



October 1, 2024

TO: Statewide Real Estate Services and Mega Programs

FROM: Robin Curl, Property Management Program Manager

SUBJECT: 2024-06 Transit Stop Policy Memo

The purpose of the memorandum is to (1) establish the basis for a revision to WSDOT's Right of Way Manual regarding the use of WSDOT property for Transit Stops and (2) to explain the difference between issuing a lease and issuing a permit for the use of WSDOT's property for Transit Stops. To comply with 23 CFR 710.403 and 710.405, RCWs 47.12.120 and 46.64.560, and WACs 468-30-110 and 468-46-010, and subject to RCW chapters 47.50 and 47.52, Real Estate Services processes and grants temporary property rights only in the form of leases as further detailed in section 11.8 of the Right of Way Manual. Other programs within WSDOT issue permits for a variety of uses of WSDOT property that do not require a lease.

Transit Stops within Limited Access. A Transit Facility Lease shall be used for transit facilities (transit stops) located within limited access, **regardless of the size of the facility**. Transit Facility Leases are issued by Real Estate Services (RES). A Real Estate Services electronic review (EMC Review) is required, and a standard Airspace Lease (RES 420) shall be issued. For Facilities within limited access and located on the interstate, the Federal Highway Administration (FHWA) and the Attorney General's Office (AGO) must review and approve both the use and the lease.

Rent for transit stops 2,000 square feet or less within limited access shall be paid at an initial rate of One Thousand Dollars (\$1,000.00) per year per stop, subject to annual adjustments at the rate of 2% per year.

Rent for transit stops over 2,000 square feet shall be determined under Chapter 11, 11-8.1.C of the Right of Way Manual, subject to annual adjustments at the rate of 2% per year. Provided, however, that rent shall not be less than One Thousand Dollars (\$1,000.00) per year per stop and subject to annual adjustments at the rate of 2% per year.

Transit Stops within Managed Access Outside of Cities. A Transit Stop Permit shall be used for transit facilities (transit stops) of 999 square feet or less located within managed access and outside of incorporated cities. Transit Stop Permits are issued by regional Development Services Offices. For more information on the processes/procedures/fees for Transit Stop Permits for transit facilities of 999 square feet or less within managed access, please see the Chapter 1130.12(4) Transit Stop Permits of the Design Manual, M 22-01.

Transit facilities over 999 square feet located within managed access and outside of incorporated cities are authorized by Real Estate Services under a Transit Facility Lease using the same process used to issue a Transit Facility Lease within limited access as described above.

Note: Transit stops in managed access within incorporated cities are permitted by the city.

Calculating Size of Transit Stop. In determining the square footage occupied by transit facility, structures such as standing pads, shelter pads with or without a shelter (whichever is greater in size), and any sidewalks or pathways that are integral to the transit stop are included in the calculation. Roadway pavement for the stopped transit vehicles, utilities, or sidewalks or pathways that are part of the state highway system are not included in the calculation.

This policy supersedes 11-8.1.A.9 and 11-8.1.A.10 in the Right of Way Manual and the *Policy for placement of bus shelters on WSDOT Property* dated December 28, 2009. Headquarters is in the process of updating the appropriate chapter of the Right of Way Manual M 26-01 to reflect this policy change.