

1-9A-4: ANALYSIS:

If the city determines that a governmental action involves constitutional taking issues, the proposed action should be reviewed by the city to analyze the possible taking and to determine the action to be taken. In reviewing the proposed action, the following factors may be analyzed:

- A. The effect the potential taking would have on the use or value of the private property;
- B. The likelihood that the action may result in a constitutional taking;
- C. Any alternatives to the proposed action that would fulfill the city's lawful objectives and reduce the risk of a constitutional taking;
- D. The cost to the city for payment of compensation if a taking is determined;
- E. The governmental interest involved and its nexus to the potential taking; and
- F. If the action is roughly proportionate or reasonably related to the impact of any proposed development. (Ord. 05-20-03C, 5-20-2003)