

## 660-012-0060 Plan and Land Use Regulation Amendments

(1) Except as provided in sections (3) and (4) of this rule, Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. Except as provided in section (5) of this rule, Aa plan or land use regulation amendment significantly affects a transportation facility if it would:

*[No changes in (1) (a) through (c). Sections (2) & (3) amended only to renumber section references.]*

(4) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing or planned transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

(a) The amendment furthers a local government's economic and development objectives or a local government's fulfillment of its identified residential, commercial or industrial need, and:

(b) Impacts of the amendment will be partially mitigated through one or more of the mitigation measures set forth in section (2) of this rule and/or through the following:

(i) Phased implementation of the mitigation measures set forth in section (2) of this rule;

(ii) Improvements to pedestrian or bicycle facilities that serve the subject site;

(iii) Improvements to nearby transportation facilities that are not directly impacted by the amendment when the improvements will upgrade the functionality or capacity of the transportation

system, or, in lieu of making the improvements, payment to the local government for the improvements. For purposes of this section, "nearby" means within ¼ mile of the subject site.

(5) Notwithstanding section (1) of this rule, an amendment to a functional plan, a land use regulation or a zoning map would not significantly affect an existing or planned transportation facility if:

(a) The amendment is to rezone land consistent with the land's acknowledged comprehensive plan designation when the local government can demonstrate that it considered impacts to the transportation system at the time the land was designated in the acknowledged comprehensive plan or at the time of transportation system plan adoption.

(b) The amendment is to rezone land to allow for more dense development and the land is located within an area that the local government has designated on an adopted and acknowledged map as an area where development and redevelopment will promote compact, mixed-use urban development and safe and efficient use of all travel options.

(i) A local government may designate an area for purposes of section (5)(b) of this rule only if the local government can demonstrate that the area is served by inter-connected pedestrian, bicycle and transit facilities.

(ii) A local government does not need to demonstrate compliance with sections 0060(1)-(3) of this rule when adopting a map for purposes of section (5)(b) of this rule.

*[Renumber subsequent sections +2]*