



## City of Millersburg Annual DLCD CFEC Report Implementing OAR 660-012-0900 For Calendar Year 2023

### Background

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The Land Conservation and Development Commission (LCDC) adopted amendments to Oregon Administrative Rules (OAR) chapter 660, division 12, known as the Transportation Planning Rules, in 2022. The State is under the understanding that these changes will help support communities taking action to meet Oregon's climate pollution reduction targets and achieve more equitable land use and transportation outcomes, while providing more housing and transportation choices for Oregonians. While Millersburg never supports any encroachments into what we see as State-Constitution-granted Home Rule, we will certainly comply with adopted rules.

The new Transportation Planning Rules require cities and counties in metropolitan areas to report annually on progress towards meeting the State-mandated requirements in the Transportation Planning Rules and the Metropolitan Greenhouse Gas Reduction Targets rules (OAR chapter 660, division 44). In most years, this report will be a short summary (minor report) of local activities during the year. Every four or five years, cities and counties will produce a major report tracking performance across a range of measures.

### About this document

This document follows the requirements of OAR 660-012-0900 for a Major Report, with exceptions.

For the 2023 year, the City of Millersburg is required to report to the DLCD with the Major Report requirements because the metropolitan planning organization for the City, the Cascades West Council of Governments (OCWCOG), completed a new regional transportation plan in 2023. This report therefore includes both the Minor and Major elements as required by the OAR's, with one exception. The City requested an exemption on the requirements of OAR 660-012-0900(7)(c). The DLCD granted the request because the DLCD and ODOT have not yet completed collecting the data required to complete the requirements of this OAR section.

### Annual Report

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The OAR rules list the required contents of minor and major reports in sections 660-012-0900(6) and (7) respectively. The DLCD guidance materials explain that Millersburg should include enough information to provide a good picture of what is going on locally to further compliance with the new CFEC requirements.

### Minor Report

The contents of minor reports are described in OAR 660-012-0900(6). Minor reports include four required elements. Each is addressed below.

**(a) A narrative summary of the state of coordinated land use and transportation planning in the planning area over the reporting year, including any relevant activities or projects undertaken or planned by the city or county;**

In terms of Land Use Planning, the City coordinates with the State through the DLCD. Several kinds of Land Use cases require post-acknowledgement review by the DLCD; these include:

- Development Code amendments
- Zone map amendments
- Comprehensive Plan text or map amendments

Transportation changes are reviewed through the same Land Use review structure. Transportation actions in the City are guided by the City's Transportation System Plan (TSP), which is part of the Comprehensive Plan. Any changes to that plan are considered Comprehensive Plan amendments and are therefore reviewed by the DLCD. All street construction, intersection changes, or any other kind of street development is an implementation of the TSP. While individual street construction or changes may not be directly reviewed by the DLCD they are an implementation of the State-reviewed TSP.

In 2023:

- The City updated the City TSP (local case number DC 23-01), processed as a Comprehensive Plan Amendment. This update added a new street, NE Transition Parkway, and made other smaller updates to the 2016 TSP.
- The Development Code was revised as part of an annual update (local case number DC 23-02). This included several CFEC changes, including removing all parking minimum requirements, parking lot revisions, EV charging requirements, and several other non-CFEC changes.
- The design of the new NE Transition Parkway advanced in 2023, continuing into 2024. No construction occurred on this project in 2023.

**(b) The planning horizon date of the acknowledged transportation system plan, a summary of any amendments made to the transportation system plan over the reporting year, and a forecast of planning activities over the near future that may include amendments to the transportation system plan;**

The City's TSP was originally adopted in 2016, and revised in 2023. The revision was considered a minor revision and did not change the horizon

year of the study. The horizon for the study was 2040. All 2023 activity with the TSP was summarized above. In 2024 the City plans to continue working on the NE Transition Parkway project. Bids for construction should open in mid 2024, construction should begin in 2025 (though it could start in late 2024).

Regarding anticipated planning activity, the City traditionally does a late Fall Code update that generally includes several small tweaks addressing housekeeping updates. No Comprehensive Plan Amendments are planned or proposed.

**(c) Copies of reports made in the reporting year for progress towards centering the voices of underserved populations in processes at all levels of decision-making as provided in OAR 660-012-0130 and a summary of any equity analyses conducted as provided in OAR 660-012-0135; and**

The City has no reports specific to addressing outreach to and with underserved populations. No equity analysis was performed or required.

The NE Transition Parkway project did hold an open house in April of 2023; and a concerted effort was made to reach all residents in the City.

Land Use projects also are publicly noticed, though direct mailers only to go to those relatively adjacent to the proposed project site, typically within 200 feet. All public hearings are open to the public, anyone can attend in person, by phone, or by computer. Videos of the public meetings are also posted for later viewing on the internet.

**(d) Any alternatives reviews undertaken as provided in OAR 660-012-0830, including those underway or completed.**

No alternatives reviews were completed in 2023.

## **Major Reports**

The contents of Major Reports are described in OAR 660-012-0900(7). Major Reports include three required elements, each of which has required sub-elements. The information needed to complete a major report is more extensive than that required for a minor report. As noted previously, the City has been granted an exception on providing details for subsection (c) because the data does not yet exist. All other sections are addressed below.

**(a) All information required in a minor report as provided in section (6);**

All minor report sections are addressed above.

**(b) For reporting cities and counties:**

**(A) A description of what immediate actions the city or county has considered to be taken to reduce greenhouse gas emissions as provided in ORS 184.899(2); and**

The City has not taken any immediate actions, shy of the removal of minimum parking requirements. The DLCDC guidance document explains that any “immediate actions” would likely be included in a regional transportation plan update. The OCWCOG approved a new study in 2023. Because it was just adopted, it did not include any requirements from the CFEC rules.

The DLCDC guidance document also cites ORS 184.899(2) which explains the local jurisdiction’s responsibilities to reduce transportation related climate pollution. This text specifically states:

- (2) *..., the local governments within the boundaries of a metropolitan planning organization, after consultation with and in cooperation with the metropolitan planning organization and state agencies, shall:*
  - (a) *Consider whether any immediate action can be taken to reduce greenhouse gas emissions.*
  - (b) *Consider how regional transportation plans could be altered to reduce greenhouse gas emissions.”*

The City of Millersburg is just starting to discuss these requirements with the COG and the State. Naturally, because the City is one of the first to have to explain this in a report, the new rules are still in the early phases of implementation. The City anticipates future reports to reflect any State or COG adopted ‘immediate plans;’ however, at this time, there is nothing yet to implement.

The City is continually addressing climate goals by trying to assure a strong job base exists (and thrives) near existing residential communities. The City achieves this by supporting new industrial development within the City limits, close to population centers in Albany and Millersburg. Short commutes will help keep vehicle miles lower. We are also planning to request that transit lines provide service to these facilities in the near future.

**(B) A description of the consultations with the metropolitan planning organization on how the regional transportation plan could be altered to reduce greenhouse gas emissions as provided in ORS 184.899(2).**

As stated above, the City has not yet formally met with the COG on this issue. Once the DLCDC and ODOT have completed their thresholds analysis, the City will begin meeting with the COG to discuss plans to implement the CFEC and the new thresholds.

**(c) Reporting for each regional and local performance measures as provided in OAR 660-012-0905 or OAR 660-044-0110 including:**

The City has been granted an exception by the DLCDC , waiving the requirement to respond to this section.