
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 994 Session of
2003

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WOJNAROSKI AND YOUNGBLOOD, MARCH 26, 2003

AMENDMENTS TO SENATE AMENDMENTS, HOUSE OF REPRESENTATIVES,
NOVEMBER 18, 2004

AN ACT

1 Empowering municipalities, counties and public transportation
2 agencies to work cooperatively to establish Transit
3 Revitalization Investment Districts (TRID), including
4 partnerships with the National Railroad Passenger Corporation
5 requiring planning studies, comprehensive plan and zoning
6 amendments and use of existing statutes and techniques to
7 achieve transit-oriented development, redevelopment,
8 community revitalization and enhanced community character
9 through TRID creation; establishing value capture areas as a
10 means to reserve and use future, designated incremental tax
11 revenues for public transportation capital improvements,
12 related site development improvements and maintenance;
13 promoting the involvement of and partnerships with the
14 private sector in TRID development and implementation;
15 encouraging public involvement during TRID planning and
16 implementation; and providing for duties of the Department of
17 Community and Economic Development.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 CHAPTER 1

21 GENERAL PROVISIONS

1 Section 101. Short title.

2 This act shall be known and may be cited as the Transit
3 Revitalization Investment District Act.

4 Section 102. Declaration of policy.

5 The General Assembly finds and declares as follows:

6 (1) The overall purpose and legislative intent of this
7 act is to authorize public transportation agencies throughout
8 this Commonwealth to work cooperatively with counties, local
9 governments, transportation authorities, the private sector
10 and the National Railroad Passenger Corporation (AMTRAK) and
11 other providers of public transportation and passenger rail
12 services to create and designate Transit Revitalization
13 Investment Districts (TRIDs).

14 (2) The specific purposes and intent of a designated
15 TRID are to:

16 (i) Promote local, county and regional economic
17 development and revitalization activities through private
18 sector investment, reinvestment and joint development
19 activities in conjunction with public transportation
20 improvements.

21 (ii) Encourage multimunicipal, cooperative
22 approaches to generate new investment, reinvestment and
23 revitalization through transit-oriented development,
24 around rail transit stations and along public
25 transportation corridors.

26 (iii) Increase overall ridership on public
27 transportation systems, including AMTRAK, while
28 generating additional revenues for current and expanded
29 services, capital improvements and related ongoing
30 maintenance.

1 (iv) Encourage and support municipal and
2 multimunicipal comprehensive plan implementation,
3 including consistency of plans at the local, county and
4 regional levels.

5 (v) Stimulate public-private partnerships created by
6 prospective development opportunities around, within or
7 adjacent to the transit system, station areas and transit
8 system components.

9 (vi) Establish appropriate mechanisms to capture the
10 real estate taxation and other values added by joint
11 development activities for reinvestment in the transit
12 system and local communities.

13 (vii) Encourage greater community involvement in
14 TRID location, design and implementation and resulting
15 investment activities.

16 (viii) Promote flexible, cooperative, coordinated
17 and enhanced support for innovative, intermodal solutions
18 in TRID development and implementation activities by
19 municipal officials, public agencies, nonprofit
20 organizations and the private sector.

21 (ix) Support TRID implementation by maximizing use
22 of existing Federal and State laws and programs that are
23 consistent with the purposes of this act.

24 Section 103. Definitions.

25 The following words and phrases when used in this act shall
26 have the meanings given to them in this section unless the
27 context clearly indicates otherwise:

28 "AMTRAK." The National Railroad Passenger Corporation.

29 "Department." The Department of Community and Economic
30 Development of the Commonwealth.

1 "Public transportation agency." A public transit authority
2 or similar entity, created through the laws of this
3 Commonwealth, charged with the provision of mass transit
4 services to the traveling public, that owns and maintains or is
5 authorized to own and maintain a physical plant, including
6 rolling stock, stations, maintenance and support facilities.

7 "Public transportation provider." A public or private entity
8 that operates or is authorized to operate intercity or local
9 commuter passenger rail services within this Commonwealth that
10 are open to the general public and that owns and maintains or is
11 authorized to own and maintain a physical plant including
12 rolling stock, stations, maintenance and support facilities.

13 "Transit-oriented development." Development concentrated
14 around and oriented to transit stations in a manner that
15 promotes transit riding or passenger rail use. The term does not
16 refer to a single real estate project, but represents a
17 collection of projects, usually mixed use, at a neighborhood
18 scale that are oriented to a transit node.

19 "TRID." A Transit Revitalization Investment District created
20 in accordance with this act.

21 "TRID planning study." A study required to be undertaken by
22 one or more municipalities, with the active involvement of a
23 public transportation agency and the pertinent county or
24 counties, for the purpose of establishing the boundaries,
25 existing environmental conditions, existing and proposed land
26 use, property availability, real estate market conditions,
27 development potential, including use of air space rights,
28 required zoning amendments, desired infrastructure and necessary
29 transportation-related improvements and a financial plan,
30 including funding sources, a proposed amortization schedule,

1 where applicable, and estimated future maintenance requirements,
2 to support the designation and implementation of a proposed
3 TRID.

4 "Value capture area." An area coincident with the boundaries
5 of a TRID, established simultaneously with TRID designation, in
6 accordance with this act, in which real estate tax revenues and
7 any other designated tax revenues shall, at a minimum, be shared
8 by the participating local jurisdiction or jurisdictions and
9 public transportation agency or agencies, for the purpose of
10 implementing a TRID.

11 CHAPTER 3

12 TRID CREATION AND LOCATION

13 Section 301. Criteria for proposed TRID.

14 Local municipalities, counties, transportation authorities
15 and public transportation agencies proposing to define and
16 develop a TRID shall use the following criteria and process:

17 (1) Eligible TRID locations may include any geographic
18 area of a municipality or municipalities, including vacant,
19 underutilized or potentially redevelopable land, within an
20 area generally formed by a minimum radius of one-eighth mile,
21 not to exceed a radius of one-half mile, from a railroad,
22 transit, light rail, busway or similar transit stop or
23 station, measured from the centerline of the track or roadway
24 traversing the station or stop location. TRID designation may
25 also include new station locations proposed in conjunction
26 with a planned public transportation service, as defined on
27 an adopted county, regional or public transportation agency
28 plan.

29 (2) The specific boundaries of a TRID may be expanded or
30 reduced based on local circumstances such as local economic

1 development and planning goals, community character, property
2 boundary and scale variations, but only when:

3 (i) authorized by the governing body or bodies of
4 the affected jurisdiction or jurisdictions in cooperation
5 with the pertinent public transportation agency; and

6 (ii) the rationale for the boundaries is supported
7 by the findings of the required TRID planning study.

8 (3) A local municipality or municipalities shall further
9 define and support the rationale for the TRID designation
10 through a TRID planning study, as well as appropriate
11 amendments to the municipal comprehensive plan, zoning
12 ordinance and other pertinent regulations.

13 (4) A local municipality may designate the county
14 planning agency to undertake or assist the TRID planning
15 study on its behalf.

16 (5) An existing neighborhood improvement district, tax
17 increment district or urban renewal area may be used as the
18 basis for the boundaries of a TRID, when justified by the
19 TRID planning study required in section 304.

20 Section 302. TRID designation.

21 (a) Designation.--Local municipalities and counties working
22 with public transportation agencies, transportation authorities,
23 AMTRAK, passenger rail transportation providers, or any
24 combination thereof, may designate TRIDs in advance of
25 implementation of a new public transit service, or in
26 conjunction with an existing public transportation service and
27 in advance of or in conjunction with actual development
28 proposals.

29 (b) Agreement.--To create a TRID, in addition to the
30 planning study described in section 301(3), the municipality or

1 municipalities shall enter into an agreement with the transit
2 agency that defines the activities and commitments of each party
3 to the TRID, including any specific actions or financial
4 participation to help implement the TRID. The agreement shall
5 include the development agreement specified in section 504, as
6 well as a description of the TRID management entity described in
7 section 502(4).

8 Section 303. Implementing authority.

9 A participating county, local municipality, transportation
10 authority and public transportation agency may designate on
11 their behalf the county redevelopment authority to assume
12 responsibility for TRID implementation.

13 Section 304. TRID planning study factors.

14 The scope and scale of transit improvements and community
15 facility improvements, as well as any needed support facilities,
16 shall be assessed in the TRID planning study. The TRID planning
17 study shall also serve as the basis for a comprehensive plan
18 amendment to establish the TRID, if the municipality has a
19 currently adopted comprehensive plan. The following shall apply:

20 (1) The planning study shall consider the need for
21 capital improvements to transit-related facilities and
22 adjacent public infrastructure including roads, sidewalks and
23 water, sewer and storm drainage service and public
24 facilities, as well as opportunities for private sector real
25 estate development and ways in which such facilities,
26 services and development can be financed.

27 (2) Municipalities undertaking a TRID planning study
28 shall receive priority consideration for planning and
29 implementation grants and technical assistance from the
30 department, working in partnership with the pertinent county

1 planning agency or agencies and other State agencies with
2 grant or loan programs that may be applicable to TRID
3 planning or implementations. Any funding appropriated to the
4 Department of Community and Economic Development for the
5 purpose of carrying out this act is intended to assist
6 counties and local governments, on a 25% matching basis, to
7 undertake TRID planning studies and related implementation
8 activities. Individual grants for a TRID planning study or
9 implementation project shall not exceed \$75,000. The
10 department in consultation with the Department of
11 Transportation shall administer the supplemental TRID program
12 through the existing land use planning and technical
13 assistance program, with application guidance as necessary.

14 (3) Commonwealth agencies are directed to provide State
15 resources, programs and new capital investments that will
16 assist local governments, transportation authorities and
17 transit agencies to implement TRIDS.

18 Section 305. Roles and responsibilities of public
19 transportation agencies and municipalities.

20 As guidelines to implement the findings and recommendation of
21 the TRID planning study, the following roles and
22 responsibilities are defined:

23 (1) The scope and scale of needed or proposed transit
24 capital improvements within the TRID area are the
25 responsibility of the partnering public transportation
26 agency. The cost, financing, phasing and schedule of all
27 transit-related improvements shall be included in the public
28 transportation agency's adopted capital program.

29 (2) The scope and scale of needed or proposed support
30 facilities, highway accessways, and community or neighborhood

1 facility improvements, for example, sidewalks and recreation
2 facilities, are the responsibility of the partnering county
3 and local jurisdiction or jurisdictions, and may include
4 support from the private sector.

5 (3) Notwithstanding these stated roles and
6 responsibilities, the parties to a TRID shall be responsible
7 for defining the administrative and management roles and
8 responsibilities that will be most appropriate to achieve
9 implementation of the TRID in their community.

10 Section 306. Amendments to TRID planning study.

11 Proposed real estate development or redevelopment may trigger
12 additional needs for transit improvements and community facility
13 improvements or support facilities, and shall be accommodated
14 through pertinent amendments of the TRID planning study and
15 county, multimunicipal or local municipal comprehensive plan.

16 Section 307. Municipal cooperation.

17 Nothing in this act shall preclude two or more
18 municipalities, or a municipality and a transportation
19 authority, from working together cooperatively with a public
20 transportation agency to define and establish one or more TRIDs
21 along a public transportation corridor, using the criteria
22 established under this act.

23 CHAPTER 5

24 LAND DEVELOPMENT POWERS OF PUBLIC TRANSPORTATION AGENCIES

25 Section 501. Authority to acquire and improve property.

26 Consistent with the existing authority or limitations of
27 public transportation agencies to condemn and acquire land for
28 public transportation purposes, such entities are hereby
29 authorized to acquire and improve property located within a
30 designated TRID for real estate development purposes, provided

1 such acquisition and improvement:

2 (1) Is consistent with any pertinent municipal
3 comprehensive plan and TRID planning study.

4 (2) Is coordinated with pertinent county and local
5 jurisdictions and redevelopment or other special purpose
6 authorities.

7 (3) Furthers the stated purposes of this act.

8 (4) Does not exceed the minimum land area necessary to
9 accomplish the needs specified in the TRID planning study and
10 the development agreement.

11 Section 502. Development or redevelopment of property.

12 Development or redevelopment of property within a TRID shall
13 generally occur in the following manner:

14 (1) The public transportation agency may acquire the
15 property, improve it for future development, such as site
16 clearance, utility work, environmental remediation and
17 similar improvements, and work cooperatively with the
18 pertinent local jurisdiction or jurisdictions and
19 implementing agencies to offer it for sale to the private
20 sector for use or uses consistent with the adopted TRID plan.
21 ~~Within a designated TRID area, any future development,~~ <—
22 ~~redevelopment or similar construction activity shall not be~~
23 ~~required to comply with the provisions of the act of May 1,~~
24 ~~1913 (P.L.155, No.104), entitled, "An act regulating the~~
25 ~~letting of certain contracts for the erection, construction,~~
26 ~~and alteration of public buildings."~~

27 (2) Alternatively, the public transportation agency may
28 advertise the presence of available development sites within
29 a TRID, including a map of potentially developable or
30 redevelopable properties and invite interested developers to

1 submit proposals in cooperation with the pertinent local
2 jurisdiction or jurisdictions and implementing agencies.

3 (3) In the case of either paragraph (1) or (2), the
4 public transportation agency may not be the primary real
5 estate developer, and joint development activities are
6 confined to the construction of support and access
7 facilities, that is, vehicular access, parking, pedestrian
8 ways, building pads, foundation columns, signage and similar
9 items.

10 (4) The partnering TRID local municipality or
11 municipalities shall designate a management entity for the
12 TRID which may be a municipal authority or joint municipal
13 authority, in accordance with the requirements of 53 Pa.C.S.
14 Ch.56 (relating to municipal authorities) to manage and
15 facilitate TRID implementation. The local municipality or
16 municipalities involved in the TRID shall retain policy and
17 oversight responsibilities for all budgetary and programmatic
18 actions of the designated TRID management entity.

19 (5) Creative partnerships with AMTRAK, passenger rail
20 transportation providers, transportation authorities and the
21 private sector to accomplish TRID purposes that use the
22 benefits of AMTRAK's and passenger rail service providers'
23 existing real estate development powers are both desirable
24 and encouraged.

25 (6) Neighborhood improvement districts, business
26 improvement districts or similar entities may be designated
27 to manage the TRID implementation activities.

28 Section 503. Coordination of development activities.

29 The public transportation agency shall coordinate development
30 activities with the pertinent county or local redevelopment

1 authority, planning commission and governing body. If such
2 entities are able to accommodate the land acquisition or
3 marketing needs of the TRID in a more timely fashion, an
4 agreement may be established between the public transportation
5 agency and such entities to implement this aspect of the overall
6 TRID program.

7 Section 504. Development agreements.

8 In furtherance of the agreement specified in section 302, the
9 partnering municipality, transportation authority, public
10 transportation agency and, if participating, county
11 representatives, including the designated management entity,
12 shall enter into a development agreement with the pertinent
13 private sector development organization or organizations to
14 implement the proposed TRID. The development agreement shall
15 stipulate the final project scope, as well as the partners'
16 roles, responsibilities, financing arrangements, schedule of
17 improvements and the exactions or contributions to the project.

18 CHAPTER 7

19 VALUE CAPTURE APPROACHES

20 Section 701. Creation of value capture area.

21 In conjunction with the formal establishment of the TRID
22 boundaries, a coterminous value capture area shall
23 simultaneously be created to enable local municipalities, school
24 districts, the county and the public transportation agency to
25 share the increased tax increment of real estate and other
26 designated tax revenues generated by new real estate investment
27 within the TRID. The participants in the TRID, through the
28 designated management entity, shall develop an administrative
29 and project schedule and budget to implement the project,
30 including future maintenance needs, as defined in the TRID

1 planning study, as well as the shares and use of such tax
2 revenues as are projected to be generated from the TRID value
3 capture area. The participating municipality or municipalities
4 may review and revise the TRID budget.

5 Section 702. Dedication of tax revenues.

6 Tax revenues generated within a TRID shall be dedicated to
7 completion and future maintenance of the specific and necessary
8 improvements designated in the comprehensive plan amendment and
9 TRID planning study as follows:

10 (1) Local municipalities and counties shall not use such
11 revenues for general government purposes, and a public
12 transportation agency shall not use such revenues for transit
13 capital investments elsewhere on the public transportation
14 system.

15 (2) Local municipalities, school districts and the
16 county shall establish an amortization schedule for receipt,
17 investment and expenditure of any TRID tax revenues, not to
18 exceed 20 years, similar to the amortization schedule in the
19 act of July 11, 1990 (P.L.465, No.113), known as the Tax
20 Increment Financing Act. However, where a municipal or joint
21 municipal authority has been created, it shall be responsible
22 for fixing the amortization schedule and for defining the
23 TRID capital improvement plan.

24 Section 703. Applicability of other statutes.

25 Local municipalities, counties, transportation authorities,
26 the public transportation agency and local property owners are
27 encouraged and may make maximum use of existing laws and
28 regulations to advance and further implement TRID purposes.
29 Without limitation, application of the following acts and
30 similar acts, as well as pertinent Federal programs and

1 statutes, are consistent with the intent of TRID implementation:

2 (1) Act of May 24, 1945 (P.L.982, No.383), known as the
3 Redevelopment Cooperation Law.

4 (2) Act of May 24, 1945 (P.L.991, No.385), known as the
5 Urban Redevelopment Law.

6 (3) Act of December 1, 1977 (P.L.237, No.76), known as
7 the Local Economic Revitalization Tax Assistance Act.

8 (4) Act of July 9, 1985 (P.L.187, No.47), known as the
9 Transportation Partnership Act.

10 (5) Act of July 11, 1990 (P.L.465, No.113), known as the
11 Tax Increment Financing Act.

12 (6) Act of July 11, 1996 (P.L.677, No.116), known as the
13 Infrastructure Development Act.

14 (7) Act of October 6, 1998 (P.L.705, No.92), known as
15 the Keystone Opportunity Zone and Keystone Opportunity
16 Expansion Zone Act.

17 (8) Act of December 20, 2000 (P.L.949, No.130), known as
18 the Neighborhood Improvement District Act.

19 Section 704. Private sector involvement.

20 Nothing described in this act shall preclude a private sector
21 entity from offering to implement or finance needed public
22 transportation or community improvements at the initiation of or
23 concurrent with proposed TRID-related real estate development.

24 CHAPTER 9

25 COMMUNITY INVOLVEMENT

26 Section 901. Public meeting to explain TRID and alternative
27 implementation approaches.

28 Community and public involvement in the establishment of
29 TRIDs is required. The municipality and the public
30 transportation agency shall jointly conduct at least one public

1 meeting in the proposed TRID area prior to the enactment of a
2 TRID, TRID planning study, comprehensive plan or zoning
3 amendment. The meeting is intended to explain the purpose and
4 components of the TRID and the alternative implementation
5 approaches. The public meeting or meetings shall be in addition
6 to any required local government public hearing or hearings
7 prior to comprehensive or multimunicipal plan amendment
8 adoption. However, nothing in this act shall relieve the TRID
9 management entity from conducting all public meetings required
10 by law, where the TRID is acting or seeking to act under the:

11 (1) Act of May 24, 1945 (P.L.991, No.385), known as the
12 Urban Redevelopment Law.

13 (2) Act of July 11, 1990 (P.L.465, No.113), known as the
14 Tax Increment Financing Act.

15 (3) Act of December 20, 2000 (P.L.949, No.130), known as
16 the Neighborhood Improvement District Act.

17 Section 902. Public meeting to review proposed joint
18 development plan and related improvements.

19 The municipality and the public transportation agency shall
20 jointly conduct at least one public meeting in the TRID area to
21 review the proposed joint development plan and its related
22 public improvements prior to implementation.

23 Section 903. Cooperation with neighborhood or community
24 representatives.

25 The municipality and the public transportation agency shall
26 encourage private sector real estate entities and land
27 developers to work proactively and cooperatively with pertinent
28 neighborhood or community representatives during the planning
29 and implementation of TRID development proposals.

MISCELLANEOUS PROVISIONS

1

2 Section 2101. Repeal.

3 All acts and parts of acts are repealed insofar as they are
4 inconsistent with this act.

5 Section 2102. Effective date.

6 This act shall take effect in 60 days.