

SENATE BILL REPORT

SHB 1724

As of March 14, 2019

Title: An act relating to local government responsibility and accountability in mitigating impacts of public facilities on certain surrounding neighborhoods with high poverty and concentrations of persons of color.

Brief Description: Concerning the mitigation of public facilities in certain cities.

Sponsors: House Committee on Local Government (originally sponsored by Representative Santos).

Brief History: Passed House: 3/04/19, 88-8.

Committee Activity: Local Government: 3/14/19.

Brief Summary of Bill

- Requires a city with a population greater than 550,000 that permits, constructs, or operates a public facility in a neighborhood with a high poverty level and high rate of ethnic diversity to request the entity operating or constructing the facility to assess and mitigate the negative impacts the facility has had, or may have, on the surrounding neighborhood.

SENATE COMMITTEE ON LOCAL GOVERNMENT

Staff: Greg Vogel (786-7413)

Background: Community Reporting Areas. The City of Seattle Office of Planning and Community Development established community reporting areas (CRAs) as a standard citywide geography for the purpose of reporting census information. There are 53 CRAs composed from one to six census tracts.

Census tracts are used by the United States Census Bureau (bureau) and are established to provide a stable set of geographic units for the presentation of statistical data. Census tracts are small statistical subdivisions of a county or equivalent entity that generally have a population size between 1,200 and 8,000 people. Census tracts are updated by local participants prior to each decennial census, but the bureau determines census tracts in

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situations where no local participant existed or where state, local, or tribal governments declined to participate.

American Community Survey. The American community survey (ACS) is a nationwide survey from the bureau that is part of the Decennial Census Program. The ACS collects detailed information on demographic, socioeconomic, and housing characteristics of the population. The bureau sends the ACS to a small percentage of the population on a rotating basis throughout the decade, but no household will receive the survey more often than once every five years. The bureau combines the data over different time periods and publishes it in two different data sets as follows:

- a one-year estimate, which is data collected over a 12-month period and available for all types of geographic areas with a population greater than 60,000; and
- a five-year estimate, which is data collected over a 60-month period and available for all geographic areas, including areas with a population of less than 60,000.

Summary of Bill: A city with a population greater than 550,000 that permits a public facility to be constructed or operated by another entity—local government agency, transit authority, or public facility district—in a neighborhood with a high poverty level and a high rate of ethnic diversity, must formally request the entity that is constructing or is operating the facility to assess and mitigate the negative impacts the public facility has had, or may have, on the surrounding neighborhood.

A neighborhood has a high poverty level if 12 percent or more of the population is below the poverty level according to the most recent ACS five-year estimate. In addition, a neighborhood has a high rate of ethnic diversity if 40 percent or more of the population identifies as persons of color according to the most recent ACS five-year estimate. The CRA boundaries define the neighborhood boundaries.

The entity operating or constructing the public facility must: (1) consider the potential or actual disparate racial, social, and economic impacts of the public facility on nearby residents; and (2) develop a mitigation plan, including paying for the costs of any residential parking zone necessitated by the facility causing the impact. Residents of the impacted neighborhood must be kept whole for the costs of the mitigation plan. In addition, the entity may negotiate with other local jurisdictions who have a direct interest in having created the negative impacts, but the residents must be held harmless.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Parking is an issue everyday for residents in south Seattle because of the current restricted parking zone. Good public policies have collided with one another causing inconvenience and hardship for these residents. Sound Transit was established to promote mass public transportation, and in order to discourage car

ridership, less park and rides were created. However, commuters have created their own park and rides in neighborhoods. Additionally, Seattle unevenly applies policy for the restricted parking zones citywide. In some areas, the fees are paid for, and in others, residents must pay. This bill is about equity and fairness.

Persons Testifying: PRO: Representative Sharon Tomiko Santos, Prime Sponsor.

Persons Signed In To Testify But Not Testifying: No one.