

# SENATE BILL REPORT

## SB 5725

---

As Reported by Senate Committee On:  
Local Government, February 16, 2017

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

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

**Sponsors:** Senators Hasegawa and Chase.

**Brief History:**

**Committee Activity:** Local Government: 2/14/17, 2/16/17 [DPS].

**Brief Summary of Substitute Bill**

- Requires cities with populations over 550,000 that permit, construct, or operate a public facility in a neighborhood with a high poverty level and high rate of ethnic diversity to assume responsibility for the negative impacts of that facility and develop a mitigation plan.

---

### SENATE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** That Substitute Senate Bill No. 5725 be substituted therefor, and the substitute bill do pass.

Signed by Senators Short, Chair; Angel, Vice Chair; Takko, Ranking Minority Member; Palumbo and Sheldon.

**Staff:** Alex Fairfortune (786-7416)

**Background:** Public Facilities. Under the Growth Management Act, public facilities include streets, roads, highways, sidewalks, traffic signals, street lighting, domestic water systems, storm and sewer systems, parks and recreational facilities, and schools. Some cities, such as Seattle, consider police and fire stations, jails, animal control shelters, post office distribution centers, and work-release centers to be public facilities.

---

*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.*

Community Reporting Areas (CRAs). The Seattle Office of Planning and Community Development measures and reports neighborhood demographics in a variety of ways, including by CRA. CRAs were established as a standard, citywide geography for the purpose of reporting U.S. Census information. There are 53 CRAs within Seattle.

American Community Survey (ACS). The ACS is a nationwide survey from the U.S. Census Bureau that replaces the decennial census long form survey. The ACS is conducted on a continual, monthly basis, which enables estimates from the ACS to be published annually. ACS data are combined and presented in three series including one-, three-, and five-year estimates. The ACS collects information on a wide range of topics, including demographic, social, economic, and housing information.

**Summary of Bill:** The bill as referred to committee not considered.

**Summary of Bill (First Substitute):** A city with a population over 550,000 that permits, constructs, or operates a public facility in a neighborhood with a high poverty level and a high rate of ethnic diversity must assume responsibility for the negative impacts that facility has had or might have on the surrounding neighborhood. The city must consider disparate racial, social, and economic impacts on nearby residents, and develop a mitigation plan.

Neighborhood boundaries are defined by the boundaries of community reporting areas. A neighborhood has a high poverty level if 12 percent or more of the population is below the poverty level, and 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 five-year estimate of the American Community Survey.

**EFFECT OF CHANGES MADE BY LOCAL GOVERNMENT COMMITTEE (First Substitute):**

- Requires that a neighborhood have both a high poverty level and a high rate of ethnic diversity in order for a public facility mitigation plan to be developed.

**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 on Proposed Substitute:** *The committee recommended a different version of the bill than what was heard.* PRO: The Senate has passed this bill in a slightly different form four times in the last four years, 49-0. It has been sent to the House and died in the Transportation Committee. It was the parking mitigation bill, but the bill has been redrafted. This is a social justice issue. The lower income portion of South Seattle got railroaded with the light rail project. The social injustice is that, to mitigate the impacts, the city created restricted parking zones (RPZs) around the stations because they were expecting commuters to park in the neighborhood. They are charging \$65

per vehicle to park in front of your own home. There are RPZs in the North where the RPZ permits are free. They are charging neighborhoods that can better afford these permits nothing and charging the lowest income people \$65 per vehicle, when they often have more people in one home and more cars, permits, and costs. The city collected \$185,000 in fees from the lowest income part of town, which is unfair.

**Persons Testifying:** PRO: Senator Bob Hasegawa, Prime Sponsor.

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