

TECHNICAL MEMORANDUM

December 21, 2023

Project# 27003.015

To: Theresa Conley, ODOT

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CC: Zachary Horowitz, Michael Baker, and Brian Hurley, ODOT

RE: Development Review Guidelines Audit and Update Strategy – FINAL

Introduction

The Development Review Guidelines (herein referred to as the Dev-Rev Guidelines) serve as a reference handbook for use by ODOT development review staff and other engineering/planning staff involved in the review of local planning and land development projects. The Dev-Rev Guidelines were last updated in May 2017. In late 2022, the Department of Land Conservation and Development (DLCD) updated Oregon Administration Rules (OAR) Chapter 660, Division 12, also known as the Transportation Planning Rule (TPR). The rulemaking that updated the TPR is known as the Climate-Friendly and Equitable Communities (CFEC) rulemaking. The purpose of the CFEC rulemaking was to better align the state's transportation planning with its long-term greenhouse gas emission reduction goal. The rulemaking primarily focuses on Oregon's eight metropolitan areas, requiring changes in transportation planning to ensure Oregonians have more transportation options to reduce single-occupancy vehicle reliance. The added requirements in metropolitan areas¹ include:

- Conducting multimodal inventories of the transportation system.
- Prioritizing walking, biking, and transit investments to access destinations.
- Planning transportation demand management programs and services.
- Identifying investments to support greater development in transit corridors and downtowns.
- Planning for and managing parking to meet demonstrated demand.
- Identifying investments and planning for needed electric vehicle charging infrastructure.
- Conducting equity analyses to understand impacts of the transportation system and identifying strategies to minimize impacts on underserved populations.
- Selecting and using system performance measures that further community livability goals.

¹ "Metropolitan areas" are defined in the TPR as the local governments that are responsible for adopting local or regional transportation system plans within a metropolitan planning organization (MPO) boundary. This includes cities, counties, and, in the Portland Metropolitan Area, Metro.

- Regularly monitoring and reporting progress related to increasing equitable outcomes for underserved populations and decreasing climate pollution.

As part of the CFEC rulemaking, cities and counties with a population greater than 5,000 and that are within one of the state's metropolitan planning organization boundaries (excluding Metro) will need to define Climate Friendly Areas (CFAs). Per DLCD's website, a CFA is:

"...an area where residents, workers, and visitors can meet most of their daily needs without having to drive. They are urban mixed-use areas that contain, or are planned to contain, a greater mix and supply of housing, jobs, businesses, and services. These areas are served, or planned to be served, by high quality pedestrian, bicycle, and transit infrastructure to provide frequent, comfortable, and convenient connections to key destinations within the city and region."

In recognition that the updated TPR will result in changes to how ODOT interprets and reviews plan amendments and development projects on state facilities, this review effort summarizes an initial audit of the Dev-Rev Guidelines and presents a strategy for a phased update of the document.

Dev-Rev Guidelines Audit

The project team completed a detailed review of the new TPR 660-012 language. Following this understanding, the 2017 Dev-Rev Guidelines were audited to understand how the document would need to be modified to reflect the TPR changes. The audit findings are summarized below.

SUMMARY OF TPR CHANGES RELEVANT TO DEV-REV GUIDELINES

Each section of the new TPR was reviewed for relevancy to the Dev-Rev Guidelines. The following TPR sections were identified as having the most significant impact to the Dev-Rev Guidelines.

- 660-012-0060 Plan and Land Use Regulation Amendments
 - Remove references to planned function or capacity and leaves only performance standards as the metrics for consideration when evaluating plan amendments. The rule does not require a traffic volume based performance standard to be used to when evaluating plan amendments.
- 660-012-0155 Prioritization Framework

- For areas in MPOs and within Metro, sets the context for prioritizing projects, placing an emphasis on reducing climate pollution, increasing equitable outcomes, safety, and accessibility.
- Within CFAs (see 660-012-0310 below), requires local jurisdictions to prioritize pedestrian, bicycle, and public transportation facilities and services.
- 660-012-0210 Transportation Modeling and Analysis
 - Transportation models or mathematical analysis of the transportation system will now need to account for changes in vehicle miles traveled per capita that would result from transportation projects proposed as part of a land use decision.
 - The modeling and analysis must demonstrate that the land use decision will not increase vehicle miles traveled per capita.
 - Implementation of this section does not become effective until December 31, 2027.
- 660-012-0215 Transportation Performance Standards
 - Requires cities, counties, Metro, and State agencies (for areas in MPOs and Metro) to adopt two or more transportation performance standards when evaluating land use amendments and developments. Metro may adopt regional performance standards in a functional plan for use in regional or local plans.
 - Performance standards must support performance measures in -0910 and include specific elements.
- 660-012-0310 Climate-Friendly Areas
 - Requires the adoption of new CFAs.
 - Applies specifically to cities and counties in an MPO other than Metro that are incorporated or in a UGB and have a population greater than 5,000 in the UGB.
- 660-012-0315 through -0325
 - In adopted CFA areas, these sections replace the significant effect analysis that plan amendments in other areas follow pursuant to -0060. The new significant effect analysis can no longer be solely based on roadway/intersection capacity. Additionally, it identifies the necessary conditions where a multimodal gap summary and highway impact summary are required.

Attachment A provides further detail about each section of the updated TPR, including the title, summary of TPR changes, and impacts to the Dev-Rev Guidelines.

Since the original draft of this audit memo, the TPR has been amended per the “recommended amendments - October 19, 2023” document. One new column has been added to the Attachment A table to show which TPR sections were amended.

SUMMARY OF LIKELY CHANGES TO DEV-REV GUIDELINES

Following the review of the TPR, the 2017 Dev-Rev Guidelines were audited to identify sections that would need to be updated or substantively modified. Through this process, it is likely that updates will be needed in the following two general categories:

- Sections needing to be updated to reflect the new TPR 660-012 language.
- Sections that need a general update or refresh including:
 - Sections that include out of date temporal references;
 - Sections with links to older reference documents;
 - Sections referencing old organizational structures; and
 - Sections with content that are now being outlined and regularly updated in other procedures manuals.

A more detailed summary of likely changes is provided in Attachment B.

Dev-Rev Guidelines Update Strategy

Based on the findings of the overall audit, a major focus of the Dev-Rev Guidelines update will need to center on the inclusion of guidance in the following three areas:

- **Review of Plan Amendments in CFAs**
 - Reflecting the new requirement for a highway impact summary (comparison of development capacity, summary of additional motor vehicle traffic generation, and summary of motor vehicle fatality and serious injury crashes) if a plan amendment is within an adopted Interchange Area Management Plan, includes property within a quarter-mile of a ramp terminal intersection or adopted ODOT Facility Plan area, or if the plan amendment would have more than a small increase in traffic to a state highway.
- **Review of Plan Amendments outside of CFAs**
 - Reflecting the application of new performance standards (ODOT anticipates adopting updated performance measures for their facilities to comply with the CFEC rulemaking in the ongoing *Oregon Highway Plan Update*) under the existing -0060 section.
- **Review of outright zoned development projects** for impacts to state highways or requiring access to state highways.
 - Reflecting the application of new performance standards.

Our approach to updating the Dev-Rev Guidelines is to break the edits and review into three review bundles. We will cover the three areas outlined above as follows:

- **Bundle 1. Provide guidance for plan amendments within CFAs.** This bundle, will add new content to Chapter 3.2 of the Dev-Rev Guidelines, identifies requirements for multimodal gap summaries and highway impact summaries for when a new climate-friendly area or Metro Region 2040 Center is being considered for adoption, as well as when a comprehensive plan or land use regulation amendment is being considered within a climate-friendly area or Metro Region 2040 Center.
- **Bundle 2. Update the existing guidance for plan amendments in areas outside of CFAs.** This bundle, will modify content to Chapter 3.2 of the Dev-Rev Guidelines, that was crafted prior to the most recent TPR update with CFAs. This bundle is impacted by performance measures and standards adopted for ODOT facilities in the ongoing *Oregon Highway Plan (OHP) Update* and will need to be finalized once the OHP update is complete.
- **Bundle 3. Provide clear guidance on outright zoned development projects.** This bundle, primarily covering parts of Chapter 3.1 and 3.3, will provide guidance on how ODOT should provide comments on development projects and transportation impact analyses that abut or the access ODOT rights-of-way. This is an area that is not consistent across ODOT regions currently and varies based upon if the local jurisdiction has adopted ODOT's targets in the OHP as their standards.

Appendix B: Dev-Rev Guidelines Audit Summary by Section identifies many sections of the Dev-Rev Guidelines that require updates to address out of date references or other types of updates that are not related to CFEC rulemaking. As we make edits to the sections noted above during the development of review bundles 1-3, we will address items that can be done easily or identify the more significant updates for a later task. Updates to sections that are not impacted by CFEC rulemaking may be updated as a contingency task or if time and budget allows after the CFEC rulemaking items are addressed.

Next Steps

After ODOT review and approval of the proposed strategy, the project team will begin editing the Dev-Rev Guidelines as identified.

ATTACHMENT LIST

- A. TPR Update Summary by Section
- B. Dev-Rev Guidelines Audit Summary by Section
- C. TPR Update Geographic Application Summary

Attachment A: TPR Update Summary by Section

Summary of TPR Changes and Impacts to Dev-Rev Guidelines

| TPR Section | Title | Type of Change | Summary of TPR Changes | Applicable Geographies | Impacts to TSP Guidelines | Impact of TPR Revisions (dated 2023-10-19) |
|--------------|--------------------------------|----------------|---|--|---|---|
| 660-012-0000 | Purpose | Edits | Edited to be explicit that transportation planning should provide for safe travel of all Oregonians, including those who cannot drive. Added emphasis on equity, underserved populations, climate pollution, and wildlife/environmental impacts. | All geographies | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0005 | Definitions | Edits | Added definitions for terms referenced in the new rules and deleted items replaced by new terms or definitions. New definitions largely pertain to climate friendly areas, parking, facility definitions, equity, and other miscellaneous terms. | All geographies | The Dev-Rev Guidelines do not include a page that summarizes definitions. As new content is developed, there may be a need to define terms within the document. | Added definitions for performance measures and standards |
| 660-012-0010 | Transportation Planning | None | Distinguishes between planning and project development; limitations on existing plans/programs; and clarifies that the rules are not intended to place adoption or enforcement of measures that limit bike/ped/transit. | All geographies | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0011 | Applicable Rules | New section | Defines which rules apply to cities and counties and specifies that the new rules from section -0100 to -0920 apply to cities and portions of counties within an urban growth boundary and are within an MPO. | All geographies | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0012 | Effective Dates and Transition | New section | Provides the effective date for when the rules apply to cities/counties inside MPOs. The section also provides exceptions to the rules. Section (2) and (4) are important. Section (2) describes applicability of interim updates to TSPs (i.e., minor updates to an existing TSP that won't require all new rules to apply). This section will be relevant for a limited time until all TSPs have been updated to meet current rules or have an alternative date or exemption. Section (4) defines deadlines for when specific sections of the rules need to be implemented. | Cities within MPOs, Counties within UGBs inside MPOs, and cities/counties inside Metro UGB | Compliance timelines are likely not needed in the Dev-Rev updates as the information will become dated. | Compliance timelines were adjusted for various sections of this rule. |

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|--------------|--|----------------|--|---|---|--|
| 660-012-0015 | Preparation and Coordination of Transportation System Plans | Edits | Removed references to MPOs | Local governments NOT in an MPO | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0016 | Coordination with Federally-Required Regional Transportation Plans in Metropolitan Areas | Deleted | Section deleted and replaced with new sections applicable to MPOs. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0020 | Elements of Transportation System Plans | None | No changes | Local governments NOT in an MPO | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0025 | Complying with the Goals in Preparing Transportation System Plans; Refinement Plans | None | No changes | Local governments NOT in an MPO | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0030 | Determination of Transportation Needs | None | No changes | Local governments NOT in an MPO | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0035 | Evaluation and Selection of Transportation System Alternatives | Edits | Removed references to MPOs | Local governments NOT in an MPO | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0040 | Transportation Financing Program | None | No changes | Local governments NOT in an MPO | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0045 | Implementation of the Transportation System Plan | Edits | Removed references to MPOs | Local governments NOT in an MPO | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0050 | Transportation Project Development | None | No changes | All geographies | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0055 | Timing of Adoption and Update of Transportation System Plans; Exemptions | None | No changes | Local governments NOT in an MPO | No specific impact to Dev-Rev Guidelines. | No change. |

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|--------------|--|----------------|---|---|---|--|
| 660-012-0060 | Plan and Land Use Regulation Amendments | Edits | Remove references to planned function or capacity and leaves only performance standards as what shall be considered when evaluating plan amendments. Also states that IF the performance standard relies on vehicle traffic volumes, the projected volumes at the TSP horizon year should be used to evaluate performance. The rule does not require a traffic volume-based performance standard be used to evaluate plan amendments. | All geographies except within CFAs | Removes references to planned function or capacity and leaves only performance standards as the metrics for consideration when evaluating plan amendments. The rule does not require a traffic volume-based performance standard to be used to when evaluating plan amendments. | No change. |
| 660-012-0065 | Transportation Improvements on Rural Lands | None | No changes | Rural lands within all geographies | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0070 | Exceptions for Transportation Improvements on Rural Land | None | No changes | Rural lands within all geographies | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0100 | Transportation System Plans in Metropolitan Areas | New section | Provides an overview of how cities will be required to adopt, amend, and implement TSPs. The rule lists all required elements of a TSP in an MPO and provides direction on determining base and horizon years. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Changes do not impact Dev-Rev Guidelines. |
| 660-012-0105 | Transportation System Plan Updates | New section | Differentiates between minor and major updates and what elements of a TSP must be updated for each. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0110 | Transportation System Planning Area | New section | Defines geographic scope for cities and counties. Default assumes cities will plan for entire urban area within UGB, including unincorporated areas. Counties can opt to handle planning in urban unincorporated areas. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Changes do not impact Dev-Rev Guidelines. |

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|--------------|--|----------------|---|---|---|--|
| 660-012-0115 | Funding Projections | New section | Describes how to develop funding projections. Funding projections shall include a list of sources and the amount of funding available for projects over the planning period | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0120 | Transportation System Planning Engagement | New section | Requires TSPs be prepared with public engagement and decision making consistent with statewide goals. Emphasizes engagement with underserved populations. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0125 | Underserved Populations | New section | Defines underserved populations. Requires cities and counties to identify areas with concentrations of underserved population; to identify and engage with tribes. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0130 | Decision-Making with Underserved Populations | New section | Directs how to center underserved populations in decision-making. Requires local governments to implement an involvement program to ensure equitable participation. Requires local gov'ts to regularly assess and report on progress. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0135 | Equity Analysis | New section | Provides direction on conducting an equity analysis. Equity analysis is intended to identify impacts on impacted communities, identify strategies to minimize consequences, and report back. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Changes do not impact Dev-Rev Guidelines. |
| 660-012-0140 | Transportation System Planning in the Portland Metropolitan Area | New section | Defines what specifically applies to cities in the Portland Metro area, including local planning for cities and counties. Some overlap with 660-012-0016 that was deleted as part of the rule update. | Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Changes do not impact Dev-Rev Guidelines. |
| 660-012-0145 | Transportation Options Planning | New section | Requirements for the Transportation Options element of the TSP. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |

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|--------------|-----------------------------------|----------------|---|--|---|--|
| 660-012-0150 | Transportation System Inventories | New section | General requirements for inventories. Specific requirements for each mode are in separate rules (e.g. -0505, -0605, -0705, and -0805). | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0155 | Prioritization Framework | New section | Sets the context for prioritizing projects, placing an emphasis on reducing pollution, increasing equitable outcomes, safety, and accessibility. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | For areas in MPOs and within Metro, sets the context for prioritizing projects, placing an emphasis on reducing pollution, increasing equitable outcomes, safety, and accessibility. Within Climate Friendly Areas (CFA) (see 660-012-0310 below), requires ODOT to prioritize pedestrian, bicycle, and public transportation facilities and services. Existing Dev-Rev Guidelines will need to be adjusted to accommodate these new rules. | Minor edits to say "mode-specific." |
| 660-012-0160 | Reducing Vehicle Miles Traveled | New section | Requires cities and counties to use VMT as a proxy for GHG pollutions for jurisdictions that do not have an approved Regional Scenario Plan; requires the city or county to adopt a TSP that is projected to reduce VMT. Cities, counties, or Metro must prepare separate projections for VMT per capita at the horizon year: one from the unconstrained project list and one from the financially constrained project list. A TSP may only be adopted if the projected VMT per capita at the horizon year using the financially constrained project list is lower than the estimated VMT per capita in the base year unless there are no projects that require review per -0830. | Cities with population over 5,000 within MPOs Counties with population over 10,000 within UGB inside MPOs | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0170 | Unconstrained Project List | New section | Describes how cities and counties take the combined list of projects developed in the modal elements of the TSP, develop multimodal projects, and produce a combined project list which is then used to develop an "unconstrained" project list that would reduce per capita VMT, have equitable burdens and benefits, and achieve the performance targets per -0910. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |

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|--------------|--|----------------|--|---|---|--|
| 660-012-0180 | Financially-Constrained Project List | New section | Cities and counties will use the prioritized unconstrained project list and the amount of funding available to produce the financially constrained project list. Projects on the financially constrained project will be used to inform the federally required regional transportation plan. The financially-constrained list will also be the only projects that may be assumed as "reasonably likely" when considering if an amendment to a comprehensive plan or land use regulation has a "significant effect" on the transportation system. The financially constrained list must result in equitable outcomes, demonstrate a reduction in per capita VMT, and make significant progress toward meeting the jurisdiction's targets for a range of performance measures per -0910. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Changes do not impact Dev-Rev Guidelines. |
| 660-012-0190 | Transportation System Refinement Plans | New section | Based on existing language from -0025, allows jurisdictions to defer some decisions to a later refinement process. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0200 | Temporary Projects | New section | States that temporary or pilot projects do not need to be included in TSP. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |

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|--------------|---|----------------|---|---|---|---|
| 660-012-0210 | Transportation Modeling and Analysis | New section | Sets rules on when to use transportation modeling and analysis to make land use decisions. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | Transportation models or mathematical analysis of the transportation system will now need to account for changes in vehicle miles traveled per capita that would result from transportation projects proposed as part of a land use decision. A transportation system plan update is not considered a land use decision where Section -0210 would apply. The modeling and analysis must demonstrate that the land use decision will not increase vehicle miles traveled per capita. The Dev-Rev Guidelines will need to address this new requirement. | Postponed rule implementation until December 31, 2027. DLCDC noted that they intend to revisit this rule and update the language. |
| 660-012-0215 | Transportation Performance Standards | New section | Requires cities and counties to adopt at least two performance standards, one of which is related to increased transportation options and is not related to automobile performance. Performance standards must support performance measures in -0910 and include specific elements. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | Requires cities, counties, Metro, and State agencies (for areas in MPOs and Metro) to adopt two or more transportation performance standards when evaluating land use amendments and developments. Dev-Rev currently references and focuses on ODOT's existing V/C ratio mobility target. | Clarifies that Metro may set standards that are to be used across the region. |
| 660-012-0300 | Coordinated Land Use and Transportation System Planning | New section | General provisions requiring cities and counties to coordinate and adopt provisions in the 0300's. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0310 | Climate Friendly Areas | New section | Sets out standards for which areas should and should not be considered when designating a CFA. | Applies specifically to cities and counties in an MPO other than Metro that are incorporated or in a UGB and have a population greater than 5,000 in the UGB. | Dev-Rev currently does not reference new Climate Friendly Areas. | Updated CFA for consistency. |

| TPR Section | Title | Type of Change | Summary of TPR Changes | Applicable Geographies | Impacts to TSP Guidelines | Impact of TPR Revisions (dated 2023-10-19) |
|--------------|---|----------------|--|---|---|---|
| 660-012-0315 | Designation of Climate Friendly Areas | New section | Describes the process to study potential CFAs. Also describes requirements for adoption of zoning regulations and comp plan amendments. | Applies specifically to cities and counties in an MPO other than Metro that are incorporated or in a UGB and have a population greater than 5,000 in the UGB. | See Section -0325 below | Updates for CFA designation. |
| 660-012-0320 | Land Use Requirements in Climate Friendly Areas | New section | Requirements for code and other land use amendments in CFAs. Provides option to meet prescriptive regulations or demonstrate other standards will meet or be better than prescriptive standards. | Applies specifically to cities and counties in an MPO other than Metro that are incorporated or in a UGB and have a population greater than 5,000 in the UGB. | See Section -0325 below | Updates for CFA land use. |
| 660-012-0325 | Transportation Review in Climate Friendly Areas | New section | <p>Outlines transportation planning requirements for designating CFAs and then later for making plan amendments within CFAs following their initial adoption. Replaces the significant effect analysis that plan amendments in other areas follow pursuant to -0060.</p> <p>The primary requirement is a multimodal transportation gap summary. The summary must be completed as part of a TSP update or as a separate adopted document in coordination with impacted transportation facility and service providers.</p> | Applies to CFA areas and Region 2040 centers | <p>In adopted CFA areas, this section replaces the significant effect analysis that plan amendments in other areas follow pursuant to -0060.</p> <p>The new significant effect analysis can no longer be based on roadway/intersection capacity. Will need to adjust Dev-Rev Section 3.2.</p> | Clarifies the application of the rule to both adopting a climate-friendly area or Region 2040 center and reviewing plan or land use regulations within existing climate-friendly areas or Region 2040 centers. The changes clarify what actions local governments must take in each circumstance. |
| 660-012-0330 | Land Use Requirements | New section | Similar to -0045, ordinance/code implementation requirements. Requirements apply across urban areas and are in addition to CFA requirements. Rule requires pedestrian-friendly and connected neighborhoods; commercial and mixed-use district to be oriented towards peds and transit, limitations on auto-oriented uses; protections for existing and future transportation facilities | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Minor edits only. |

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|--------------|----------------------------------|----------------|--|--|---|--|
| 660-012-0340 | Land Use Assumptions | New section | Describes how to make assumptions about future development for transportation planning purposes. Assumptions based on required population forecasts, existing comp plans and land use regulations, and other TPR requirements. Assumptions are to help coordinate land use and transportation plans. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0350 | Urban Growth Boundary Expansions | New section | Requirements for coordinating transportation with a UGB expansion proposal. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0360 | Key Destinations | New section | Lists key destinations for coordinating transportation and land use planning. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0400 | Parking Management | New section | Directs jurisdictions to remove mandated parking associated with development, OR to amend comp plan and zoning to implement -0425 to -0450. | Cities within MPOs and portions of counties in a MPO within a UGB where the population is greater than 5,000 and the area is served with urban water and sewer | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0405 | Parking Regulation Improvements | New section | Requires giving priority parking to those carpooling or vanpooling; encourages the conversion of parking lots to higher uses shared parking; reduce the negative externalized impacts of large parking lots such as heat island effects and reduced walkability. | Cities within MPOs and portions of counties in a MPO within a UGB where the population is greater than 5,000 and the area is served with urban water and sewer | No specific impact to Dev-Rev Guidelines. | Changes do not impact Dev-Rev Guidelines. |
| 660-012-0410 | Electric Vehicle Charging | New section | Encourages new buildings to be EV-capable, to install electrical capacity and conduit in order to be ready for wiring and charging stations to be added as demand increases. | Cities within MPOs | No specific impact to Dev-Rev Guidelines. | Changes do not impact Dev-Rev Guidelines. |

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|--------------|--|----------------|--|---|---|--|
| 660-012-0415 | Parking Maximums and Evaluation in More Populous Communities | New section | Requires parking maximums to be established in cities of over 100,000 in areas where car-dominant development would undermine pedestrian-friendliness, CFAs, and along transit corridors; also requires Oregon’s three most populous cities to manage on-street parking to ensure availability, to explore options to building new parking garages, and to ensure new parking garages have active uses on the ground floor. Metro may provide an alternate approach. | Cities and counties within a MPO and portions of counties in a MPO within a UGB where the population is greater than 100,000, and cities greater than 25,000 in Portland Metro | No specific impact to Dev-Rev Guidelines. | Edits related to parking management. |
| 660-012-0420 | Exemption for Communities without Parking Mandates | New section | Requires cities and counties that adopt land use regulations that do not include parking mandates are exempt from -0425 to -0450. | Cities and counties within a MPO and portions of counties in a MPO within a UGB where the population is greater than 5,000, the area is served with urban water/sewer and that have not removed parking mandates | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0425 | Reducing the Burden of Parking Mandates | New section | Allows builders to meet parking mandates by a variety of approaches, including unbundling parking for multi-family. | <p>Cities and counties within a MPO and portions of counties in a MPO within a UGB where the population is greater than 5,000, the area is served with urban water/sewer and that have not removed parking mandates</p> <p>AND have not adopted land use regulations without parking mandates</p> | No specific impact to Dev-Rev Guidelines. | Minor edits only. |

| TPR Section | Title | Type of Change | Summary of TPR Changes | Applicable Geographies | Impacts to TSP Guidelines | Impact of TPR Revisions (dated 2023-10-19) |
|--------------|---|----------------|---|---|---|--|
| 660-012-0430 | Reduction of Parking Mandates for Development Types | New section | Requires parking to be limited to one space per unit for residential development with greater than one dwelling unit per property. Reduces parking mandates for certain types of needed development | <p>Cities and counties within a MPO and portions of counties in a MPO within a UGB where the population is greater than 5,000, the area is served with urban water/sewer and that have not removed parking mandates</p> <p>AND have not adopted land use regulations without parking mandates</p> | No specific impact to Dev-Rev Guidelines. | Minor edits only. |
| 660-012-0435 | Parking Reform in Climate Friendly Areas | New section | For CFAs, requires removing parking mandates or managing parking with a benefit district. If not removing mandates, unbundle parking for multi-family. | <p>Cities and counties within a MPO and portions of counties in a MPO within a UGB where the population is greater than 5,000, the area is served with urban water/sewer and that have not removed parking mandates</p> <p>AND have not adopted land use regulations without parking mandates</p> | No specific impact to Dev-Rev Guidelines. | Minor edits only. |
| 660-012-0440 | Parking Reform Near Transit Corridors | New section | Cities and counties may not require parking within 0.75 mi of a rail transit stop or 0.5 mi of frequent transit corridors. | <p>Cities and counties within a MPO and portions of counties in a MPO within a UGB where the population is greater than 5,000, the area is served with urban water/sewer and that have not removed parking mandates</p> <p>AND have not adopted land use regulations without parking mandates</p> | No specific impact to Dev-Rev Guidelines. | Changes do not impact Dev-Rev Guidelines. |

| TPR Section | Title | Type of Change | Summary of TPR Changes | Applicable Geographies | Impacts to TSP Guidelines | Impact of TPR Revisions (dated 2023-10-19) |
|--------------|---|----------------|---|--|---|--|
| 660-012-0445 | Parking Management Alternative Approaches | New section | Requires a "fair parking policy" consisting of 3 of 5 suggested provisions OR a "reduced regulation" approach consisting of 15 provisions | Cities and counties within a MPO and portions of counties in a MPO within a UGB where the population is greater than 5,000, the area is served with urban water/sewer and that have not removed parking mandates | No specific impact to Dev-Rev Guidelines. | Changes do not impact Dev-Rev Guidelines. |
| 660-012-0450 | Parking Management in More Populous Communities | New section | Requires removal of parking mandates OR price 10% of on-street parking (see 660-12-0900). Cities may change back and forth between these options. | Cities with population greater than 100,000 | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0500 | Pedestrian System Planning | New section | TSPs must include a pedestrian plan that identifies gaps, destinations, and includes a list of projects. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0505 | Pedestrian System Inventory | New section | Identifies inventory requirements for CFAs, Metro 2040 Centers, within 0.25 mi of schools, and all arterials and collectors. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Minor edits only. |
| 660-012-0510 | Pedestrian System Requirements | New section | Describes the types of facilities required, emphasis on CFAs, 2040 centers, and areas of underserved populations | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Minor edits only. |

| TPR Section | Title | Type of Change | Summary of TPR Changes | Applicable Geographies | Impacts to TSP Guidelines | Impact of TPR Revisions (dated 2023-10-19) |
|--------------|-----------------------------|----------------|--|---|---|--|
| 660-012-0520 | Pedestrian System Projects | New section | List of pedestrian projects must be prioritized. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0600 | Bicycle System Planning | New section | Requires a bicycle system element that provides for a substantial portion of short urban trips under 3 miles to be by bicycle for a wide range of users. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0605 | Bicycle System Inventory | New section | Must include information on all types of facilities within a CFA, a Metro 2040 center, within 0.25 mi of schools, including width, type and condition, crash risk factors, and record within 5 years of inventory. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Minor edits only. |
| 660-012-0610 | Bicycle System Requirements | New section | Planned bicycle facilities must be connected and low stress for people of all ages and abilities. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Minor edits only. |
| 660-012-0620 | Bicycle System Projects | New section | Shall identify gaps and deficiencies and have a list of prioritized projects. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |

| TPR Section | Title | Type of Change | Summary of TPR Changes | Applicable Geographies | Impacts to TSP Guidelines | Impact of TPR Revisions (dated 2023-10-19) |
|--------------|---|----------------|---|---|---|--|
| 660-012-0630 | Bicycle Parking | New section | Requires adequate bicycle parking at new development. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Changes related to bike parking required mandates. |
| 660-012-0700 | Public Transportation System Planning | New section | TSPs must have a public transportation element coordinated with the service provider, including identification of gaps. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Changes do not impact Dev-Rev Guidelines. |
| 660-012-0705 | Public Transportation System Inventory | New section | Requires information on local and intercity services, including service characteristics, and identifying connections to cities greater than 5,000 population. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0710 | Public Transportation System Requirements | New section | Must identify priority corridors and transit supportive facilities. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0720 | Public Transportation System Projects | New section | Requires a prioritized list of projects to address gaps and deficiencies. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0800 | Street and Highway System Planning | New section | TSPs must include a street and highway system element. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |

| TPR Section | Title | Type of Change | Summary of TPR Changes | Applicable Geographies | Impacts to TSP Guidelines | Impact of TPR Revisions (dated 2023-10-19) |
|--------------|--|----------------|---|---|---|---|
| 660-012-0805 | Street and Highway System Inventory | New section | Streets and highway inventories must include some or all the following data depending on functional classification: location, condition, # of travel lanes, turn lanes, lane width, pricing strategies, freight routes, and 5-yr crash history. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0810 | Street and Highway System Requirements | New section | Streets and highways should be designed for the minimum size necessary and consider context. Streets in CFAs must prioritize pedestrian, bicycle and transit use. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Changes language for direct transit vehicle access onto freeways from "must" to "should." |
| 660-012-0820 | Street and Highway Projects | New section | Requires prioritization of projects that reallocate space from motor vehicle travel to other modes; serve underserved populations, solve a safety issue, meet performance standards, and fill gaps. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0830 | Enhanced Review of Select Roadway Projects | New section | Requires review of some projects that add motor vehicle capacity. Existing TSP projects must be reviewed at the time of a major TSP update. Includes public engagement requirements. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Allows for proposed facilities in existing TSP documents to move forward if the project is already funded/bonded. |
| 660-012-0900 | Reporting | New section | Outside of Metro, cities and counties must annually report on performance measures and the requirements of Division 44 and the TPR. Cities and counties in Metro coordinate with Metro. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0905 | Land Use and Transportation Performance Measures | New section | Cities, counties, and Metro that have an approved land use and transportation scenario must report on the performance measures from the approved plan. Cities and counties that do not have an approved land use and transportation scenario must report on the specific actions, that they have or will undertake to reduce pollution and increase equitable outcomes for underserved populations. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Minor edits only. |

| TPR Section | Title | Type of Change | Summary of TPR Changes | Applicable Geographies | Impacts to TSP Guidelines | Impact of TPR Revisions (dated 2023-10-19) |
|--------------|---|----------------|---|---|---|---|
| 660-012-0910 | Land Use and Transportation Performance Targets | New section | Cities and counties must set targets for each reporting year for each performance measure set at levels that are reasonably likely to achieve the regional performance targets from an approved land use and transportation scenario plan OR the regional performance targets from the Statewide Transportation Strategy. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | Clarifies that Metro, rather than cities or counties, sets regional performance targets for the Portland Metropolitan Area. |
| 660-012-0915 | Review of Reports | New section | Describes how DLCD will receive, review, and direct remedies for meeting performance targets. | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |
| 660-012-0920 | Compliance Hearings | New section | Describes the process for resolving missed deadlines or failing to implement a corrective action | Cities within MPOs, Counties within UGB inside MPOs, Metro and cities/counties inside Metro UGB | No specific impact to Dev-Rev Guidelines. | No change. |

Attachment B: Dev-Rev Guidelines Audit Summary By Section

Likely Changes to Dev-Rev Guidelines

| Dev-Rev Guidelines Section | Title | Updates Required to Address New CFEC-Related Rulemaking | Updates Required to Address General Changes to OAR 660-012 Language and/or Address Sections That Need a Refresh |
|----------------------------|---|---|---|
| 1.1 | Introduction: Development Review Program Purpose | No CFEC-related changes | No updates identified |
| 1.2 | Purpose of Development Review Guidelines | No CFEC-related changes | No updates identified |
| 1.2.1 | The Guidelines Help Staff | No CFEC-related changes | No updates identified |
| 1.2.2 | How to Use the Guidelines | No CFEC-related changes | References to Section 3.3 - Traffic Impact Analysis, may want to come out as focus has shifted to the Analysis Procedures Manual. |
| 1.2.3 | Guidelines Updates | Update language to reflect 2022 TPR changes (brief description of the recent CFEC rules and removing 2012 and 2017 update language) | This section includes temporal references and will likely become dated over time. |
| 1.3 | ODOT Development Review Organization | No CFEC-related changes | This section may need to be updated based on changes to organizational structure. |
| 1.3.1 | Why ODOT Participates in Local Land Use Review | No CFEC-related changes | No updates identified |
| 1.3.2 | ODOT Development Review Program Objectives | No CFEC-related changes | No updates identified |
| 1.3.3 | ODOT Development Review Authority | No CFEC-related changes | No updates identified |
| 1.3.4 | State Agency Coordination Agreement | No CFEC-related changes | No updates identified |
| 1.3.5 | Statewide Planning Goals and Objectives | No CFEC-related changes | No updates identified |
| 1.3.6 | Transportation Planning Rule (TPR) - OAR Chapter 60, Division 012 | Update language to reflect 2022 TPR changes (brief description of the recent CFEC rules and removing December 2011 update language) | This section includes temporal references and will likely become dated over time. |
| 1.3.7 | Oregon Transportation Plan (OTP) | No CFEC-related changes | No updates identified |
| 1.3.8 | Oregon Highway Plan | No CFEC-related changes | This section includes specific references to chapters or sections or links to other documents which may become dated over time. |

| Dev-Rev Guidelines Section | Title | Updates Required to Address New CFEC-Related Rulemaking | Updates Required to Address General Changes to OAR 660-012 Language and/or Address Sections That Need a Refresh |
|----------------------------|--|---|--|
| 1.3.9 | Control of Access (ORS Chapter 374) and Access Management Rule (OAR Chapter 734, Division 051) | No CFEC-related changes | This section includes specific references to chapters or sections or links to other documents which may become dated over time. |
| 1.3.10 | ODOT NPDES Permit | No CFEC-related changes | No updates identified |
| 1.3.11 | Railroad-Highway Crossing Safety: Rules and Regulations of the Rail Division | No CFEC-related changes | This section includes temporal references and will likely become dated over time. |
| 1.3.12 | ADA Program | No CFEC-related changes | This section includes specific references to chapters or sections or links to other documents which may become dated over time. |
| 1.4 | Development Review System and Other Resources | No CFEC-related changes | This section includes specific references to chapters or sections or links to other documents which may become dated over time. |
| 1.4.1 | Geographic Information Systems (GIS) | No CFEC-related changes | This section includes specific references to chapters or sections or links to other documents which may become dated over time. |
| 1.4.2 | ODOT Traffic Manual | No CFEC-related changes | This section includes specific references to chapters or sections or links to other documents which may become dated over time. |
| 1.4.3 | Design Standards | No CFEC-related changes | This section includes specific references to chapters or sections or links to other documents which may become dated over time. |
| 2.1 | Introduction | Does not currently provide language on new CFA areas | This section includes specific references to chapters or sections or links to other documents which may become dated over time. |
| 2.2 | State Agency Coordination | No CFEC-related changes | This section includes specific references to chapters or sections or links to other documents which may become dated over time. |
| 2.3 | System Planning | N/A | N/A |
| 2.3.1 | Transportation System Plans are Intended to: | No CFEC-related changes | No updates identified |
| 2.3.2 | Transportation System Plan are required for the following: | No-CFEC-related changes | Section -0011 identifies all jurisdictions that are covered by the TPR update – the bulleted list in Section 2.3.2 will need to be updated to reflect these new geographic definitions. This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 2.3.3 | The Oregon Transportation Plan | No CFEC-related changes | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |

| Dev-Rev Guidelines Section | Title | Updates Required to Address New CFEC-Related Rulemaking | Updates Required to Address General Changes to OAR 660-012 Language and/or Address Sections That Need a Refresh |
|----------------------------|--|--|--|
| 2.3.4 | ODOT Facility Planning | No CFEC-related changes | No updates identified |
| 2.3.5 | ODOT Guidance on Long Range Planning | Section will need to include a brief description of new CFEC rules to the long-range planning process. | Update language to reflect 2022 TPR changes. This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 2.3.6 | ODOT Policies and Procedures | No CFEC-related changes | No updates identified |
| 2.3.7 | Project Delivery Operational Notices | No CFEC-related changes | No updates identified |
| 2.3.8 | Planning Business Leadership Team Operational Notes | No CFEC-related changes | ODOT may choose to refresh this based on changes to organizational structure |
| 2.3.9 | Periodic Review of Local Long Range Plans | No CFEC-related changes | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 2.4 | Local Decision Making Authority | No CFEC-related changes | No updates identified |
| 2.4.1 | Types of Local Land Use Application/Actions | No CFEC-related changes | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 2.4.2 | Notice of Proposal | No CFEC-related changes | The 2022 TPR updates include minimal language updates to OAR 660-12-0045(2)(f) This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 2.4.3 | Timelines for Land Use Review and Response | No CFEC-related changes | No updates identified |
| 2.5 | ODOT's Role in Local Development Review | No CFEC-related changes | No updates identified |
| 2.5.1 | Determine Whether ODOT Has an Interest in the Proposal | New CFEC rules will require an update to this list | No updates identified |
| 2.5.2 | Evaluating a Local Land Use/Development Proposal | Will need to update the key questions to include new CFA areas, specifically the prioritization framework from Section -0155 | Text identifies the "following five questions," however, there are seven questions |
| 2.5.3 | All Development Applications that Raise ODOT Concerns | New CFEC rules will require an update to this list | Section -0060 removes references to "planned function or capacity" of the roadway, which will impact the mobility targets in this section of the Guidelines |
| 2.5.4 | Development Application with Access to a State Highway | No CFEC-related changes | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |

| Dev-Rev Guidelines Section | Title | Updates Required to Address New CFEC-Related Rulemaking | Updates Required to Address General Changes to OAR 660-012 Language and/or Address Sections That Need a Refresh |
|----------------------------|--|---|---|
| 2.6 | Review and Response to Land Use Proposals | N/A | N/A |
| 2.6.1 | Development Review System | No CFEC-related changes | ODOT may choose to refresh this based on changes to organizational structure/internal process |
| 2.6.2 | Content of ODOT Responses | The list of mandatory requirements should expand to the CFEC-focused updates of the TPR | No updates identified |
| 2.6.3 | Response Letters | No CFEC-related changes | Update document references and locations |
| 2.6.4 | Mitigation Proposed as Condition of Approval | No CFEC-related changes | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 2.7 | Findings | No CFEC-related changes | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 2.7.1 | Applicability of Findings | No CFEC-related changes | No updates identified |
| 2.7.2 | Preparing Findings | No CFEC-related changes | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 2.8 | Working Effectively with Local Partners | N/A | N/A |
| 2.8.1 | Local Agency Planning and Public Works Departments | No CFEC-related changes | No updates identified |
| 2.8.2 | Participate Effectively in Public Hearings | Bullet #10 currently references Section -0060 of the TPR; additional sections of the TPR will; need to be added to address new CFEC rules | No updates identified |
| 2.9 | Legal "Burdens" in the Planning Decision Process | No CFEC-related changes | No updates identified |
| 2.9.1 | "Burden of Proof" | No CFEC-related changes | No updates identified |
| 2.9.2 | "Substantial Evidence" | No CFEC-related changes | No updates identified |
| 2.10 | ODOT Internal Coordination | No CFEC-related changes | No updates identified |
| 2.10.1 | Coordination with ODOT Access Management | No CFEC-related changes | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |

| Dev-Rev Guidelines Section | Title | Updates Required to Address New CFEC-Related Rulemaking | Updates Required to Address General Changes to OAR 660-012 Language and/or Address Sections That Need a Refresh |
|----------------------------|---|--|---|
| 2.10.2 | Coordination with Managers | No CFEC-related changes | ODOT may choose to refresh this based on changes to organizational structure/internal process |
| 2.10.3 | Coordination with Other ODOT Units | No CFEC-related changes | ODOT may choose to refresh this based on changes to organizational structure/internal process |
| 2.10.4 | Coordination with Other State Agencies | No CFEC-related changes | ODOT may choose to refresh this based on changes to organizational structure/internal process |
| 2.10.5 | Coordination with Other Groups | No CFEC-related changes | MPO descriptions out of date ODOT may choose to refresh this based on changes to organizational structure/internal process |
| 3.1 | Basic Land Use Application Review | N/A | N/A |
| 3.1.1 | Introduction | Will need to update Introduction to expand the plan amendment review beyond TPR Section -0060 to include CFA areas | No updates identified |
| 3.1.2 | Core Issues Summary | With the CFEC updates to the TPR, it would be beneficial to include a discussion of CFAs as a "Core Issue" that ODOT should include in their development review process | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 3.1.3 | Apply Local Review Criteria | No CFEC-related changes | Section -0060 removes references to "planned function or capacity" of the roadway, which will impact the mobility targets in this section of the Guidelines |
| 3.1.4 | Consideration Related to Improvements in State Right of Way | No CFEC-related changes | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 3.1.5 | Considerations Related to Site Access to a State Highway | No CFEC-related changes | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 3.1.6 | Plan Designations to Balance State and Local Objectives | While Mixed-Use Multi-Modal Areas remain under Section -0060, these locations will likely overlap with CFAs. Expand or modify this section to better capture the new impacts from the CFEC rules | Updates will be needed as the OHP update is completed |
| 3.1.7 | Coordinating Land Use Review with Access Permitting and Rail Methods Vary by Local Jurisdiction | No CFEC-related changes | Opportunities to be condensed down |
| 3.2 | Transportation Planning Rule (TPR) Reviews | N/A | N/A |
| 3.2.1 | Introduction | This section introduces the TPR review process and only references Section -0060; should be expanded to include language around the new CFEC rules | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |

| Dev-Rev Guidelines Section | Title | Updates Required to Address New CFEC-Related Rulemaking | Updates Required to Address General Changes to OAR 660-012 Language and/or Address Sections That Need a Refresh |
|----------------------------|--|---|---|
| 3.2.2 | Determine How TPR Section -0060 Applies to an Application | A close review of Section -0060 will be needed to address new TPR changes; specifically around the new CFEC rules | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 3.2.3 | TPR Section -0060 Relationship to Transportation System Planning | A close review of Section -0060 will be needed to address new TPR changes; specifically around the new CFEC rules | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 3.2.4 | When Significant Effect Analysis is NOT Required | Several updates will be needed: addressing new performance standards and revising language around facility capacity, addressing CFAs when discussing Mixed-Use Multi-Modal Areas, reviewing Section -0060 for changes and ensuring that each reference is correct | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 3.2.5 | Determining Significant Effect | Whether CFAs apply under a “significant effect” analysis or a separate analysis, that work will need to be incorporated into this section (or a separate one); also, reviewing Section -0060 for changes and ensuring that each reference is correct | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 3.2.6 | Significant Effect Remedies - Mitigation | Several updates will be needed: addressing new performance standards and revising language around facility capacity, incorporating CFAs into either “significant effect” or other analyses, and reviewing Section -0060 for changes and ensuring that each reference is correct | No updates identified |
| 3.2.7 | Remedies - Reduce or Avoid the Significant Effect | Refresh system-wide balancing test language from Section -0060 for changes and ensure that each reference is correct, and remove capacity as a mobility standard in metropolitan areas | No updates identified |
| 3.2.8 | Facilities Operating Below Performance Standards | This section is premised on the fact that some facilities will be operating beyond mobility standards (i.e. capacity), while Section -0060 removes references to “planned function or capacity” of the roadway | Confirm any new policies in the OHP update and how they apply to this section. |
| 3.2.9 | Economic Development Balancing Test | Section -0011 identifies all jurisdictions that are covered by the TPR update, and the CFEC rules make changes to the role of MPOs | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |
| 3.2.10 | Development Review Participation in 0060 Reviews | Update Section -0060 for TPR changes and ensure that each reference is correct; expand review to CFEC rulemaking | No updates identified |
| 3.3 | Traffic Impact Analysis | N/A | N/A |
| 3.3.1 | Overview | No CFEC-related changes | No updates identified |
| 3.3.2 | When a TIA May Be Required | Beyond the “significant effect” analysis for Section -0060, there will need to be new language for CFAs and their impact on plan and zoning amendments for TIAs | This section includes temporal references and/or references to chapters or sections or links to other documents and will likely become dated over time. |

| Dev-Rev Guidelines Section | Title | Updates Required to Address New CFEC-Related Rulemaking | Updates Required to Address General Changes to OAR 660-012 Language and/or Address Sections That Need a Refresh |
|----------------------------|---|--|---|
| 3.3.3 | Adequacy of State Transportation Facilities | Section -0060 removes references to “planned function or capacity” of the roadway; as new performance standards are adopted related to CFAs, this section will need to reflect these changes | Make updates as the OHP is updated |
| 3.3.4 | TIA Scope of Work | Expand TPR application beyond Section -0060 to include new performance standards as they relate to CFAs | No updates identified |
| 3.3.5 | TIA Deliverables | No CFEC-related changes | Examples will need to be added when new performance standards are adopted. |
| 3.3.6 | Site Trip Generation, Distribution and Assignment | No CFEC-related changes | No updates identified |
| 3.3.7 | Trip Distribution | No CFEC-related changes | No updates identified |
| 3.3.8 | Mitigation Alternatives | No CFEC-related changes | No updates identified |
| 3.3.9 | TIA Appendices | No CFEC-related changes | As new performance standards are adopted, this section will need to be updated |
| 3.3.10 | Capacity Analysis Documentation Requirements | No CFEC-related changes | As new performance standards are adopted, this section will need to be updated |
| 4.1 | Purpose of Appeals Chapter | No CFEC-related changes | No updates identified |
| 4.1.1 | ODOT Factors for Deciding to Appeal | No CFEC-related changes | No updates identified |
| 4.1.2 | Appeals Avoidance and Preparation Best Practices | No CFEC-related changes | No updates identified |
| 4.1.3 | Internal ODOT Coordination Process | No CFEC-related changes | No updates identified |
| 4.1.4 | Consultation with OTC | No CFEC-related changes | No updates identified |
| 4.1.5 | After the Decision has been Made to Appeal | No CFEC-related changes | No updates identified |
| 4.1.6 | Outline of LUBA Appeals Process | No CFEC-related changes | No updates identified |
| 5.1 | Purpose | No CFEC-related changes | No updates identified |
| 5.1.1 | Problem Statement | No CFEC-related changes | No updates identified |
| 5.2 | Policy Issues That May Apply | N/A | N/A |
| 5.2.1 | 1999 Oregon Highway Plan (OHP) | No CFEC-related changes | Make updates as the OHP is updated |

| Dev-Rev Guidelines Section | Title | Updates Required to Address New CFEC-Related Rulemaking | Updates Required to Address General Changes to OAR 660-012 Language and/or Address Sections That Need a Refresh |
|----------------------------|---|---|---|
| 5.2.2 | Access Management Rule (OAR 734-41 or Division 51) | No CFEC-related changes | No updates identified |
| 5.2.3 | Transportation Planning Rule (TPR) (OAR-660-012) | No CFEC-related changes | No updates identified |
| 5.2.4 | Local Collection of Funds for Transportation Facilities | No CFEC-related changes | No updates identified |
| 5.3 | Types of Agreements | No CFEC-related changes | No updates identified |
| 5.4 | Legal Considerations that Influence the Choice of Type of Agreement | No CFEC-related changes | No updates identified |
| 5.5 | Reviewing the Developer's Impacts and Contributions to Solutions | No CFEC-related changes | No updates identified |
| 5.5.1 | Nexus and Proportionality | No CFEC-related changes | No updates identified |
| 5.5.2 | Developer Conditions | No CFEC-related changes | No updates identified |
| 5.5.3 | Legal Precedent | No CFEC-related changes | No updates identified |
| 5.5.4 | Proportional Share | No CFEC-related changes | No updates identified |
| 5.5.5 | Documenting the Method of Calculating the Developer's Share | No CFEC-related changes | No updates identified |
| 5.6 | Content of Agreements by Type | No CFEC-related changes | No updates identified |
| 5.6.1 | Letter of Agreement | No CFEC-related changes | No updates identified |
| 5.6.2 | Memorandum of Understanding | No CFEC-related changes | No updates identified |
| 5.6.3 | Intergovernmental Agreements | No CFEC-related changes | No updates identified |
| 5.6.4 | Cooperative Improvement Agreements | No CFEC-related changes | No updates identified |
| 5.7 | Legal Sufficiency | No CFEC-related changes | No updates identified |
| 5.7.1 | Public Contracting Requirements | No CFEC-related changes | No updates identified |
| 5.7.2 | Construction Standards | No CFEC-related changes | No updates identified |
| 5.7.3 | Contract Language | No CFEC-related changes | No updates identified |

| Dev-Rev Guidelines Section | Title | Updates Required to Address New CFEC-Related Rulemaking | Updates Required to Address General Changes to OAR 660-012 Language and/or Address Sections That Need a Refresh |
|-----------------------------------|--|--|--|
| 5.7.4 | Who Can Sign a Binding Contract for ODOT | No CFEC-related changes | No updates identified |

Attachment C: TPR Update Geographic Application Summary

| TPR Requirement (in TPR Section) | Rural Lands | Non-Metropolitan City/County | Metropolitan Areas City/County ³ | Metropolitan Areas City with Population under 5,000 | Metropolitan Areas County with Population under 10,000 within UGB | Metro City ³ | Metro County ³ |
|---|-------------|------------------------------|---|---|---|-------------------------|---------------------------|
| Effective Dates (-0012) | | | X | X | X | X | X |
| TSP Preparation and Coordination (-0015) | | X | | | | | |
| TSP Elements (-0020) | | X | | | | | |
| Complying with Goals (-0025) | | X | | | | | |
| TSP Needs (-0030) | | X | | | | | |
| TSP Alternatives (-0035) | | X | | | | | |
| Financing (-0040) | | X | | | | | |
| Implementation (-0045) ¹ | | X | | | | | |
| Timing of Adoption (-0055) | | X | | | | | |
| Transportation Improvements on Rural Lands (-0065) | X | | | | | | |
| Exceptions for Transportation Improvements on Rural Lands (-0070) | X | | | | | | |
| TSP Core Elements in Metropolitan Areas (-0100)/ Updates (-0105)/ Planning Area (-0110) | | | X | X | X | X | X |
| Funding (-0115) | | | X | X | X | X | X |
| Engagement (-0120) | | | X | X | X | X | X |
| Underserved Populations (-0125)/ Decision-making (-0130) | | | X | X | X | X | X |
| Equity Analysis (-0135) | | | X | X | X | X | X |

| TPR Requirement (in TPR Section) | Rural Lands | Non-Metropolitan City/County | Metropolitan Areas City/County³ | Metropolitan Areas City with Population under 5,000 | Metropolitan Areas County with Population under 10,000 within UGB | Metro City³ | Metro County³ |
|---|--------------------|-------------------------------------|---|--|--|--|--|
| TSP in Portland Metropolitan Area (-0140) | | | | | | X | X |
| Transportation Options (-0145) | | | X | X | X | X | X |
| Transportation Inventories (-0150) | | | X | X | X | X | X |
| Prioritization Framework (-0155) | | | X | X | X | X | X |
| Reducing Vehicle Miles Traveled (-0160) | | | X | | | X | X |
| Unconstrained Project List (-0170) | | | X | X | X | X | X |
| Financially Constrained Project List (-0180) | | | X | X | X | X | X |
| Refinement Plan (-0190) | | | X | X | X | X | X |
| Temporary Projects (-0200)/ Modeling and Analysis (-0210) | | | X | X | X | X | X |
| Transportation Performance Standards (-0215) | | | X | X | X | X | X |
| Coordinated Land Use and Transportation System Planning (-0300) | | | X | X | X | X | X |
| CFAs (-0310, -0315, and -0320) | | | X | | X | X (applies to Metro Region 2040 Centers) | X (applies to Metro Region 2040 Centers) |
| Transportation Review in CFAs (-0325) | | | X | | X | X | X |
| Land Use Requirements (-0330) | | | X | X | X | X | X |
| Land Use Assumptions (-0340)/ UGB Expansions (-0350) | | | X | X | X | X | X |
| Key Destinations (-0360) | | | X | X | X | X | X |

| TPR Requirement (in TPR Section) | Rural Lands | Non-Metropolitan City/County | Metropolitan Areas City/County³ | Metropolitan Areas City with Population under 5,000 | Metropolitan Areas County with Population under 10,000 within UGB | Metro City³ | Metro County³ |
|---|--------------------|-------------------------------------|---|--|---|-------------------------------------|---|
| Parking Management (-0400)/ Parking Regulation (-0405)/ Exemption (-0420)/ Reducing Mandate Burden (-0425)/ Reduction for Development Types (-0430)/ CFA Parking Reform (-0435)/ Transit Corridor Parking Reform (-0440)/ Alternative Approaches (-0445) | | | X (for counties, only if population over 5,000 and served with urban water and sewer utilities) | X | X (only if population over 5,000 and served with urban water and sewer utilities) | X | X (only if population over 5,000 and served with urban water and sewer utilities) |
| Electric Vehicle Charging (-0410) | | | X (only cities) | | | X | |
| Parking Maximums in More Populous Communities (-0415) | | | X (only if population over 100,000, with additional requirements if over 200,000) | | | X (only if population over 25,000) | X |
| Parking Management in More Populous Communities (-0450) | | | X (only cities with population over 100,000) | | | X (only if population over 100,000) | |
| Pedestrian Element (-0500) | | | X | X | X | X | X |
| Pedestrian Inventory (-0505)/ Requirements (-0510)/ Projects (-0520) | | | X | X | X | X | X |
| Bicycle Element (-0600) | | | X | X | X | X | X |
| Bike Inventory (-0605)/ Requirements (-0610)/ Projects (-0620)/ Parking (-0630) | | | X | X | X | X | X |
| Public Transportation Element (-0700) | | | X | X | X | X | X |

| TPR Requirement (in TPR Section) | Rural Lands | Non-Metropolitan City/County | Metropolitan Areas City/County ³ | Metropolitan Areas City with Population under 5,000 | Metropolitan Areas County with Population under 10,000 within UGB | Metro City ³ | Metro County ³ |
|---|-------------|------------------------------|---|---|---|-------------------------|---------------------------|
| Public Transportation Inventory (-0705)/ Requirements (-0710)/ Projects (-0720) | | | X | X | X | X | X |
| Street and Highway Element (-0800) | | | X | X | X | X | X |
| Street and Highway Inventory (-0805)/ Requirements (-0810)/ Projects (-0820)/ Enhanced Review (-0830) | | | X | X | X | X | X |
| Reporting (-0900)/ Review of Reports (-0915)/ Compliance Hearings (-0920) | | | X | X | X | X | X |
| Land Use and Transportation Performance Measures (-0905) ² | | | X | X | X | X | X |
| Land Use and Transportation Performance Targets (-0910) | | | X | X | X | X | X |

Table Notes:
 Any TPR sections not included in this table are applicable to all geographies.
¹ This section could apply to all geographic areas for other TPR applications, such as the Development Review Guidelines.
² OAR Chapter 660, Division 44 includes language about how requirements may differ between the different metropolitan areas.