

## **Transportation Committee**

### **HB 2601**

**Brief Description:** Improving public transit through the creation of transit service overlay zones.

**Sponsors:** Representatives Eddy, Llias, Ryu, Ladenburg and Moscoso.

#### **Brief Summary of Bill**

- Allows regional transportation planning organizations (RTPO) to establish criteria for transit service overlay zones, which must include frequent bus service, minimum employment and population densities, and connection of employment and population centers.
- Allows a transit service overlay zone that meets the local RTPO criteria and is established through an interlocal agreement to be included in a city's comprehensive plan.
- Allows projects of less than 150 residential units and 100,000 commercial square feet within the transit service overlay zone to be exempt from SEPA.

**Hearing Date:** 1/23/12

**Staff:** David Munnecke (786-7315).

#### **Background:**

##### Transit Service Overlay Zone Advisory Group

In 2011 the Legislature directed the Puget Sound Regional Council (Council) to further the implementation of multimodal concurrency practice through the development of a transit service overlay zone (zone) to be implemented at the local level. This effort was intended to increase the linkage of land use and transportation investment decisions, and improve the efficiency of transit service by encouraging transit-supportive development. In carrying out this effort, the Council involved representatives from cities and counties, developers, transit agencies, and other interested stakeholders. A report from this advisory group is due to the Legislature by January 31, 2012.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The preliminary recommendation of the advisory group was to encourage the creation of transit service overlay zones by interested cities, counties, and transit agencies. To be eligible for the transit service overlay zone program, a designated corridor must meet an agreed upon set of criteria, including a minimum population density within walking distance to the corridor and frequent all-day, two direction bus service. A transit service overlay zone corridor must also connect to high density employment/population centers, as well as to other destinations along the corridor to allow for other non-work trips to occur. Development within the corridor would be encouraged through the provision of select incentives.

#### State Environmental Policy Act

The State Environmental Policy Act (SEPA) applies to decisions by all state and local agency in Washington. One agency is usually identified as the lead agency for a specific proposal. The lead agency is responsible for identifying and evaluating the potential adverse environmental impacts of a proposal. Some minor projects do not require environmental review, so the lead agency will first determine if environmental review is needed. If the proposed project is the type of project that has been "categorically exempt" from the SEPA review process, no further environmental review is required. Categorical exemptions are identified in both the Revised Code of Washington and the Washington Administrative Code. The Department of Ecology (Ecology) may adopt categorical exemptions by rule for the types of actions that are not major actions significantly affecting the quality of the environment. An action that is categorically exempt under the rules adopted by Ecology may not be conditioned or denied.

#### Growth Management Act

Enacted in 1990 and 1991, the Growth Management Act (GMA) establishes a comprehensive land use planning framework for county and city governments in Washington. Counties and cities meeting specific population and growth criteria are required to conform to the major requirements of the GMA. Counties not meeting these criteria may choose to plan under the GMA. Currently, 29 of 39 counties, and the cities within those 29 counties, are required to or have chosen to conform with the major requirements of the GMA (GMA jurisdictions). The GMA jurisdictions must adopt comprehensive land use plans, which are generalized coordinated land use policy statements of the governing body. Comprehensive plans are required to include provisions for nine specific planning elements and may include additional elements as determined by the GMA jurisdiction.

#### **Summary of Bill:**

A regional transportation planning organization (RTPO) may establish eligibility criteria for the creation of transit service overlay zones (zone) by cities, counties, and transit agencies located within the RTPO's boundaries. The eligibility criteria must include:

- frequent all-day, two direction bus service or inclusion in the transit agency's long-range plan for such service;
- a minimum existing or planned employment and population density within walking distance of the corridor; and
- connection of high density employment and population centers.

Cities, counties, and transit agencies may establish zones through an interlocal agreement, pursuant to chapter 39.34 RCW, that meets the eligibility criteria established by the local RTPO. The determination of whether the zone meets these eligibility criteria is made by the local RTPO.

A zone that meets the local RTPO's eligibility criteria and is established through an interlocal agreement may be included in a city's comprehensive plan.

The establishment of a zone through an interlocal agreement allows projects within the zone of less than 150 residential units and 100,000 commercial square feet to be considered categorically exempt from the State Environmental Policy Act.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.