

Draft Amendments to TPR 0060
Upzonings in Urban Centers
(A3 from the Joint-Subcommittee Recommendation)
- Draft 5 – July 12, 2011 – Draft 5 -

Two versions of this draft are included below. The first version shows just the proposed text for the new section. The second version shows the changes relative to draft 3 which was discussed at the June 27 RAC meeting.

(10) [Exemption for urban centers]

Notwithstanding sections (1) and (2) of this rule, a local government may amend a functional plan, a comprehensive plan or a land use regulation without applying performance standards related to traffic congestion, delay or travel time if the amendment meets the requirements of (a).

(a) The amendment:

- (A) is a map or text amendment affecting only land entirely within an urban center;
- (B) is consistent with the findings of the local jurisdiction at adoption of the urban center;
- (C) maintains consistency with the definition of an urban center; and
- (D) is consistent with other performance standards and policies including, but not limited to, safety for all modes, connectivity, network completeness, and preserving freight accessibility.

(b) For the purpose of this rule, an “urban center” is defined as an area:

- (A) with a boundary adopted by a local government after the effective date of this rule, which explicitly refers to this exemption and has been acknowledged;
- (B) entirely within an urban growth boundary;
- (C) having the characteristics described in subsection (8)(b) of this rule;
- (D) with development regulations that do not require the provision of off-street

parking or that require lower levels of off-street parking than required in other areas and that allow flexibility to meet the parking requirements; and

(E) located in one or more of categories below:

- (i) Outside one half mile of an interchange as measured from the center point of the interchange;
- (ii) Within the area of an adopted Interchange Area Management Plan (IAMP) and consistent with the IAMP; or
- (iii) Within one half mile of an interchange and the facility provider has provided written concurrence with the urban center designation.

(c) A local jurisdiction may designate an urban center by adopting an amendment to the comprehensive plan to add the urban center boundary on the comprehensive plan map and adopting findings that the area meets the definition of an urban center.

(d) A local jurisdiction may designate an urban center on an area that does not have appropriate comprehensive plan designations or zoning (but does meet all of the other elements of the definition) by concurrently adopting comprehensive plan or zoning amendments necessary to meet the definition. Such amendments are not subject to performance standards related to traffic congestion, delay or travel time.

Second version with changes indicated by underline and ~~strikethrough~~:

(10) **[Exemption for urban centers]**

Notwithstanding sections (1) and (2) of this rule, a local government may ~~approve an amendment to amend~~ approve an amendment to amend a functional plan, a comprehensive plan or a land use regulation without applying performance standards related to traffic congestion ~~and~~ and ~~delay or travel time~~ if the amendment meets (a) through (e) below: the requirements of (a).

(a) The amendment:

(A) is a map ~~amendment wholly within an urban center~~ or a text amendment affecting only land entirely within an urban center;

~~(b) The amendment would contribute to the aspects that qualify the area as an urban center;~~

~~(c) The amendment (B) is consistent with the findings of the local jurisdiction at adoption of the urban center;~~

(C) maintains consistency with the definition of an urban center; and

(D) is consistent with other transportation performance standards and policies including, but not limited to, safety for all modes, connectivity and network completeness, and preserving freight accessibility.

~~{Alternate text: (c) The amendment, including any required mitigation or enhancements, would not degrade the safety of the transportation system; and}~~

~~(d) The amendment meets one of the following:~~

~~(A) The amendment is not within one half mile of an interchange as measured from the center point of the interchange;~~

~~(B) The amendment is within the area of an adopted Interchange Area Management Plan (IAMP) and is consistent with the IAMP; or~~

~~(C) The amendment is within one half mile of an interchange and the facility provider has concurred with the urban center designation;~~

~~(e) “Urban center” for (b) For the purpose of this rule means, an “urban center” is defined as an area:~~

~~(A) With with a designated boundary that was adopted by a local government after the effective date of this rule, which explicitly refers to this exemption and has been acknowledged;~~

~~(B) Entirely entirely within an urban growth boundary;~~

~~(C) Planned and zoned for higher densities of land development relative to surrounding areas;~~

~~(D) Planned and zoned for a mix of uses as having the characteristics described in subsection (8)(b) of this rule;~~

~~(E) With good accessibility to, from and within the urban center by multiple modes of transportation, including, but not limited to, walking, bicycling and transit where transit is available;~~

~~(F) With (D) with development regulations that do not require the provision of off-street parking, or that require significantly lower levels of off-street parking than required in other areas and that allow flexibility to meet the parking requirements; and-~~

~~(E) located in one or more of categories below:~~

~~(i) Outside one half mile of an interchange as measured from the center point of the interchange;~~

~~(ii) Within the area of an adopted Interchange Area Management Plan (IAMP) and consistent with the IAMP; or~~

~~(iii) Within one half mile of an interchange and the facility provider has provided written concurrence with the urban center designation.~~

~~(G) Covering less than ##% of the area within the urban growth boundary, including all urban centers designated under this section.~~

~~(c) A local jurisdiction may designate an urban center by adopting an amendment to the comprehensive plan to add the urban center boundary on the comprehensive plan map and adopting findings that the area meets the definition of an urban center.~~

~~(f) An amendment that adopts plans or development regulations necessary to meet the definition of urban center within this section may be adopted concurrently with the designation of the urban center and is therefore not subject to sections (1) and (2) of this rule~~

~~(d) A local jurisdiction may designate an urban center on an area that does not have appropriate comprehensive plan designations or zoning (but does meet all of the other elements of the definition) by concurrently adopting comprehensive plan or zoning amendments necessary to meet the definition. Such amendments are not subject to performance standards related to traffic congestion, delay or travel time.~~