



# WASHINGTON COUNTY OREGON

July 23, 2010

TO : WCCC Transportation Advisory Committee  
FROM : Andy Back, Principal Planner *Andy Back*  
SUBJECT: **WCCC TAC MEETING**

DATE: **Thursday July 29, 2010**  
TIME: **1:30 – 3:00 p.m.**  
PLACE: **Beaverton Library Conference Room  
12375 SW Fifth Street -- Beaverton**

## A G E N D A

- \* 1. Transportation Development Tax: Annual Report Information  
Information Request
- \* 2. Transportation Development Tax: Proposed Discussion  
Change of "Previous Use" Definition
- \* 3. TPAC Meeting Discussion  
▪ MTIP Funding Shift: \$400,000 from I-5/99W  
Corridor Concept Plan to Southwest Corridor Study
4. Updates: Information  
-- ODOT  
-- Metro  
-- TriMet
5. Other Business

The next regular WCCC TAC meeting is scheduled for **1:30 PM Thursday August 26, 2010**

\* -- Material enclosed in packet

\*\* -- Materials to be provided prior to the meeting



## Memorandum

**To:** TDT Coordinators  
**From:** Steve L Kelley, Senior Transportation Planner  
**Date:** July 8, 2010  
**Re:** **Transportation Development Tax (TDT) 2009 / 2010 Annual Report**

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Washington County planning staff has begun the process of developing the TDT 2009 / 2010 Annual Report. This report will follow a similar format as the TIF annual reports, and document the TDT activities during fiscal year, July 1, 2009 through June 30, 2010.

The annual TDT report is a required component of the program. Washington County intends to enhance the annual reporting and improve upon the format used for TIF. There are 3 significant areas where enhanced reporting is necessary:

1. **Expenditures:** The expenditure tracking goes far beyond the TIF expenditure tracking. Any expenditure towards any project on the TDT project list should be included within the report. This includes expenditures other than TDT. Each jurisdiction should check the project list, and compare with capital improvements made during the fiscal year.
2. **Account Balance:** all revenue and expenditures, including fund transfers, should be included in the TDT annual report. The total of all revenue minus all expenditures should be the account balance at the end of the fiscal year.
3. **Credits:** All TDT credits granted for capital improvements will be tracked individually within the annual report. The annual report The improvement the credit was granted for, the amount of credit issued, and the amount of credit used will all be tracked.

In order to complete the TDT annual report the Washington County Department of Land Use and Transportation is requesting information from each jurisdiction. The TDT reporting needs listed on the attached page are needed. This information will be the foundation of the report. Attached is a worksheet that describes the information needed. Please compile and return the information requested as soon as possible. In order to help us meet the schedules for completing the report, please provide the information by **Friday September 10<sup>th</sup>, 2010**.

If you have any questions about this request please call me at (503) 846-3764.

# TRANSPORTATION DEVELOPMENT TAX (TDT) REPORTING NEEDS – 2009/2010 FISCAL YEAR ANNUAL REPORT

- Monthly revenue collected** Report the total monthly TDT revenue from building permits.
- Monthly investment earnings** Report the total monthly revenue income from investments and interest on the TDT fund.
- Income from other sources – please specify** Reports any income from any source other than building permits or interest / investments. This includes fund transfers from other funds, and includes transfers of TDT funds between jurisdictions. Each account transfer or other income source should be reported.
- Credits Issued** Report each individual credit issued during the fiscal year. The credit report for each credit should include:
- A brief description of the improvements that the credit was issued for.
  - The location of the improvement (a map or other description adequate to create a map).
  - If the improvement, or part of the improvement, was considered to be on the Project List (if part how much in dollars).
  - If the improvement, or part of the improvement, was considered to be on a “high priority collector” (if part how much in dollars).
  - Amount of credit issued.
  - Balance of the Credit as of June 30<sup>th</sup>
- TDT Expenditures** Report each expenditure or transfer out of the TDT account. The expenditure report for each expenditure should include:
- Brief project description including location
  - Project status (including total obligated TDT funds)
  - Other funds (non-TDT) expended on the same project.
  - Staff time expenditures total for the fiscal year. These are considered an eligible expenditure and are tracked similar to project expenditures.
- Other Related Expenditures** Expenditures from non-TDT sources for improvements (or components or sections of projects) on the Project List. Any improvement to something on the Project List should be included in the annual report, even if TDT revenue was not used for the improvement. The other expenditures should include:
- Brief project description including location.
  - Amount of NON-TDT money expended towards improvements on the TDT Project List. This can be estimated based on a percentage or other planning level technique.
  - Project status on the TDT Project List, is the improvement on the Project List now complete?
- TDT Account Balance** It is expected that the total of TDT revenue collected from building permits, plus the interest and investment earnings, plus the income from other sources, minus the TDT expenditures will equal the TDT Account Balance for each jurisdiction. The TDT balance requested is a snap-shot in time as of June 30<sup>th</sup> each year. The TDT Account Balance includes the balance forward from the previous year.

Note: Payment of the TDT via credit is *not* considered revenue.

Note: Deferrals are not included, only actual revenues and expenditures are reported.



## Memorandum

**To:** Washington County Coordinating Committee – Transportation Advisory Committee  
**From:** Steve L Kelley, Transportation Planner  
**Date:** July 20, 2010  
**Re:** Transportation Development Tax – Previous Use Change

Washington County planning staff has noted an issue regarding the “Previous Use” definition within the Transportation Development Tax (TDT). This is important because it is subtracted from the TDT calculation for the new development whenever redevelopment of an existing property occurs.

### **TDT code as it exists:**

*3.17.050.B "For new development for which a previous use existed on the property, the amount of the TDT due shall be determined by calculating the TDT of the previous use(s) on the property and subtracting that sum from the TDT for all of the proposed use(s) as provided in Paragraph A above. Except as provided for in subsection C of this section, the proposed use and the previous use shall be determined based on the rates listed in Appendix B."*

*"AA. "Previous use" means the most intensive lawful, permitted use existing at a particular property within the past 36 months prior to the date of application for a building permit. Where the site was used simultaneously for several different uses (mixed use) then, for the purposes of this Chapter, all of the specific use categories shall be considered. Where the previous use is composed of a primary use with one or more ancillary uses that support the primary use and are owned and operated in common, that primary use shall be deemed to be the sole use of the property."*

*AB. "Proposed use," means the use proposed by the applicant for the new development. Where the applicant proposes several different uses (mixed use) for the new development then, for purposes of this Chapter, all of the specific use categories shall be considered. Where the proposed use is composed of a primary use with one or more ancillary uses that support the primary proposed use and are owned and operated in common, that primary use shall be deemed to be the sole proposed use of the property."*

Under the current TDT, the previous use is limited to 36 months. This was done for a few reasons:

- Limit how far back the most intensive previous use needed be researched.
- Assure the calculation of the previous use would generally be latest use (no longer pick from multiple prior uses).
- Assure that the charge paid would reflect the net change in reasonably recent transportation system impacts.
- Provide a uniform limit for consideration of previous uses.

It now appears that the 36 month limitation may be too restrictive for a number of redevelopment situations: when site clearing is conducted prior to the redevelopment; with certain phased developments; and when property is vacant or redevelopment is delayed due to economic conditions. The impact of the 36-month restriction may become a burden in some instances, and is likely to become more frequent as the economy rebounds.

For these reasons Washington County planning staff recommends that the previous use language be changed from "36 months" to "10 years". This would address most if not all issues with the existing language, while generally maintaining the intent of the limitation on previous uses. This change would need to occur by an ordinance passed by the Washington County Board of County Commissioners. Because it would result in a tax decrease, voter referral and approval are not required.

There are various other unresolved issues regarding how to determine and apply the previous use, in certain redevelopment situations. However, these issues are more complex and often relate to the specific redevelopment situation. Staff believes that most of these issues can likely be dealt with by defining appropriate procedures or interpreting the adopted TDT code. More information about the appropriate way to calculate and apply the previous use may be discussed at future meetings of the Washington County Coordinating Committee Transportation Advisory Committee.

# Metro | Agenda

Meeting: Transportation Policy Alternatives Committee (TPAC)  
Date: Friday, July 30, 2010  
Time: 9:30 a.m. to noon  
Place: Council Chambers

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- 9:30 AM 1. **Call to Order and Declaration of a Quorum** **Robin McArthur, Chair**
- 9:30 AM 2. **Comments from the Chair and Committee Members** **Robin McArthur, Chair**
- 9:35 AM 3. **Citizen Communications to TPAC on Non-Agenda Items**
- 9:40 AM 4. **CONSENT AGENDA** **Robin McArthur, Chair**
- \* ○ Approval of the TPAC Minutes for May 28, 2010
  - \* ○ **Resolution No. 10-XXXX**, "For the Purpose of Amending the 2008-2011 Metropolitan Transportation Improvement Program to Change the Scope of Work on the Southeast Harmony Road: Highway 224 to 82<sup>nd</sup> Avenue Project" – **RECOMMENDATION TO JPACT REQUESTED**
- 9:45 AM 5. **JPACT Endorsement Letters: – RECOMMENDATION TO JPACT REQUESTED** **Andy Cotugno**
- \* ○ TIGER II Grant Applicants
  - \* ○ HUD Sustainability Grant Application
  - ***Purpose:*** Review letters of support for the Portland metro area TIGER II grant applicants and the HUD grant Declaration of Cooperation.
  - ***Outcome:*** TPAC recommendation to JPACT for approval of letters of support and Declaration of Cooperation.
- 10:05 AM 6. \* **East Metro Corridor Work Program, Schedule and Budget – INFORMATION** **Tony Mendoza**
- ***Purpose:*** Information.
  - ***Outcome:*** Information.
- 10:25 AM 7. \* **Southwest Corridor – INFORMATION** **Tony Mendoza**
- ***Purpose:*** Information.
  - ***Outcome:*** Information.

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- 10:45 AM 8. \* **Resolution No. 10-XXXX**, "For the Purpose of Amending the FY 2010 Unified Planning Work Program (UPWP) to Modify Funding Allocations for Southwest Corridor and East Metro Corridor Refinement Plans" **Tony Mendoza**
- *Purpose*: Recommendation to JPACT, the resolution that allocates federal funding to priority Corridor Refinement Plans, adopted by Resolution No. 10-4119, by JPACT and the Metro Council.
  - *Outcome*: Forward recommendation to JPACT to amend the UPWP.
- 11 AM 9. \* **Resolution No. 10-XXXX**, "For the Purpose of Amending the 2010-13 Metropolitan Transportation Improvement Program to Shift \$400,000 for the I-5/99W Corridor Land Use Concept Plan from 2007 to the SW Corridor Plan for 2010" – **Tony Mendoza**  
RECOMMENDATION TO JPACT REQUESTED
- *Purpose*: Recommendation to JPACT, the resolution that allocates federal funding to priority Corridor Refinement Plans, adopted by Resolution No. 10-4119, by JPACT and the Metro Council.
  - *Outcome*: Forward recommendation to JPACT to amend the MTIP
- 11:20 AM 10. \* Update on the 2012-15 Regional Flexible Fund Allocation Process **Ted Leybold**  
– DISCUSSION
- *Purpose*: An update on the policy framework JPACT adopted at their June meeting.
  - *Outcome*: Receive an overview of next steps.
- 12 PM 11. **ADJOURN** **Robin McArthur, Chair**

- \* Material available electronically.  
\*\* Materials will be distributed at prior to the meeting.  
# Material will be distributed at the meeting.

For agenda and schedule information, call: Kelsey Newell at 503-797-1916, e-mail: [kelsey.newell@oregonmetro.gov](mailto:kelsey.newell@oregonmetro.gov).  
To check on closure or cancellations during inclement weather please call 503-797-1700#.

**Upcoming JPACT action items:**

- Resolution No. 10-XXXX, "2008-2011 MTIP Amendment to Changing the Scope of Work for the Harmony Road: Lake Road to 82<sup>nd</sup> Avenue Project" (**August 12**)
- Resolution No. 10-XXXX, "For the Purpose of Amending the FY 2010 Unified Planning Work Program (UPWP) to Modify Funding Allocations for Southwest Corridor and East Metro Corridor Refinement Plans" (**August 12**)
- **Resolution No. 10-XXXX**, "For the Purpose of Amending the 2010-13 Metropolitan Transportation Improvement Program to Shift \$400,000 for the I-5/99W Corridor Land Use Concept Plan from 2007 to the SW Corridor Plan for 2010" (**August 12**)
- HUD Sustainable Communities Grant Endorsement Letter (**August 12**)
- 2010 – 13 Metropolitan Transportation Improvement Program (MTIP) (**September 2010**)
- Portland to Lake Oswego Locally Preferred Alternative (**October 2010**)

**Future TPAC discussion items:**

- MOVES update
- On-street Bus Rapid Transit
- The State of Travel Models and how to use them
- Active Transportation update
- High Speed Rail
- Update on the Columbia River Crossing Project
- Context sensitive design and least cost planning
- A briefing on the Metro Auditor's *Tracking Transportation Project Outcomes* report