency or adequate public facilities programs	8, Concurrency or Adequate Public Facilities; Development Timing	8-603

## User Needs Checklist 4 (continued)

### Needs and Goals Related to Specific Subject Areas

#### Neighborhoods

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Designate neighborhoods	7, Organizational Structure	7-108
<input type="checkbox"/> Provide for neighborhood or community organizations or a neighborhood planning council	7, Organizational Structure	7-109
<input type="checkbox"/> Provide for a neighborhood plan	7, Organizational Structure	7-301

#### Participation

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Require public participation in the preparation and adoption of local plans	7, Procedures for Local Plan Review, Adoption, and Amendment	7-401

#### Redevelopment

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Guide content of local redevelopment plan elements	7, Local Plan Preparation	7-303
<input type="checkbox"/> Encourage redevelopment with tax relief	14, Redevelopment and Tax Relief	14-301

#### Taxation; Financing Planning

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Authorize local governments to levy property taxes to finance planning	13, Local Tax Financing of Planning	13-101
<input type="checkbox"/> Authorize local governments to levy real property transfer taxes to finance planning	13, Local Tax Financing of Planning	13-102
<input type="checkbox"/> Authorize local governments to levy development excise taxes to finance planning	13, Local Tax Financing of Planning	13-103

## User Needs Checklist 4 (continued)

### Needs and Goals Related to Specific Subject Areas

#### Taxation; Financing Planning (continued)

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Provide for regional or metropolitan tax-base sharing	I4, Regional [Metropolitan] Tax-Base Sharing	I4-I01
<input type="checkbox"/> Provide tax relief within redevelopment areas	I4, Redevelopment and Tax Relief	I4-301
<input type="checkbox"/> Authorize tax increment financing	I4, Redevelopment and Tax Relief	I4-302
<input type="checkbox"/> Authorize the abatement of taxes	I4, Redevelopment and Tax Relief	I4-303
<input type="checkbox"/> Authorize preferential tax assessment of land in agricultural districts	I4, Agricultural Districts	I4-401
<input type="checkbox"/> Understand the relationship of local planning to the financing of schools	I4, Note on Local Planning, School Finance, and the Property Tax	

#### Telecommunications

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Prepare a state telecommunications plan	7, State Plans	4-206.I
<input type="checkbox"/> Guide content of local telecommunications plans	7, Local Plan Preparation	7-207

#### Transportation

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Address transportation issues by adopting a state transportation plan	4, State Functional Plans	4-205
<input type="checkbox"/> Provide for regional transportation planning	6, Regional Plan Preparation	6-204
<input type="checkbox"/> Provide for transit oriented development	7, Local Plan Preparation	7-302
<input type="checkbox"/> Guide content of local transportation plans	7, Local Plan Preparation	7-205

## User Needs Checklist 4 (continued)

### Needs and Goals Related to Specific Subject Areas

#### Taxation; Financing Planning (continued)

We Want To	Chapter Number and Division of <i>Legislative Guidebook</i>	Model Statute Section Number
<input type="checkbox"/> Consider why local governments should adopt transportation demand management regulations	9, Trip Reduction/Transportation Demand Management Regulation	9-20I
<input type="checkbox"/> Authorize local governments to adopt regulations designed to reduce trips and manage transportation demand	9, Trip Reduction/Transportation Demand Management Regulation	9-20I
<input type="checkbox"/> Protect transportation corridors	7, Implementation; Agreements with other Local Governments and Nonprofit Organizations	7-50I