



City of Millersburg Annual DLCD CFEC Report Implementing OAR 660-012-0900 For Calendar Year 2024

Background

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. Millersburg continues to protest these requirements. Several Cities, including Millersburg, never support any encroachments into, or erosion of, the State-Constitution-granted Home Rule. Having that said, we will certainly comply with adopted rules and regulations.

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

For the 2024 year, the City of Millersburg is required to report to the DLCD with the Minor Report requirements. A major report was submitted last year.

Annual Report

The OAR rules list the required contents of minor reports in sections 660-012-0900(6) subsections a through d. 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.

In 2024/25:

- The City is gearing up for a larger CFEC-compliant TSP update. At the time this was drafted a pre-planning meeting was scheduled with ODOT and the DLCD to talk about the basic layout and the scoping. Most funds for the study have been awarded from the Albany Area Metropolitan Planning Organization (AAMPO).
- The Development Code was revised as part of an annual update (local case number DC 24-02). The changes included clarification that garages are no longer a Code requirement. The DLCD requested we make this change for CFEC consistency.
- Major construction of the Transition Parkway project has commenced, all consistent with the TSP.
- The City has proposed a budget item for this next fiscal year (not yet adopted) that will include funding for an Urban Reserves project. One of the goals for this project is to establish all-new locations for future Climate Friendly Area(s) (CFA(s)). The City is not

required to establish any CFA's until we have more than 5,000 in population, but we are preparing for that eventuality now. We are on record for doing this under protest, as we feel this represents an erosion of the City's Home Rule rights; but we will comply. A meeting with the DLCD and Linn County is being scheduled to discuss the beginning steps of an Urban Reserves project. Grants will be sought, though funding is available from the City's General Fund.

(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 is 2040. All 2023 activity with the TSP was summarized above.

In 2024 the City started construction of the NE Transition Parkway project. No changes were made to the TSP in 2024. A full revision is planned starting in 2025 as outlined above.

Regarding anticipated planning activity, the City traditionally does a late Fall Code update that generally includes several small tweaks addressing housekeeping updates. One was done in 2024/2025 and included some CFEC refinements specific to eliminating the requirement for garages. An update to the Transportation section of the Comprehensive Plan is planned to start in 2025 as part of the TSP update.

(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.

A public hearing notice for the update to the Development Code was sent to all property owners in the City.

Land Use projects also are publicly noticed, though direct mailers only 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.