

From: Sarah Fletcher <fletchsa1@gmail.com>
Sent time: 2022/11/08 07:52:43 PM
To: ComprehensivePlanUpdate
Cc: Planning Commission
Subject: Fwd: Upcoming Planning Meeting - Transportation Comprehensive Plan
Attachments: image.png image.png image.png image.png image.png image.png

GMHB EXHIBIT 310

Hello, I have some questions and comments on the language. I am curious, but why are you removing the wording about the transfer and buses terminating at MI. Is that because buses are not going to be terminating here at all now after all that or? And you have missed off "Issaquah," buses come from Issaquah.

UPCOMING CHANGES

~~The Sound Transit East Link light rail line, scheduled for completion in 2023, will change how Mercer Island residents travel and live. A new light rail station located north of the Town Center, on the I-90 corridor between 77th Avenue SE and 80th Avenue SE, will provide access to destinations in Seattle, Bellevue and other cities that are part of the Sound Transit system. As part of this change, many of the buses from the east side of Lake Washington will terminate at Mercer Island and bus riders will transfer to light rail. The existing park and ride at North Mercer Way is frequently at or near capacity, and parking demand will increase with light rail. As part of the mitigation agreement with Sound Transit, additional parking for the light rail station will be added in the Town Center.~~

~~Mercer Island has over 56 miles of trails, sidewalks and bicycle lanes for non-motorized travel, in sum, these regional changes will likely affect travel and land use development patterns, particularly for the north end of the island. The changes will also provide new opportunities for the island and will support the vision and development of the Town Center. The regional Mountains to Sound Trail runs along the I-90 corridor providing a convenient connection to Seattle and Bellevue for pedestrians and bicyclists.~~

And I am sorry, but Mountains to Sound are regionalists, why are you accommodating them? I want the trail for bicyclists to go along 24th St to 84th Ave SE which is safer all around and not having bicyclists riding on the PEDESTRIAN sidewalk where people are walking and getting on and off the buses. I want to know who is responsible? And what's more, the current signs have it that they want bicyclists to both ride in the middle of the bicycle lane in that they have arrows telling bicyclists to ride in the center of the lane on the sidewalk, not to keep right.

And in this paragraph, what on earth do you mean by: "make transportation investments that improve economic and living conditions," what does that mean exactly?

~~2.2 Continue to prioritize expenditures in the transportation system recognizing the need to maintain existing transportation assets, meet adopted service level goals, and emphasize continued investments in non-motorized transportation facilities. Make transportation investments that improve economic and living conditions so that businesses and workers are retained and attracted to Mercer Island.~~

And does this mean that you want to accommodate the homeless, like people with no incomes, so in effect, we are giving carte blanche for the homeless to come to MI? Don't approve something unless you understand exactly what it means for the layman and give an example of exactly what these expenditures could be.

Please remove 4.8 and 4.9 entirely. If you are going to come out with language, please make sure that the layman can understand it. This just seems daft. I don't know if you realize, but Sound Transit can take any property by eminent domain like they did with those two properties along North Mercer Way. So, are you trying to tell me that if someone is poor, they will not be able to displace them? That is great, except it is unrealistic. You might be interested in this article and then see if you want to include this: [Sound Transit looking to destroy poor communities – in name of progress \(shiftwa.org\)](https://www.shiftwa.org/sound-transit-looking-to-destroy-poor-communities-in-name-of-progress)

~~4.8 Implement transportation programs and projects that address the needs of and promote access to opportunity for Black, Indigenous, and other People of Color, people with low and/or no incomes, and people with special transportation needs, while preventing and mitigating displacement of these groups.~~

And if there is an emergency at the light rail centers, I want them to close 80th Ave SE or 77th Ave SE so that that the emergency vehicles can get to the response, not not allow the street to be closed:

~~7.8 Strive to create a complete, connected active transportation system allowing connectivity and avoid closing streets to provide direct and safe access for active transportation modes and to minimize travel distances and emergency vehicle response times. [Remove KPG edits to this policy as shown in 7.10 below]~~

And there have been some fires started from charging electric scooters and cars, who will be responsible should a fire start as a result?

12.X Study opportunities to expand electric bicycle facilities that serve the Town Center, light rail station, and park and ride. [Alternative 1]

4.X Study opportunities to provide innovative last-mile solutions serving the Town Center, light rail station, and park and ride. [Alternative 2 – move to Goal 4]

And last week, someone had cameras up on stilts at various intersections which were obviously being used for transportation purposes, why are they insisting on using the outdated 2018 data which had to do with before the center lanes were closed? They need to redo the studies or find out who did that current study and use those figures or wait off until the study is completed, but not just use outdated data, that is ridiculous. Please use up-to-date data and not outdated data.

AM.

For this update, select traffic counts were conducted in 2022 to compare 2022 and 2018 AM and PM peak hour volumes. Results of the analysis found no growth in the last four years. This is primarily due to the COVID pandemic and advances in technology which have increased the number of people working from home. It was determined that the 2018 counts continue to be accurate for planning purposes.

Table 1 and Figure 4 show the AM and PM peak hour operations for each of the study intersections. Outside of the Town Center, the analysis shows that during the AM and PM peak hour, all intersections operate at LOS D or better for existing conditions, except the intersection of SE 53rd Place/Island Crest Way operates at LOS F during the morning and afternoon peak hours.

Within the Town Center, where the LOS C standard applies, all intersections operate within this standard during the morning and afternoon peak hours.

Table 1. 2018 Existing Intersection Operations

Intersection	AM Peak Hour	PM Peak Hour
Town Center Intersections (LOS C Standard)		
SE 24th St/76th Ave SE	B	B
N Mercer Way/77th Ave SE	A	A
N Mercer Way/Park & Ride/80th Ave SE	C	C

This is how the Levels of Service were arrived at:

[Planning Commission Agenda \(mercerisland.gov\)](https://www.mercerisland.gov/PlanningCommissionAgenda)

And FOR THE MILLIONTH TIME, how many times do I have to ask you to correct it. I want the "Town Center Intersections Levels of Service taken out of this and put 'ADJACENT TOWN CENTER INTERSECTIONS,' it is not hard to do. No-one should have to ask so many times to correct something which was an error in the first place. It is ridiculous already. Just change it. It is crooked to not change it.

Sarah Fletcher

From: Bonnie Godfred <bonniegodfred@gmail.com>
Sent time: 2023/07/13 12:51:43 PM
To: ComprehensivePlanUpdate
Subject: Draft economic plan

I scanned your 42 pages.

Seems to me the main issue for economic development is our zoning regulations. We need to stress and protect retail and restaurant space and it needs to be affordable. The only way to do this is by requiring any future development to emphasize these two areas.

The increase in residential occupancy in downtown versus the decrease in commercial occupancy in downtown is shameful and reflects the city's love affair with property developers.

Bonnie Schrader Godfred
206-304-9403

From: Kian Bradley <kbradley@ucmerced.edu>
Sent time: 2023/07/15 03:24:45 PM
To: ComprehensivePlanUpdate
Subject: Fwd: Planning Commission Economic Development Element feedback

Hello Comp Plan reviewers,

I sent this feedback to Adam Zack, but then I saw in MI Weekly that feedback for the EDE should be sent to comp.plan@mercerisland.gov.

Forwarding this message to ensure my message gets to the right place.

Begin forwarded message:

From: Kian Bradley <kbradley@ucmerced.edu>
Date: July 11, 2023 at 10:32:04 PM PDT
To: adam.zack@mercerisland.gov
Subject: **Planning Commission Economic Development Element feedback**

Hello Adam Zack and the Planning Commission,

I am writing to provide feedback on the Economic Development Element and Implementation Plan for Mercer Island. I wanted to suggest a few points:

Single-use zoning in most of the city

The EDE and Implementation Plan do not address the possibility of opening up commercial area outside of the town center. Allowing small-scale retail (such as cafes, gyms and small professional offices) interspersed through neighborhoods would accomplish several of the EDE's stated goals:

- Goal 4, Sustainability: providing basic services nearer to residents reduces VMT (traffic). Transportation emissions are Mercer Island's single biggest contributor to greenhouse gases.
- Goal 7, Regulatory burden: Our current single-use zoning approach limits the amount of commercial area available. Opening up more area would reduce commercial rent by creating a greater supply.
- Goal 9, Gathering places: Small neighborhood establishments provide a pleasant meeting space for neighbors to interact on a regular basis. This is especially relevant for children and teenagers who must be driven by an adult to shop and meet friends.
- Goal 12, Safety: Small neighborhood establishments can be more easily reached without a car, meeting the goal of reducing car dependence and creating more human-scaled design.

I would suggest we study this as part the Implementation Plan's Project ED-10, Commercial Development Code Audit. It may also be part of Project ED-13, Home Business Development Code Review, though home businesses seem like an unrelated concept.

High housing cost

In page 2 of the EDE, the document says "higher cost housing can attract higher-income residents and customers for local businesses". I don't think this sentence is logically consistent. Higher cost housing reduces the spending power of the local customer base and generally acts as a drag on the entire economy. This sentence should be removed, and ideally the EDE should make it more clear that the high cost of housing has an adverse impact on businesses as well.

Reducing housing cost addresses goals 1 and 2 by allowing access to a customer base with more spending money and a greater local employee base.

Walkability

Despite being referred to several times in the EDE, the Implementation Plan has no goal which directly

addresses the improvement of Mercer Island's commercial areas for those outside of a car. Specifically with the Town Center, the coming light rail station and Riot Games office provide us with an opportunity to create a pedestrian and bike-friendly corridor along 77th Ave SE. This would allow people to come not just for a single errand, but stay and enjoy the entire Town Center for an evening in a similar way people enjoy walking around Bellevue's downtown park and mall.

This would address goals 9, 10, 12 by increasing the attractiveness of our commercial centers, and goal 4 by meeting the environmental needs of residents.

I would suggest we modify Project ED-11, PBIA/LIA to make the 'streetscape improvements' more clearly oriented towards increasing the attractiveness for people walking and rolling in commercial areas.

Parking

The EDE is very careful to discourage any reduction in the amount of parking in our commercial areas. However, the [2023 Parking Study](#) (from the 07/05/2023 Council meeting) shows that we never exceed 71% utilization for on-street parking, and even less for off-street parking. These are both below the suggested 85% peak occupancy threshold. In addition, the study found that certain streets had a much higher utilization than others, suggesting parking is not distributed evenly.

The EDE should instead seek to more intelligently manage our existing parking supply. The report has several good recommendations, including making on-street parking times consistent; charging for parking in overutilized areas; creating loading zones; adding bicycle parking; and improving walking/biking facilities to discourage vehicle travel in the first place.

This can be addressed as part of Project ED-11, PBIA/LIA. We should modify this project's wording to be clearer about what we want our parking improvements to look like.

Thanks for reading! I hope none of this is read as a criticism of the work you are doing; I earnestly appreciate the time you're all putting in to this.

Kian Bradley

From: C Branom <cbranom@gmail.com>
Sent time: 2024/02/09 10:05:03 AM
To: ComprehensivePlanUpdate
Subject: Unable to access housing survey

I received the postcard asking me to take the online survey, but when trying to sign in I get the message that the email address I used is in use. I really would like to participate but need your help on this.

Alao, I would really prefer to take the survey on my computer where I can have larger print, and I am not so nimble with my phone.

Thanks,
Carole Branom
206-232-1509

From: Graham Siebe <graham.siebe@gmail.com>
Sent time: 2024/02/09 12:43:54 PM
To: ComprehensivePlanUpdate
Subject: Multifamily survey error

I got a postcard in the mail asking me to take the multifamily survey. The first screen asks for an email and screen name, but is giving me an error saying my email is already in use. Not sure how to bypass.

Thanks,
-Graham

From: Amanda Clark <amandac5@comcast.net>
Sent time: 2024/02/09 01:28:36 PM
To: ComprehensivePlanUpdate
Subject: Can't open multi-family housing survey

When I click on Take Survey and enter my email address, I get a message that says "Email address in use." And I don't have a screen name, but wonder why you would want that anyway. I click that I agree to the terms of use, but I can't open the survey. This happens with both the link and the QR code.

Is there another way to access the survey?

Thanks,
Amanda Clark

Sent from [Mail](#) for Windows

From: Suzanne Skone <s.skone@comcast.net>
Sent time: 2024/05/05 06:02:17 PM
To: ComprehensivePlanUpdate
Subject: Comp Plan Survey

In the Online Comp Plan Survey I was not able to select the number for the response I wanted on Question #19 Economic Development. Some of the questions only allowed for one or two numbers to be selected instead of the range on 1 to 10. Just thought I'd let you know.

Kindly,
Suzanne

From: Linnea Augustine <linnea.augustine@gmail.com>
Sent time: 2024/05/07 05:11:35 PM
To: ComprehensivePlanUpdate; Planning Commission; Council
Subject: Concerns Regarding City Planning Commission

Dear members of the Planning Commission and City Council,

I want to express my gratitude for the opportunity to address you regarding the comprehensive plan and the restructuring of the city committee. After reading several Nextdoor posts on these topics, I felt compelled to share my family's perspective.

First and foremost, I believe it is crucial to prioritize the maintenance of our single-family suburban character and the preservation of our natural lands. My husband and I made the decision to move to Mercer Island from Capitol Hill specifically because of these reasons. I am in favor of promoting new business development within our current capacity, as well as utilizing empty lots for food trucks, without placing excessive strain on our infrastructure systems such as water, sewer, and the need for more parking spaces, which would encroach upon our natural lands.

Secondly, I have concerns about allowing off-island land use professionals to have voting rights on local land-use issues. While I welcome their feedback, I believe that the voting rights should remain with the citizens of Mercer Island. I understand that the planning commission members are appointed by council members, which may introduce bias. However, this can be remedied through transparency and by actively encouraging citizen engagement at the start of each planning session. It is essential for the planning committee to understand the priorities of the community before dedicating their time to developing a plan that goes against the interests of the citizens.

Lastly, I would like to emphasize the importance of safety on Mercer Island. I strongly urge you not to adopt Senator Wellan's approach of "housing being our collective responsibility," as seen in Redmond, which introduced low-barrier affordable housing models to Mercer Island. Additionally, it is vital to maintain a safe and drug-free environment around the light rail station. Apart from the limitations our infrastructure may present, our city does not have the necessary addiction treatment facilities and mental healthcare services to adequately support chronic homelessness, as seen in Redmond. Without the proper support, individuals with chronic drug addictions may contribute to drug-dealing gang activities, increase access to hard drugs for our children, affect our local business, and strain our city's resources, including fire and police departments, as well as mental counselors.

Thank you for considering my concerns and taking them into account during your decision-making process.

Sincerely,

Linnea Augustine

From: Sarah Fletcher <fletchsa1@gmail.com>

Sent time: 2024/05/20 06:34:52 PM

To: Dan Thompson

Council; Jeff Thomas; Jessi Bon; Adam Ragheb <adam.ragheb@gmail.com>; Ashley Hay <ashleyhay@outlook.com>; Ira Appelman; aql1@cornell.edu; Ray Akers <ray@akerscargill.com>; Thomas Acker <tomacker1@comcast.net>; Matthew Goldbach <blkship@yahoo.com>; Elizabeth Buckley; Bob Harper; Lloyd Gilman; Matt Goldbach; Carv Zwingle; Traci Granbois; Michael Cero <mikecero@miforss.com>; victor.raisys@gmail.com; Doris Cassan; Gary Robinson; Dan Glowitz <daniel.glowitz@gmail.com>; Dwight Schaeffer; Don Howard <donthowardmd@gmail.com>; Rob Dunbabin <rob@cascaideyarns.com>; Gary Robinson <gdrobinsong@gmail.com>; John Hall <johnhall@jmhcorp.net>; Joy Matsuura <jmatsu999@yahoo.com>; jkennedy59@me.com; lsarchin@aol.com; Meg Lippert; Susan Lund; Mike Cero <mscero@comcast.net>; Morrene Jacobson; Robert Medved; Mark Coen; Dave Oberg; olivialippens@gmail.com; Peter Struck; Robin Russell; Rebecca Wilson <rebeccajwilson10@gmail.com>; ComprehensivePlanUpdate; ComprehensivePlanUpdate

Subject: Re: Reconstitution of the Planning Commission. What Now?

Today is the last day to respond to the survey. Re 17, that was terrible, that should have been most important to not so important, not ask us to rate from 1 to 10 in order of whatever. So, now what is the next step? Is the Planning Department going to review our responses and then come up with revised draft language for The Comprehensive Plan?

Sarah Fletcher

On Mon, May 20, 2024 at 2:12 PM Dan Thompson <danielpthompson@hotmail.com> wrote:

Dear Council, I supported the ordinance reconstituting the planning commission and appreciate the council taking such quick action, but the question now is what do we do about the PC's draft elements in the Comprehensive Plan.

I think it might help to take a look at the history of this, and then the process going forward, and then my recommendation for a preamble or vision statement to the housing and land use elements.

I. HISTORY OF THIS PROCESS.

1. March 15, 2022. The 8-year cycle update of the comp. plan was originally due in 2022 but extended to 2024 due to Covid. At its March 15, 2022 meeting the council adopted Resolution 1621 which limited the PC's review of the comp. plan to:

"Scope of Work (Exhibit 1A)" "The scope of work proposes a focused "surgical" periodic review of the Comprehensive Plan. The concept is to have a narrow scope of work, primarily limited to only those updates required by state law. As such, the element-specific tasks for the Land Use, Utilities, Capital Facilities, and Transportation Elements are primarily constrained to only those updates required by the GMA and to account for recent planning actions".

[ITEM-Attachment-001-f8b71ddd8fb14da894f278ca49a885f1.pdf \(usgovcloudapi.net\)](#) (page 2).

2. March 15, 2022 to April 2024. The planning commission conducted its review of the comp. plan for two years. During this time there were no public meetings, and really no updates or any public notices from the city. The citizens had been told there would be no changes except those specifically required by state law so tuned out. I sent three emails during this time to the council, PC, and CPD noting concern that the PC was not following its mandate but nothing was ever done.

3. April 2024. In April 2024 the city published the first draft of the PC's amended Comp. Plan on Let's Talk, although the PC continued to amend the comp. plan. At this time, it became apparent to the council and citizens that the PC had buried in the draft dozens of amendments that sought to reduce minimum lot sizes in the SFH zone, increase regulatory limits in the SFH zone, reduce parking minimums, and in essence to eliminate the SFH zone. The dir. of the CPD even took the extraordinary action of noting in the elements themselves where the PC had gone beyond its mandate.

4. April 2024 to May 2024. The council "reconstituted" the PC.

5. May 1, 2024. The city puts together a hasty public meeting to review the comp. plan even though the second reading reconstituting the PC had not occurred, and the PC was still making major amendments, like Commissioner Goelz's amendment to reduce maximum house size in the SFH zone and increase regulatory limits for multi-family housing in the SFH zone buried in the climate section of the land use element, apparently not understanding that under ESB 1220 nothing in the SFH zone counts toward MI's affordability mandates, and that according to King Co. virtually all of MI's 1239 future housing targets must be affordable to those earning between 0% to 60% AMI and be in a dense zone near walkable transit.

Around 12 citizens attended the public meeting.

6. May 9 to May 19, 2024. After the public meeting the city throws together a hasty survey on the comp. plan, except it explains nothing, and many of the questions begin with statements about what the "city" values or prioritizes when the city is not a party to this process, which is between the citizens and their council. The city prioritizes what the citizens prioritize. Many citizens complain about the composition of the questions and required format of the answers when many disagree with all the proposed answers.

7. May 29, 2024, two days after Memorial. This is probably the most surreal part. Now the citizens are supposed to read and understand all the elements in the draft comp. plan that has continued to be amended, find the PC's buried unauthorized amendments that have no concurrent development regulations, and submit their written and/or oral comments to the PC on a draft comp. plan **that got the PC fired.**

How weird is that.

II. NOW WHAT?

The reality is the citizens can't suddenly read and understand every element in the comp. plan by May 29 to find the PC's buried amendments, and it is unfair to ask them to do it after the council **PROMISED** them there would be no amendments except those specifically required by state law, and my guess is most council members haven't read the entire draft comp. plan.

The very first two priorities in the Growth Management Act are public notice and public participation, especially when it comes to the comp. plan because that is the citizens' vision for their city, and should be a document and open process they can understand.

It is pretty pointless to ask the same PC to help with the rewrite.

So the council is going to have to do this on its own, with some help from the CPD. The problem IMO is Adam Zach was part of the problem, so this is where Jeff Thomas is going to have to step up, and because he knows where the buried amendments are.

I don't know what the actual process should be. The PC or its members should not be part of the process because they have proven they won't listen. I would imagine a council subcommittee that includes Salim Nice, and two other council members who voted to reconstitute the PC, Jeff Thomas and Jessi Bon since this happened on their watch, that goes through the elements line by line removing every PC proposed amendment.

III. WHY A PREAMBLE OR VISION STATEMENT SHOULD BE PART OF THE LAND USE AND HOUSING ELEMENTS.

The citizens can't possibly read and understand the draft elements with such short notice, but the council can include a preamble or vision statement they can understand and follows through on the promises in Resolution 1621 (and the 2017 rewrite of the RDS).

The city has a vision statement, (although the PC was surprised to learn that). [Mercer Island's Vision Statement | Mercer Island, Washington](#). It states as its very first community value:

Residential Community	Mercer Island is principally a single-family residential community, supported by healthy schools, religious institutions and recreational clubs.
------------------------------	---

My suggestion is a preamble or vision statement for the land use and housing elements that the citizens can understand and will reassure them, and really is just consistent with Resolution 1621:

"Mercer Island is principally a single-family residential community. Large minimum lot sizes and a lower gross floor area to lot ratio with yard setbacks and limits on impervious surfaces contribute to the rural character of the single-family zone Islanders cherish, and the retention of mature trees and vegetation that allow carbon to be captured, limit solar heat, and provide homes for birds and woodland animals. In 2017 new regulatory limits were adopted for our single family zone after a years long process of citizen involvement and extensive public process, and those adopted regulatory limits including minimum lot size, height limits, impervious surface limits, yard setbacks, gross floor area to lot area ratios, and onsite parking minimums that preserve the rural character of our single family zone will not be changed as part of these amendments to our comprehensive plan."

This way if we accidentally miss one of the PC's unauthorized amendments, or a council in the future tries to claim an amendment that had no concurrent development regulations and was defined as "inspirational" now needs development regulations to implement it this vision or preamble would make it clear that was never the intent with this rewrite.

Thank you.

Daniel Thompson

Thompson & Delay
Attorneys at Law
80th Avenue Professional Building

2955 80th Ave SE, Suite 202
Mercer Island, WA 98040
Phone: (206) 622-0670
Fax: (206) 622-3965

From: Laura Crawford <mukilteolaura@gmail.com>
Sent time: 2024/10/02 08:26:11 PM
To: ComprehensivePlanUpdate
Subject: Concerned

The proposal to raise the height from five stories to seven stories in certain areas and from four stories to five stories in other areas goes against the vision of Mercer Island for mainly residential single family homes and maintaining the environment. It closes out the light, makes things too crowded and dense, and takes away from single-family residential goals of the community. Sadly, it is already too crowded and dense and lacking light in the town setting area. It will increase traffic and put a strain on the infrastructure. I grew up on Mercer Island since 1972. I graduated from the high school in 1978. We don't have the infrastructure to support this move and it will have an adverse effect and the quality of life and the environment. Laura Crawford

From: Chris Goelz <chrisgoelz455@gmail.com>
Sent time: 2024/10/21 11:06:57 AM
To: ComprehensivePlanUpdate
Subject: comments

Hi

Here are some general thoughts and then some specific suggestions. My biggest comment is that I think Mercer Island needs to step up and find a way to dramatically reduce our climate footprint. For way too long, communities like ours have been using way too much of the global GHG budget. I understand that we're just a small town in a big world -- but if we could set an example for other communities, it might make a difference. I wish this were a priority in the comp plan.

To start with, we should try to create disincentives to the building of mega-houses. I think they hurt the neighborhood feel -- I'd prefer having a couple of new duplexes on my block than a couple of new mega-houses. And they are climate disasters -- both in the materials to build them and in their heating and cooling. Given the climate crisis, we can't afford 5000 sq ft. single family homes. The good news is that middle housing provides homeowners and builders a way to economically turn property over. We should encourage it.

I think everyone agrees that our trees are a vital part of Mercer Island. The community should encourage the planting and maintaining of our big trees on private property. Right now our policy is all stick and no carrot. Those of us who have trees are limited in what we can do with them -- which is probably an illegal taking. Instead we should create incentives for people to plant and maintain trees. It's only fair that we all contribute to this community asset.

We need to deemphasize parking. Research shows that expensive parking mandates will thwart efforts to create walkable downtown and middle housing.

Land Use element

Goal 9 -- I'd suggest something that suggests that we balance walkability with parking and not let parking mandates kill the development of a vibrant downtown.

16.5 -- take out "where mandated by state law."

Goal 20 -- one incentive for green building could be to allow people who employ it to build slightly larger houses. But this only makes sense if we lower the baseline substantially.

Housing

Goals 1 and 2 -- As suggested above, I'd like to see more of an embrace for middle housing.

Transportation

11.1 -- include "cost"

11.2 -- this should not be as prescriptive. Neighborhood parking requirements should be reconsidered. We don't need to say here what the outcome of that process should be. Personally, I think the current mandate is too high and that there needs to be some careful thought to how to maintain neighborhood feel and walkability in the brave new world of middle housing.

Utilities

1.1 -- I'd like to see overall utility rates structured to encourage conservation. The bills should be more dependent on water used - even if that means that water use charges subsidize, for example, sewer costs. Basic water use should be inexpensive and it gets very expensive the more you use. With the advent of middle housing, we should be freeing up some water for new residents. Also, I'd like the bills to show water use vs the city and regional mean. Those who are using excessive water should know -- I'd certainly care.

2.7 -- same

6.8 -- I'd like to see us encourage any major new electricity loads to install batteries or other DREs so they can draw power off peak.

7.3 -- I'd like us to encourage PSE to adopt a smarter rate structure that encourages conservation (there is a ton of literature on this) and include in billing the mean local and regional usage so heavy users will be informed that they might want to work a little harder at conservation.

Shoreline Master Program

Residential development -- This should be updated to recognize and welcome middle housing options. (See above.)

Economic development

3.2 -- Best way to facilitate people working and living on Mercer Island is middle housing. Maybe say something specific here.

Goal 5 -- I don't understand why the City would do this. It seems like it's using City resources to favor a particular kind of business. And why wine? Alcohol kills tens of thousands of people in the US annually. (In the last year I had one nephew who needed a liver transplant and another who died from alcohol use.) I understand that we want to draw people to the MI CBD, but I don't think the City should be doing anything to encourage alcohol consumption.

Thanks for considering my comments and your service to the community.

Chris Goelz

From: Chris Goelz <chrisgoelz455@gmail.com>
Sent time: 2024/10/21 02:18:29 PM
To: ComprehensivePlanUpdate
Subject: Re: comments

Opps. On my comment to 6.8 – It should say DERs – distributed energy resources. Sorry about that.

Chris

Sent from my iPad

> On Oct 21, 2024, at 11:06AM, Chris Goelz wrote:

>

>

> Hi

>

> Here are some general thoughts and then some specific suggestions. My biggest comment is that I think Mercer Island needs to step up and find a way to dramatically reduce our climate footprint. For way too long, communities like ours have been using way too much of the global GHG budget. I understand that we're just a small town in a big world -- but if we could set an example for other communities, it might make a difference. I wish this were a priority in the comp plan.

>

> To start with, we should try to create disincentives to the building of mega-houses. I think they hurt the neighborhood feel -- I'd prefer having a couple of new duplexes on my block than a couple of new mega-houses. And they are climate disasters -- both in the materials to build them and in their heating and cooling. Given the climate crisis, we can't afford 5000 sq ft. single family homes. The good news is that middle housing provides homeowners and builders a way to economically turn property over. We should encourage it.

>

> I think everyone agrees that our trees are a vital part of Mercer Island. The community should encourage the planting and maintaining of our big trees on private property. Right now our policy is all stick and no carrot. Those of us who have trees are limited in what we can do with them -- which is probably an illegal taking. Instead we should create incentives for people to plant and maintain trees. It's only fair that we all contribute to this community asset.

>

> We need to deemphasize parking. Research shows that expensive parking mandates will thwart efforts to create walkable downtown and middle housing.

>

> Land Use element

>

> Goal 9 -- I'd suggest something that suggests that we balance walkability with parking and not let parking mandates kill the development of a vibrant downtown.

>

> 16.5 -- take out "where mandated by state law."

>

> Goal 20 -- one incentive for green building could be to allow people who employ it to build slightly larger houses. But this only makes sense if we lower the baseline substantially.

>

>

> Housing

>

> Goals 1 and 2 -- As suggested above, I'd like to see more of an embrace for middle housing.

>

>

> Transportation

>

> 11.1 -- include "cost"

>

> 11.2 -- this should not be as prescriptive. Neighborhood parking requirements should be reconsidered. We don't need to say here what the outcome of that process should be. Personally, I think the current mandate is too high and that there needs to be some careful thought to how to maintain neighborhood feel and walkability in the brave new world of middle housing.

>

>

> Utilities

>

> 1.1 -- I'd like to see overall utility rates structured to encourage conservation. The bills should be more dependent on water used -- even if that means that water use charges subsidize, for example, sewer costs. Basic water use should be inexpensive and it gets very expensive the more you use. With the advent of middle housing, we should be freeing up some water for new residents. Also, I'd like the bills to show water use vs the city and regional mean. Those who are using excessive water should know -- I'd certainly care.

>
> 2.7 -- same
>
> 6.8 -- I'd like to see us encourage any major new electricity loads to install batteries or other DREs so they can draw power off peak.
>
> 7.3 -- I'd like us to encourage PSE to adopt a smarter rate structure that encourages conservation (there is a ton of literature on this) and include in billing the mean local and regional usage so heavy users will be informed that they might want to work a little harder at conservation.
>
>
> Shoreline Master Program
>
> Residential development -- This should be updated to recognize and welcome middle housing options. (See above.)
>
>
> Economic development
>
> 3.2 -- Best way to facilitate people working and living on Mercer Island is middle housing. Maybe say something specific here.
>
> Goal 5 -- I don't understand why the City would do this. It seems like it's using City resources to favor a particular kind of business. And why wine? Alcohol kills tens of thousands of people in the US annually. (In the last year I had one nephew who needed a liver transplant and another who died from alcohol use.) I understand that we want to draw people to the MI CBD, but I don't think the City should be doing anything to encourage alcohol consumption.
>
>
> Thanks for considering my comments and your service to the community.
>
> Chris Goelz
>
>
>
>
>
>
>

From: Tim Trohimovich <Tim@futurewise.org>
Sent time: 2024/10/31 12:20:21 PM
To: ComprehensivePlanUpdate
Subject: Comments on the 2024 City Council Draft Comprehensive Plan
Attachments: image001.jpg image002.gif image003.png 2024-10-31 FW Comments on Mercer Island Comp Plan Final.pdf

Dear City Council Members and Staff:


Enclosed please find Futurewise's comments on the 2024 City Council Draft Comprehensive Plan. Thank you for considering our comments.

In a separate I will be sending an aerial image referenced in the letter. That and the other referenced documents are at the link on the last page of the letter.

Please let me know if you need anything else.

Tim Trohimovich, AICP (he/him)
Director of Planning & Law



Futurewise
1201 3rd Ave #2200, Seattle, WA 98101
(206) 343-0681
tim@futurewise.org
futurewise.org
connect:  

From: Tim Trohimovich <Tim@futurewise.org>
Sent time: 2024/10/31 12:22:16 PM
To: ComprehensivePlanUpdate
Subject: RE: Comments on the 2024 City Council Draft Comprehensive Plan
Attachments: image001.jpg image002.gif image003.png Walking Distance from Mercer Island Light Rail Station Entrance.png

Dear City Council Members:

Here is the aerial image referenced in the letter.

Tim Trohimovich, AICP
Director of Planning & Law
Futurewise
1201 3rd Ave #2200, Seattle, WA 98101
(206) 343-0681
tim@futurewise.org

From: Tim Trohimovich
Sent: Thursday, October 31, 2024 12:20 PM
To: comp.plan@mercerisland.gov
Subject: Comments on the 2024 City Council Draft Comprehensive Plan

Dear City Council Members and Staff:

Enclosed please find Futurewise's comments on the 2024 City Council Draft Comprehensive Plan. Thank you for considering our comments.

In a separate I will be sending an aerial image referenced in the letter. That and the other referenced documents are at the link on the last page of the letter.

Please let me know if you need anything else.

Tim Trohimovich, AICP (he/him)
Director of Planning & Law



Futurewise
1201 3rd Ave #2200, Seattle, WA 98101
(206) 343-0681
tim@futurewise.org
futurewise.org
connect:  

From: Tasha Weiss <tweiss@mbaks.com>
Sent time: 2024/10/31 03:24:29 PM
To: ComprehensivePlanUpdate
Subject: MBAKS Comments - Mercer Island 2044 Comprehensive Plan Update Draft
Attachments: image001.png image002.png image003.png image004.png image005.png Middle Housing Issue Brief.pdf Permit Process Streamlining Issue Brief MBAKS.pdf 10-31-24, Mercer Island Comprehensive Plan Draft, Comments MBAKS.pdf





Dear Mayor Nice and Councilmembers,

The Master Builders Association of King and Snohomish Counties (MBAKS) thanks you for the opportunity to comment on the Mercer Island 2044 Comprehensive Plan Draft. Please see the comment letter and issue briefs attached.

Sincerely,



Tasha Weiss
Housing Policy Specialist;
Master Builders Association of King and Snohomish Counties

p 425.460.8224
335 116th Ave. SE, Bellevue, WA 98004
mbaks.com Find us on    

We believe everyone deserves a place to call home.



Outlook

Comments on the 2024 City Council Draft Comprehensive Plan

From Tim Trohimovich <Tim@futurewise.org>

Date Thu 10/31/2024 12:24 PM

To ComprehensivePlanUpdate <Comp.Plan@mercerisland.gov>

 1 attachment (314 KB)

2024-10-31 FW Comments on Mercer Island Comp Plan Final.pdf;

Dear City Council Members and Staff:

Enclosed please find Futurewise's comments on the 2024 City Council Draft Comprehensive Plan. Thank you for considering our comments.

In a separate I will be sending an aerial image referenced in the letter. That and the other referenced documents are at the link on the last page of the letter.

Please let me know if you need anything else.

Tim Trohimovich, AICP (he/him)
Director of Planning & Law



Futurewise
1201 3rd Ave #2200, Seattle, WA 98101
(206) 343-0681
tim@futurewise.org
futurewise.org
connect:  



1201 3rd Ave Suite 2200, Seattle, Washington 98101
(206) 343-0681
futurewise.org

October 31, 2024

Mercer Island City Council
9611 SE 36th St
Mercer Island, Washington 98040

Dear City Council Members and Staff:

Subject: Comments on the 2024 City Council Draft Comprehensive Plan
Sent via email to: comp.plan@mercerisland.gov;

Thank you for the opportunity to comment on the 2024 City Council Draft Comprehensive Plan. The comprehensive plan update represents a significant opportunity to improve comprehensive plans and development regulations for housing, affordable housing, and transit. There are areas where improvements need to be made to better serve the community, comply with state law, and address the challenges and opportunities facing Mercer Island. The recommendations are summarized and then explained in greater detail below.

Futurewise works throughout Washington State to support land-use policies that encourage healthy, equitable, and opportunity-rich communities, that protect our most valuable farmlands, forests, and water resources, and encourage growth in our cities and towns to prevent poorly planned sprawl. Futurewise has members across Washington State including the City of Mercer Island.

Summary of Futurewise's Recommendations.

- Adopt transit-supportive densities for the areas within a half mile of Mercer Island's new light rail station. This will increase transit ridership, increase opportunities for more affordable housing, and reduce greenhouse gas pollution from housing and transportation. Please see page 3 of this letter for more information.
- Include goals and policies to achieve environmental justice in the Land Use Element. RCW 36.70A.070(1) requires that the "land use element must give special consideration to achieving environmental justice in its goals and policies, including efforts to avoid creating or worsening environmental health disparities." Including these provisions will help achieve environmental justice in Mercer Island. Please see page 4 of this letter for more information.

- The requirement to replace existing commercial space should be limited to the ground floor of the new building. This will facilitate redevelopment of existing commercial developments. Please see page 4 of this letter for more information.
- The housing element is required to identify sufficient capacity of land for housing including, but not limited to, emergency housing and emergency shelters. The housing element and the supporting documents do not show that Mercer Island has sufficient capacity for these uses. Conducting this analysis will ensure the city can accommodate its fair share of emergency housing and emergency shelters. Please see page 4 of this letter for more information.
- The housing element is required to include concrete actions, programs, and funding sources to address barriers to housing and development regulations must be updated to remove the barriers. This will help facilitate the development of new housing. Please see page 6 of this letter for more information.
- We recommend that Mercer Island increase the maximum density from 26 to 30 dwellings per acre in the MF-3 zone and 50 dwellings per acre within a half mile of the new light rail station. This will increase transit ridership, increase opportunities for more affordable housing, and reduce greenhouse gas pollution from housing and transportation. Please see page 7 of this letter for more information.
- The analysis “for potential amendments to ensure that multifamily zones can accommodate affordable housing needs” should be done concurrently with the comprehensive plan update and the necessary development regulation amendments need to be adopted by the end of this year. This will increase opportunities for more affordable housing. Please see page 8 of this letter for more information.
- Reduce and eliminate minimum parking requirements. This will reduce housing costs, encourage transit ridership, and decrease greenhouse gas pollution. Please see page 10 of this letter for more information.
- The racially disparate impacts analysis could be tied to more facets of the community. This will make it easier to address disparate racial impacts in policy making. Please see page 12 of this letter for more information.
- Futurewise also recommends that the financing plan in the capital facility plan element should use funding sources other than connection charges and impact fees to fund the public facilities needed to serve housing affordable to families and individuals earning 120 percent or less of the adjusted median income. This will help increase the production of more affordable housing. Please see page 13 of this letter for more information.

- Include a subarea plan for the light rail station area in the comprehensive plan and adopt implementing development regulations. This will increase transit ridership, increase opportunities for more affordable housing, and reduce greenhouse gas pollution from housing and transportation. Please see page 14 of this letter for more information.
- We recommend that the comprehensive plan address the middle housing requirements in RCW 36.70A.635 and the accessory dwelling unit requirements in RCW 36.70A.681 so that the City can efficiently and effectively implement these requirements. Please see page 16 for more information.

More Detailed Comments and Recommendations on the Comprehensive Plan.

Comments on Element 2 - Land Use.

Adopt transit-supportive densities for the areas within a half mile of Mercer Island's new light rail station.

As is explained below, the comprehensive plan must include a subarea plan for the light rail station area and adopt implementing development regulations. Part of that subarea plan includes planning for transit supportive uses and densities.¹ We recommend the area within a half mile of Mercer Island's new light rail station on the I-90 corridor between 77th Avenue SE and 80th Avenue SE be planned and zoned for transit-oriented densities of at 50 housing units per residential acre.²

¹ Puget Sound Regional Council, *VISION 2050: A Plan for the Central Puget Sound Region* p. 43, p. 77, (Oct. 2020) last accessed on Oct. 30, 2024, at:

<https://www.psrc.org/sites/default/files/2022-11/vision-2050-plan.pdf> and at the link on the last page of this letter with the filename: "vision-2050-plan.pdf."

² City Council Public Review CLEAN Draft Mercer Island Comprehensive Plan *Element 4 - Transportation* p. 2 of 33 (Oct. 1, 2024); Futurewise | GGLO | Transportation Choices Coalition, *Transit-oriented communities: A Blueprint for Washington State* p. 29 (Oct. 2009) last accessed on Oct. 24, 2024, at:

<http://www.reconnectingamerica.org/assets/Uploads/tccblueprintfortoc2009.pdf> and at the link on the last page of this letter with the filename: "tccblueprintfortoc2009.pdf." See the Google Earth Image and at the link on the last page of this letter with the filename: "Walking Distance from Mercer Island Light Rail Station Entrance.png" and enclosed in a separate email.

Include goals and policies to achieve environmental justice in the Land Use Element.

RCW 36.70A.070(1) requires that the “land use element must give special consideration to achieving environmental justice in its goals and policies, including efforts to avoid creating or worsening environmental health disparities.” The Land Use Element must include goals and policies to achieve environmental justice.

The requirement to replace existing commercial space should be limited to the ground floor of the new building.

We have heard concerns that the requirement to replace existing commercial spaces when buildings are redeveloped can be a barrier to redevelopment. We recommend that any requirements to replace existing commercial space should be limited to the ground floor of the new building.

Comments on Element 3 – Housing.

The Housing Element must identify sufficient capacity of land for housing including, but not limited to, emergency housing and emergency shelters.

RCW 36.70A.070 and RCW 36.70A.070(2)(c) provides that the housing element “shall” “[i]dentif[y] sufficient capacity of land for housing including, but not limited to, ... emergency housing” and “emergency shelters ...” *Element 3 – Housing* on page 2 of 14 states:

Capacity for permanent supportive housing and emergency housing was evaluated in the Land Capacity Analysis Supplement. The Land Capacity Analysis Supplement found that the Comprehensive Plan allows adequate capacity to accommodate its permanent supportive housing and emergency housing needs.

But the land use *Land Capacity Analysis Supplement* did not analyze the capacity for emergency housing citing to out of date Washington State Department of Commerce Guidance.³ This July, Commerce published a User Guide and Best Practices Report for Emergency shelter, Transitional housing, Emergency housing and Permanent supportive housing (STEP). Per the report, “all fully planning

³ Mercer Island Community Planning and Development Department, *Land Capacity Analysis Supplement* p. 9 (Dec. 2023) last accessed on Oct. 29, 2024, at: <https://letstalk.mercergov.org/comprehensive-plan-periodic-update>.

jurisdictions must do a land capacity analysis to show land capacity for permanent supportive housing and emergency housing/shelters, not just those jurisdictions that have occupancy, spacing and intensity of use requirements.”⁴ Further, the Washington State Department of Commerce Guidance deleted the statement that a land capacity analysis (LCA) is not required. This guidance now provides that: “Fully planning jurisdictions must do a quantitative LCA for emergency housing needs to show sufficient capacity for their allotted share of countywide emergency housing needs (RCW 36.70A.070(2)(c)).”⁵

More importantly, RCW 36.70A.070 and RCW 36.70A.070(2)(c) require the housing element to “[i]dentif[y] sufficient capacity of land for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, permanent supportive housing, and within an urban growth area boundary, consideration of duplexes, triplexes, and townhomes[.]” These provisions have always required the City to identify a sufficient capacity for STEP housing.

Proposed Policy 1.3.4 “Emergency Housing” provides: “Allow use consistent with state law and ensure that occupancy, spacing, and intensity regulations allow sufficient capacity to accommodate the City’s level of need.”⁶ So the land capacity analysis needs to take into the City’s existing or anticipated occupancy, spacing, and intensity regulations.

The *Guidance for Updating Your Housing Element: Updating your housing element to address new requirements* includes the process for conducting an emergency

⁴ Washington State Department of Commerce, *STEP Model Ordinance, User Guide and Best Practices Report* p. 31 (July 2024) last accessed on Aug. 30, 2024, at: <https://deptofcommerce.app.box.com/s/rawnssegfkxagfm1g45xf4b7dm3awwg1> and at the link on the last page of this letter with the filename: “240724_STEP_MOandUserGuide_FINAL_V1.pdf.”

⁵ Washington States Department of Commerce, Local Government Division Growth Management Services, *Guidance for Updating Your Housing Element: Updating your housing element to address new requirements* p. 46 (Aug. 2023) last accessed on Oct. 29, 2024, at: <https://deptofcommerce.app.box.com/s/1d9d5l7g509r389fomjpowh8isjpirlh> and at the link on the last page of this letter the filename: “HB 1220_Book2_Housing Element Update_230823 Final_updated 231031.pdf.”

⁶ City Council Public Review CLEAN Draft Mercer Island Comprehensive Plan *Element 3 - Housing* p. 9 of 14 (Oct. 1, 2024).

housing capacity analysis.⁷ We recommend that the city conduct the analysis and if sufficient capacity is not available to revise the land use and housing elements to identify sufficient capacity.

Include concrete actions, programs, and funding sources to address barriers to housing and update development regulations to remove barriers.

The Growth Management Act in RCW 36.70A.070 and RCW 36.70A.070(2)(d) provides that the housing element shall “[m]ake[] adequate provisions for existing and projected needs of all economic segments of the community, including: ... (ii) Documenting programs and actions needed to achieve housing availability including gaps in local funding, barriers such as development regulations, and other limitations[.]” The deadline for updating Mercer Island’s development regulations to remove barriers is December 31, 2024.⁸

To implement this requirements, the *Guidance for Updating Your Housing Element: Updating your housing element to address new requirements* instructs jurisdictions to include a list of barriers to affordable housing needs, including barriers to emergency housing and permanent supportive housing.⁹ Actions that correspond to those barriers and are necessary to meeting housing needs must also be included.¹⁰

For several of the barriers to more affordable housing options such as middle housing, permanent supportive housing (PSH), emergency housing, and accessory dwelling units (ADUs), the only listed action or program in Table 2 of the Housing Element is “[c]omply with statewide legislation.”¹¹ To maximize success in overcoming these barriers, actions and programs should be reasonably specific and concrete. For example, the actions listed in Table 2 intended to overcome development regulation barriers to multifamily and mixed-use units are to simplify the requirements, reduce permit review times, and consider adjustments

⁷ Washington States Department of Commerce, *Local Government Division Growth Management Services, Guidance for Updating Your Housing Element: Updating your housing element to address new requirements* pp. 46 – 48 (Aug. 2023).

⁸ RCW 36.70A.130(1)(a), (5)(a). The deadline for critical areas regulations updates is December 31, 2024. RCW 36.70A.130(7).

⁹ See Washington States Department of Commerce, *Local Government Division Growth Management Services, Guidance for Updating Your Housing Element: Updating your housing element to address new requirements* p. 50 and Appendix B (Aug. 2023).

¹⁰ See *id.* at 61 and Appendix B.

¹¹ City Council Public Review CLEAN Draft Mercer Island Comprehensive Plan *Element 3 – Housing* p. 4 of 14 (Oct. 1, 2024).

to bulk, dimensions, and parking standards.¹² We support these actions.

Futurewise supports the listed actions to address funding gaps related to income restricted units, PSH, and emergency housing. Specific state funding sources the City should consider here include the Connecting Housing to Infrastructure (CHIP) Grant, the Coordinating Low-income Housing Planning (CLIHP) Grant, and the Multi-Family Housing Property Tax Exemption (MFTE) Program.¹³ Futurewise recommends adding a summary of funding sources like these to the plan.

For development regulation barriers, the deadline to adopt amended development regulations is December 31, 2024.¹⁴ So those regulations need to be updated by the end of the year.

RCW 36.70A.070 and RCW 36.70A.070(2)(d) require that the housing element shall document gaps in local funding. We were unable to find any documentation of local funding gaps.¹⁵ The identification of local funding and local funding gaps is particularly important as it will enable local, county, and state policy makers to understand the unmet housing funding needs in our communities.

We recommend that Mercer Island increase the maximum density from 26 to 30 dwellings per acre in the MF-3 zone and 50 dwellings per acre within a half mile of the new light rail station.

One of the options to address the capacity shortfall is to increase the maximum density from 26 to 30 dwellings per acre in the MF-3 Zone.¹⁶ While we recognize the city has decided to increase building heights in certain Town Center subareas

¹² *Id.*

¹³ Washington State Department of Commerce, *Planning for Housing* webpage last accessed on Oct. 31, 2024, at: <https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/>; Washington State Department of Commerce, *Growth Management Grants* webpage last accessed on Oct. 31, 2024, at: <https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-grants/>

¹⁴ RCW 36.70A.130(1)(a), (5)(a). The deadline for critical areas regulations updates is December 31, 2024. RCW 36.70A.130(7).

¹⁵ Mercer Island Community Planning and Development Department, *Land Capacity Analysis Supplement*, pp. 6 – i (Dec. 2023); City Council Public Review CLEAN Draft Mercer Island Comprehensive Plan *Element 3 – Housing* pp. 1 – 14 of 14 (Oct. 1, 2024).

¹⁶ Mercer Island Community Planning and Development Department, *Land Capacity Analysis Supplement* p. 23 (Dec. 2023).

to address capacity,¹⁷ in a high-cost city such as Mercer Island densities of 26 or even 30 dwelling units per acre will not be affordable to households earning 50 percent or less than the adjusted median income even with subsidies. To be affordable to families earning 80 percent or less of the AMI, “Low-Rise Multifamily” and “Mid-Rise Multifamily” housing types with subsidies are required.¹⁸ Low-rise multifamily dwellings will typically be small multi-family dwellings with a range of 25-70 net dwelling units per acre.¹⁹ The “MF-3” zone should allow these housing types and densities to make the housing affordable to families earning 80 percent or less of the AMI. For the “MF-3” zone within a half mile of Mercer Island’s new light rail station on the I-90 corridor between 77th Avenue SE and 80th Avenue SE the density should be 50 housing units per residential acre.²⁰

The analysis “for potential amendments to ensure that multifamily zones can accommodate affordable housing needs” should be done concurrently with the comprehensive plan update the necessary development regulation amendments must be adopted by the end of this year.

The *Land Capacity Analysis Supplement* states that “[m]ultifamily development regulations should be analyzed in the near future for potential amendments to ensure that multifamily zones can accommodate affordable housing needs.”²¹ The *Land Capacity Analysis Supplement* also wrote that “[o]ther regulations such as maximum lot coverage and parking standards might still need amendments to support affordable housing[.]”²²

¹⁷ City Council Public Review CLEAN Draft Mercer Island Comprehensive Plan *Element 3 – Housing* p. 4 of 14 (Oct. 1, 2024)

¹⁸ Washington States Department of Commerce, *Local Government Division Growth Management Services, Guidance for Updating Your Housing Element: Updating your housing element to address new requirements* p. 33 (Aug. 2023).

¹⁹ Luke Mich, *The Missing Middle: Understanding Low-Rise, Moderate-Density Housing in Greater Boston* p. 18 (Master in City Planning thesis at the Massachusetts Institute of Technology: June 2017) last accessed on Oct. 29, 2024, at: <https://dspace.mit.edu/handle/1721.1/111424#:~:text=Dubbed%20the%20%22Missing%20Middle%22%20by,suburban%20neighborhoods%20than%20their%20larger> and at the link on the last page of this letter with the filename: “1003292286-MIT.pdf.”

²⁰ City Council Public Review CLEAN Draft Mercer Island Comprehensive Plan *Element 4 – Transportation* p. 2 of 33 (Oct. 1, 2024); Futurewise | GGLO | Transportation Choices Coalition, *Transit-oriented communities: A Blueprint for Washington State* p. 29 (Oct. 2009).

²¹ Mercer Island Community Planning and Development Department, *Land Capacity Analysis Supplement* p. 36 (Dec. 2023).

²² *Id.*

Similarly, the housing element provides “[r]eview multifamily zone development regulations to: [] [s]implify the requirements[,] [][r]educe permit review times[, and] [] [c]onsider adjustments to bulk, dimensions, and parking standards[.]”²³ The housing element provides: “Consider streamlining design review for multifamily and mixed-use development, particularly for developments with income restricted affordable units.”²⁴ The housing element also provides: “Establish anti-displacement measures to reduce and mitigate risk of displacement in areas with increased displacement risk.”²⁵

RCW 36.70A.070(2) and RCW 36.70A.070(2)(c) provide that the housing element “shall” “[i]dentif[y] sufficient capacity of land for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, ... emergency housing, emergency shelters, [and] permanent supportive housing.” RCW 36.70A.070(2) and RCW 36.70A.070(2)(d) provide that the housing element “shall” “[m]ake[] adequate provisions for existing and projected needs of all economic segments of the community, including: (i) Incorporating consideration for low, very low, extremely low, and moderate-income households ...” RCW 36.70A.070(2) and RCW 36.70A.070(2)(f), (g), and (h) provide that the housing element “shall:”

- (f) Identif[y] and implement[] policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions;
- (g) Identif[y] areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments; and
- (h) Establishes antidisplacement policies, with consideration given to the preservation of historical and cultural communities as well as investments in low, very low, extremely low, and moderate-income housing; equitable development initiatives; inclusionary zoning; community planning requirements; tenant protections; land disposition policies; and consideration of land that may be used for affordable housing.

²³ City Council Public Review CLEAN Draft Mercer Island Comprehensive Plan *Element 3 – Housing* p. 4 of 14 (Oct. 1, 2024).

²⁴ *Id.*

²⁵ *Id.*

Development regulations must be consistent with and implement the comprehensive plan.²⁶ The deadline to update the comprehensive plan and the development regulations for Mercer Island is the same, December 31, 2024.²⁷ The analysis “for potential amendments to ensure that multifamily zones can accommodate affordable housing needs”²⁸ must be done concurrently with the comprehensive plan update the necessary amendments adopted by the end of this year.²⁹ The other analyses listed above must be done concurrently with the comprehensive plan update the necessary development regulation amendments adopted by the end of this year.³⁰ This is also the case for the strategies and regulations to address displacement.³¹

Reduce and eliminate minimum parking requirements.

The Land Capacity Analysis Supplement also wrote:

- Other regulations such as maximum lot coverage and parking standards might still need amendments to support affordable housing;
 - For example, the cost of providing parking spaces typically increases per-unit construction costs and residential development in the multifamily zones is required to include two parking spaces per dwelling unit (MICC 19.03.020(B)(1)). Requiring two parking spaces per unit adds to the cost of construction for any potential affordable housing in this zone[.]³²

The peer reviewed literature supports the *Land Capacity Analysis Supplement* recommendation. A study using American Housing Survey data found that “[m]inimum parking requirements in municipal zoning codes drive up the price of

²⁶ RCW 36.70A.040(3).

²⁷ RCW 36.70A.130(5), (5)(a). The city has an additional year to update its critical areas regulations. RCW 36.70A.130(7)(b).

²⁸ Mercer Island Community Planning and Development Department, *Land Capacity Analysis Supplement*, p. 36 (Dec. 2023).

²⁹ RCW 36.70A.130(5), (5)(a).

³⁰ RCW 36.70A.130(5), (5)(a).

³¹ RCW 36.70A.130(5), (5)(a).

³² Mercer Island Community Planning and Development Department, *Land Capacity Analysis Supplement*, p. 36 (Dec. 2023).

housing”³³ Households living in transit-oriented developments are twice as likely to not own a car, and own roughly half as many cars as comparable households not living in in transit-oriented developments.³⁴ A peer reviewed study of Seattle’s parking reforms showed “that (1) minimum parking requirements constrain developers, though not uniformly; and (2) reducing requirements leads to less parking provision, and presumably cost savings for developers and lower housing prices for consumers. These findings highlight the impact that policymakers can have by reducing or eliminating off-street parking requirements.”³⁵ “Seattle developers built 40% less parking than would have been required prior to the reforms, resulting in 18,000 fewer parking spaces and saving an estimated \$537 million.”³⁶ In addition to saving money, “parking reform can lower tax rates, revive business districts, decrease property vacancies, and allow development of fewer off-street parking spaces as property becomes available for other uses (Hess, 2017).”³⁷ Removing minimum parking requirements is not just

³³ C. J. Gabbe & Gregory Pierce, *Hidden Costs and Deadweight Losses: Bundled Parking and Residential Rents in the Metropolitan United States* 27 HOUSING POLICY DEBATE 217, 217 (2017) (page 2 in the enclosed version) last accessed on Oct. 30, 2024, at: <https://scholarcommons.scu.edu/cgi/viewcontent.cgi?article=1040&context=ess> and at the link on the last page of this letter with the filename: “Hidden costs and deadweight losses_ Bundled parking andresidentialia.pdf.” Housing Policy Debate is peer reviewed. Housing Policy Debate Aims and scope webpage last accessed on Oct. 30, 2024, at: <https://www.tandfonline.com/action/journalInformation?show=aimsScope&journalCode=rhpd20> and at the link on the last page of this letter with the filename: “Housing Policy Debate About this Journal webpage.pdf.”

³⁴ National Academies of Sciences, Engineering, and Medicine, *Effects of TOD on Housing, Parking, and Travel* p. 6 (Washington, DC: The National Academies Press: 2008) last accessed on Oct. 30, 2024, at <https://doi.org/10.17226/14179> and at the link on the last page of this letter with the filename: “14179.pdf.”

³⁵ C.J. Gabbe, Gregory Pierce, Gordon Clowers, *Parking policy: The effects of residential minimum parking requirements in Seattle* 91 LAND USE POLICY 104053, 104053 (Feb. 2020) last accessed on Oct. 30, 2024, at: <https://www.sciencedirect.com/science/article/abs/pii/S0264837718312870>. Land Use Policy is peer reviewed. *Id.*

³⁶ C.J. Gabbe, Gregory Pierce, Gordon Clowers, *Parking policy: The effects of residential minimum parking requirements in Seattle* 91 LAND USE POLICY 104053, 104053 (Feb. 2020).

³⁷ Daniel Baldwin Hess Jeffrey Rehler, *Minus Minimums: Development Response to the Removal of Minimum Parking Requirements in Buffalo (NY)* 87 JOURNAL OF THE AMERICAN PLANNING ASSOCIATION 396, 397 (2021) last accessed on Oct. 30, 2024, at: <https://www.tandfonline.com/doi/pdf/10.1080/01944363.2020.1864225?needAccess=true> and at the link on the last page of this letter with the filename: “Minus Minimums.pdf.” The Journal of the American Planning Association is peer reviewed. Journal of the American Planning Association Instructions for authors at the link on the last page of this letter with the filename: “JAPA Instructions for Authors June 2017.pdf.”

for large cities. On August 13, 2024, the City of Spokane permanently removed mandatory parking minimums, “a move councilmembers hope will spur new development.”³⁸

As the draft Economic Development Element notes, less expensive, multifamily housing may attract residents in and near the Town Center who are more likely to choose not to own a car and may be more likely to shop local.³⁹ This tendency will likely grow more common with the opening of the East Link Station and this plan’s improvements to pedestrian transportation.

The racially disparate impacts analysis could be tied to more facets of the community.

State law requires jurisdictions to “[i]dentify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including: Zoning that may have a discriminatory effect; Disinvestment; and Infrastructure availability.”⁴⁰ The housing element includes a portion on racially disparate impacts, derived from a December 2023 supplement dedicated to the subject. The supplement was made with RCW 36.70A.070(2)(f) as a guide, however this section should be expanded upon to better capture potential burdens on BIPOC communities in Mercer Island.

The supplement includes a review of policies evaluated under Commerce’s Challenging, Approaching, Supporting framework with specific notes for each goal and policy. Much of the policies discussed relate to the constrained availability of affordable, higher density housing and the disproportionate cost-burden BIPOC residents experience. Futurewise recommends highlighting the fact that while middle housing tend to be more affordable than typical single-family units, subsidies and incentives are still required because middle housing will likely not serve low-income families otherwise.⁴¹ We also agree that more affordable high-density housing is also needed.

³⁸ Adam Schwager, *City Council removes parking minimums for new developments* webpage (NonStop Local Multimedia: Aug. 13, 2024), last accessed on Oct. 30, 2024, at: https://www.khq.com/news/city-council-removes-parking-minimums-for-new-developments/article_def8f014-59dd-11ef-af00-b71937c8888c.html.

³⁹ City Council Public Review CLEAN Draft Mercer Island Comprehensive Plan *Element 8 – Economic Development* p. 5 of 19 (Oct. 1, 2024).

⁴⁰ RCW 36.70A.070(2)(e).

⁴¹ Washington State Department of Commerce, *Guidance To Address Racially Disparate Impacts – Final* p. 43 (April 2023) last accessed on Oct. 30, 2024, at:

Comments on the Recommended Transportation Element.

Futurewise supports the adding crosswalk signals to improve pedestrian intersections near Town Center and the East Link Station.

Comments on the Recommended Capital Facilities Element.

The Growth Management Act (GMA) requires jurisdictions to develop and satisfy level-of-service standards (LOS) that show it can serve new development.⁴² We appreciate that “the community largely has sufficient capacity in water and sewer systems, parks, schools, local streets and arterials, and public buildings (library, fire stations, public safety buildings, public works building, and community center) to handle projected growth.”⁴³ Consistent with the GMA’s public facilities goal, Futurewise urges the City to anticipate any the future capital facility needs from middle housing and additional multifamily units. It is important that the public facilities needed to accommodate growth are identified and planned.

Futurewise also recommends that the financing plan in the capital facility plan element identify funding so that more affordable housing can be economically constructed in Mercer Island. The City should use funding sources other than connection charges and impact fees to fund the public facilities needed to serve housing affordable to families and individuals earning 120 percent or less of the adjusted median income.⁴⁴ This will help address economic and racial injustice and help comply with RCW 36.70A.070(2)(d), (e), and (f). It will also increase the production of more affordable housing units.

<https://deptofcommerce.app.box.com/s/1l217l98jattb87qobtw63pkplzhxege> and at the link on the last page of this letter with the filename:

“RaciallyDisparateImpactsGuidance_230425_FINAL2.pdf.”

⁴² RCW 36.70A.070(3), (6).

⁴³ City Council Public Review CLEAN Draft Mercer Island Comprehensive Plan *Element 6 – Capital Facilities* p. 1 of 25 (Oct. 1, 2024).

⁴⁴ Washington State Department of Commerce, *Guidance To Address Racially Disparate Impacts – Final* p. 43 (April 2023).

Include a subarea plan for the light rail station area in the comprehensive plan and adopt implementing development regulations.

Comprehensive plans and development regulations must comply with the Multicounty Planning Policies (MPPs).⁴⁵ VISION 2050 identifies Mercer Island as a “High Capacity Transit Communit[y].”⁴⁶ “High Capacity Transit Communities include cities connected to existing or planned light rail ... rapid transit facilities.”⁴⁷ Mercer Island’s new light rail station is located north of the Town Center, on the I-90 corridor between 77th Avenue SE and 80th Avenue SE.⁴⁸

DP-Action-8, a multicounty planning policy, requires that “[e]ach city ... with a designated ... light rail transit station area will develop a subarea plan for the designated ... station area”⁴⁹ “Station areas are within walking distance (about a half mile) of existing and planned light rail and streetcar stations ...”⁵⁰ Multicounty Planning Policy (MPP) MPP-RGS-8 provides:

Attract 65% of the region’s residential growth and 75% of the region’s employment growth to the regional growth centers and high-capacity transit station areas to realize the multiple public benefits of compact growth around high-capacity transit investments. As jurisdictions plan for growth targets, focus development near high-capacity transit to achieve the regional goal.⁵¹

MPP-DP-22 also provides: “Plan for densities that maximize benefits of transit investments in high-capacity transit station areas that are expected to attract significant new population or employment growth.”⁵² MPP-T-19 provides: “Design

⁴⁵ *Stickney v. Cent. Puget Sound Growth Mgmt. Hearings Bd.*, 11 Wn. App. 2d 228, 244 – 48, 453 P.3d 25, 33 – 35, 453 P.3d 25, 34 (2019).

⁴⁶ Puget Sound Regional Council, *VISION 2050: A Plan for the Central Puget Sound Region* p. 33 (Oct. 2020) last accessed on Oct. 30, 2024, at: <https://www.psrc.org/sites/default/files/2022-11/vision-2050-plan.pdf> and at the link on the last page of this letter with the filename: “vision-2050-plan.pdf.”

⁴⁷ *Id.* p. 33.

⁴⁸ City Council Public Review CLEAN Draft Mercer Island Comprehensive Plan *Element 4 - Transportation* p. 2 of 33 (Oct. 1, 2024).

⁴⁹ Puget Sound Regional Council, *VISION 2050: A Plan for the Central Puget Sound Region* p. 80 (Oct. 2020).

⁵⁰ *Id.* p. 69. See also the definition of High-Capacity Transit Station Areas on page 128.

⁵¹ *Id.* p. 43.

⁵² *Id.* p. 77

transportation programs and projects to support local and regional growth centers and high-capacity transit station areas.”⁵³

We were unable to find a subarea plan for the Mercer Island light rail station in either the existing or proposed comprehensive plan.⁵⁴ The subarea is also not shown on the comprehensive plan’s Figure 1. Land Use Map.⁵⁵ The subarea plan for the Mercer Island light rail station must be included in the comprehensive plan.⁵⁶

As part of the subarea plan and its implementing regulations, the city should rezone the areas north of I-90 within a half mile of the East Link Light Rail Station currently proposed for a Single-Family Residential (R) comprehensive plan designation.⁵⁷ The Single-Family Residential (R) comprehensive plan designation is inconsistent with the multicounty planning policies and the Regional Growth Strategy.⁵⁸ This area and other areas within a half mile of the transit station need to be planned and zoned for transit-oriented densities of at 50 housing units per residential acre.⁵⁹

⁵³ Id. p. 106

⁵⁴ Mercer Island Comprehensive Plan November 1, 2022 and last accessed on Oct. 30, 2024, at: https://library.municode.com/wa/mercer_island/codes/comprehensive_plan; “2024 City Council Draft Comprehensive Plan Now Available For Public Review” last accessed on Oct. 30, 2024, at: https://letstalk.mercergov.org/comprehensive-plan-periodic-update/news_feed/public-review-drafts-of-comprehensive-plan-elements-now-available.

⁵⁵ City Council Public Review CLEAN Draft Mercer Island Comprehensive Plan *Element 2 - Land Use* p. 28 of 28 (Oct. 1, 2024).

⁵⁶ Puget Sound Regional Council, *VISION 2050: A Plan for the Central Puget Sound Region* p. 15, p. 27 (Oct. 2020); RCW 36.70A.100; RCW 36.70A.130; RCW 36.70A.210; *Stickney v. Cent. Puget Sound Growth Mgmt. Hearings Bd.*, 11 Wn. App. 2d 228, 244 – 48, 453 P.3d 25, 33 – 35, 453 P.3d 25, 34 (2019).

⁵⁷ City Council Public Review CLEAN Draft Mercer Island Comprehensive Plan *Element 2 - Land Use* p. 28 of 28 (Oct. 1, 2024); See the Google Earth Image and at the link on the last page of this letter with the filename: “Walking Distance from Mercer Island Light Rail Station Entrance.png” and enclosed in a separate email.

⁵⁸ Puget Sound Regional Council, *VISION 2050: A Plan for the Central Puget Sound Region* pp. 23 – 33, p. 43, p. 106 (Oct. 2020).

⁵⁹ Futurewise | GGLO | Transportation Choices Coalition, *Transit-oriented communities: A Blueprint for Washington State* p. 29 (Oct. 2009) last accessed on Oct. 24, 2024, at: <http://www.reconnectingamerica.org/assets/Uploads/tccblueprintfortoc2009.pdf> and at the link on the last page of this letter with the filename: “tccblueprintfortoc2009.pdf.”

We recommend that the comprehensive plan address the middle housing requirements in RCW 36.70A.635 and the accessory dwelling unit requirements in RCW 36.70A.681 so that the City can efficiently and effectively implement these requirements.

RCW 36.70A.635(1)(a) requires Mercer Island⁶⁰ to authorize the following housing:

- (i) The development of at least two units per lot on all lots zoned predominantly for residential use, unless zoning permitting higher densities or intensities applies;
- (ii) The development of at least four units per lot on all lots zoned predominantly for residential use, unless zoning permitting higher densities or intensities applies, within one-quarter mile walking distance of a major transit stop; and
- (iii) The development of at least four units per lot on all lots zoned predominantly for residential use, unless zoning permitting higher densities or intensities applies, if at least one unit is affordable housing.

The deadline for allowing this housing is June 30, 2025.⁶¹ Additional requirements and certain time extensions and exceptions for limited areas may apply.

RCW 36.70A.681(1)(c) requires Mercer Island to allow at least two accessory dwelling units on all lots that are located in all zoning districts within the city that allow for single-family homes. Other provisions also apply.

These requirements are important because of the high proportion of land in Mercer Island zoned for low density housing.⁶² Mercer Island cannot realistically expand and protect opportunities for affordable homeownership if such large areas of the City are zoned for low density single family dwellings which are unaffordable to many families. While the City cannot easily influence barriers to

⁶⁰ Washington State Department of Commerce, 2020 OFM City populations and three tiers per RCW 36.70A.635(1) p. 2 at the link on the last page of the letter with the filename: "Update MH City List only 05-13-2024.pdf."

⁶¹ RCW 36.70A.635(1)(a).

⁶² City Council Public Review CLEAN Draft Mercer Island Comprehensive Plan *Element 2 - Land Use* p. 6 of 28 (Oct. 1, 2024).

Re: Comments on the 2024 City Council Draft Comprehensive Plan
October 31, 2024
Page 17

homeownership such as application processes and procedures, and mortgage lending, the City can adjust its zoning density and capacity to allow for more diverse homeownership opportunities.

We recommend that the comprehensive plan address the requirements in RCW 36.70A.635(1)(a) and RCW 36.70A.681 now. This will help the City efficiently and effectively implement these requirements by the deadline and to begin increasing affordable housing ownership opportunities. In addition, RCW 36.70a.070(2)(b) requires a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing moderate density housing options within the urban growth area including, but not limited to, duplexes, triplexes, townhomes, and accessory dwelling units. These are some of the housing types required by RCW 36.70A.635 and RCW 36.70A.681. Incorporating them into the comprehensive plan will aid in complying with RCW 36.70a.070(2)(b) and (2)(d).

Thank you also for considering our other comments. If you require additional information, please contact me at email tim@futurewise.org or 206-343-0681.

Very Truly Yours,



Tim Trohimovich, AICP
Director of Planning & Law

Enclosures at this link:

<https://futurewiseorg.sharepoint.com/:f/g/Et4M8yVrnq5NuivjoBxnLWcBD-w8TSPtzt7Noh5fKWB8Lw?e=8mVUzg>



RE: Comments on the 2024 City Council Draft Comprehensive Plan

From Tim Trohimovich <Tim@futurewise.org>
Date Thu 10/31/2024 12:22 PM
To ComprehensivePlanUpdate <Comp.Plan@mercerisland.gov>

1 attachment (3 MB)
Walking Distance from Mercer Island Light Rail Station Entrance.png;

Dear City Council Members:

Here is the aerial image referenced in the letter.

Tim Trohimovich, AICP
Director of Planning & Law
Futurewise
1201 3rd Ave #2200, Seattle, WA 98101
(206) 343-0681
tim@futurewise.org

From: Tim Trohimovich
Sent: Thursday, October 31, 2024 12:20 PM
To: comp.plan@mercerisland.gov
Subject: Comments on the 2024 City Council Draft Comprehensive Plan

Dear City Council Members and Staff:

Enclosed please find Futurewise’s comments on the 2024 City Council Draft Comprehensive Plan. Thank you for considering our comments.

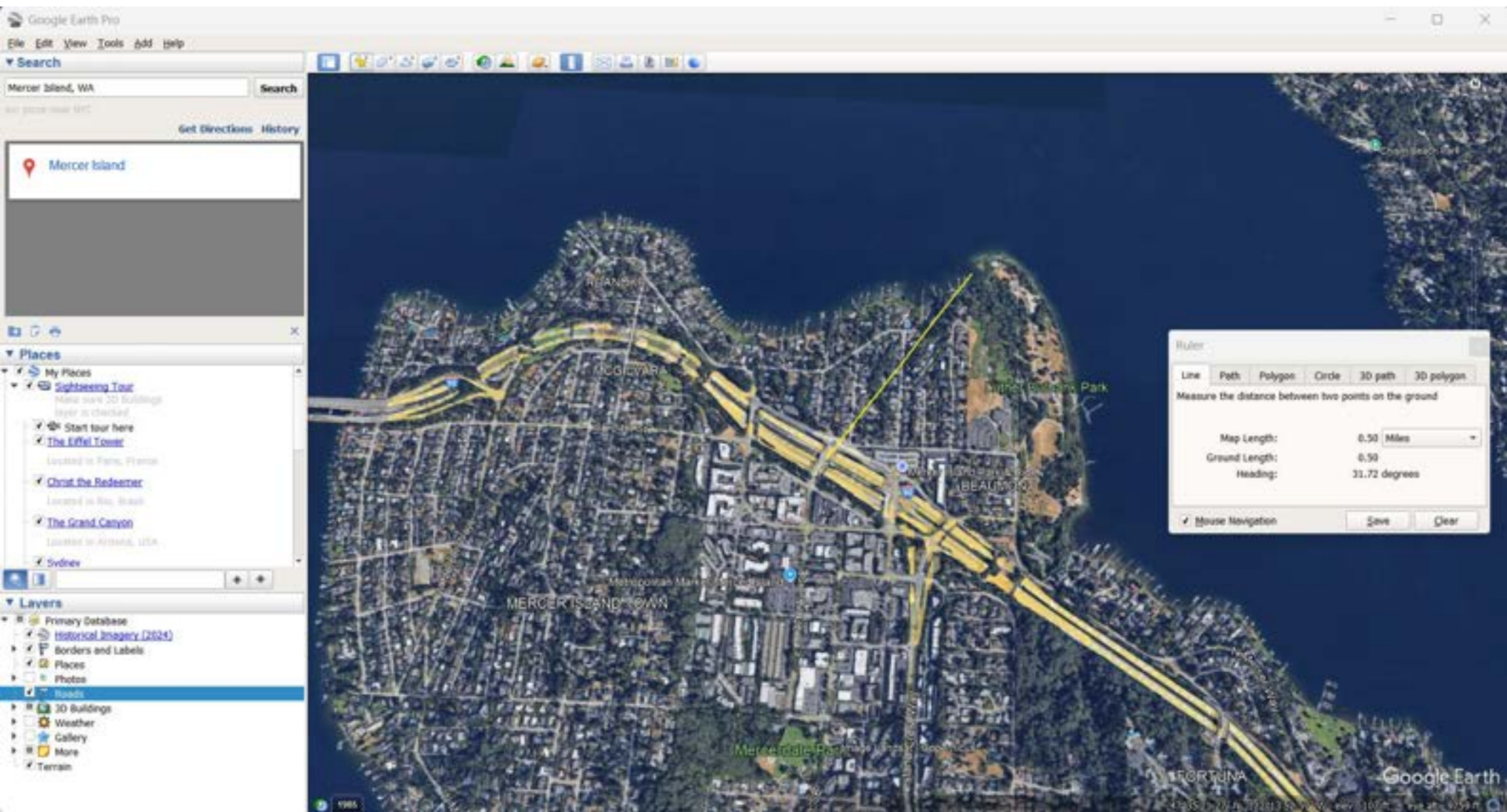
In a separate I will be sending an aerial image referenced in the letter. That and the other referenced documents are at the link on the last page of the letter.

Please let me know if you need anything else.

Tim Trohimovich, AICP (he/him)
Director of Planning & Law



Futurewise
1201 3rd Ave #2200, Seattle, WA 98101
(206) 343-0681
tim@futurewise.org
futurewise.org
connect:





MIDDLE HOUSING IMPLEMENTATION PLAN

Lowering Barriers to More Housing
Choices



MIDDLE HOUSING IMPLEMENTATION PLAN

Lowering Barriers to More Housing Choices

Prepared by Master Builders Association of King and Snohomish Counties

CONTENTS

- Overview 2
- Background 3
- Trade Offs & Finding Balance 3
- Process and Model Code Recommendations 4
- Tools & Resources 7

OVERVIEW

On May 8, 2023, Governor Jay Inslee signed HB 1110 into law, which is a major reform to zoning in our state that will provide a greater number of people with more diverse housing choices. If properly implemented, this new middle housing law has the potential to add much needed housing supply to help the state reach its goal of adding 1 million new homes by 2044 while at the same time providing more affordable housing options.

The new law requires cities of certain sizes and locations to allow multiple dwelling units per lot that are middle housing types. HB 1110 defines "Middle housing" as *"buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing."*

Cities subject to HB 1110 must implement its requirements no later than six months after the next periodic update to their comprehensive plans required under the Growth Management Act. For cities in the central Puget Sound region (within King, Kitsap, Pierce, and Snohomish counties), these updates are due by December 31, 2024. Therefore, they must implement HB 1110 by June 30, 2025.

Many people who want to live in our cities are finding it harder and harder to find a home that fits their lives and budget. Allowing more "middle" home choices, such as duplexes and triplexes, in addition to single-family detached homes, can create more housing choices for Washington families in neighborhoods close to jobs, transit, schools, parks, and other amenities.

Allowing middle home types is not a new idea— HB 1110 simply authorizes housing types that were previously allowed without question. One of the concerns often raised regarding middle housing is that it will negatively impact neighborhood character. However, the premise of HB 1110 is that the types of housing considered to be "middle housing" are of the size and scale that can blend into existing single-family neighborhoods.



Quadplex via Sightline Institute

BACKGROUND

Since the 1940s, many municipal zoning codes, ordinances, and regulations across the United States have prioritized detached single-family homes and mid- to high-rise apartment buildings. Excluding certain housing types was frequently done for a specific purpose: prioritizing single-family neighborhoods was a way for cities and towns to legally segregate communities. Because of this zoning, there was simply not enough housing to meet demand as cities grew, so prices rose. This resulted in those who were less affluent, often people of color, being excluded or pushed farther away from high-opportunity neighborhoods.

In the Puget Sound region, the demand for housing has continued to outpace supply, thanks in part to strong job growth. By 2050, the region is projected to grow by more than 1.8 million residents and 1.2 million jobs according to the Puget Sound Regional Council (PSRC).

We need to build more affordable homes close to job centers and transit; the status quo is not sustainable when we consider both our region's climate change mitigation objectives and housing affordability goals. Middle housing is a more affordable homeownership and rental option for families and individuals looking to live in our urban areas.

TRADE OFFS & FINDING BALANCE

Infill and middle housing contributes to the diversity of housing options and provide many benefits, highlighted below. This type of housing also comes with tradeoffs. For example, lots with middle housing cannot accommodate the same number of off-street parking spaces or trees as a typical single-family home. Cities must balance the need for more housing choices with the desire to have adequate parking and grow their tree canopy. This means adopting flexible policies, for example, that allow for the right trees in the right place. Cities can also leverage a neighborhood's proximity to transit to offset any reductions in off-street parking spaces.

Lowering barriers to middle housing will enable cities to better plan for a spectrum of housing choices so that current residents, newcomers, and future generations may find a home that best fits their lives.

- Duplexes, triplexes, fourplexes, sixplexes, stacked flats, townhomes, and courtyard apartments are more affordable than detached, single-family houses because land costs, which account for a significant portion of a home's value, can be shared across several households.
- Construction costs for "plexes," stacked flats, townhomes and courtyard apartments are lower per square foot than taller apartment buildings.
- Because middle housing helps preserve wilderness areas and reduce vehicle miles traveled, it's an important strategy for reducing carbon emissions.

For every \$1,000 increase in the median price of a home in the Seattle/Bellevue/Tacoma market, 856 people are priced out.

National Association of Home Builders Priced-Out Estimates for 2023



PROCESS AND MODEL CODE RECOMMENDATIONS

MBAKS' overarching suggestions for cities to implement middle housing is to keep it simple. The easier and more cost-effective it is to build middle housing, the more likely it is to be built, and the more attainable it will be for those looking for a place to call home. With the goal of facilitating more housing choices in mind, MBAKS recommends implementing local codes with the following features to streamline the review process:

PROCESS REFORMS TO STREAMLINE PERMITTING OF MIDDLE HOUSING AFFORDABILITY

- Provide a [streamlined review process](#) that includes allowing concurrent review of construction/engineering plans with the proposed preliminary plat.
- Adopt a model home building permit ordinance allowing up to 13 building permit applications to be submitted and issued prior to final plat recording, or at a minimum, allow up to 13 building permit applications to be submitted and processed (but not issued) prior to final plat recording.
- Implement SEPA and planning-related actions¹ to facilitate housing supply, including middle housing.
- Reduce costs to create middle housing by waiving or greatly reducing permit fees and impact fees, utility connection fees, and street improvement requirements.
- Do not require design review for middle housing. If a city already has design review in place, ensure design review is based on meeting clear and objective standards, as required by [state law](#), within the shortest timeframe possible.



¹ Where appropriate, adopt a subarea plan pursuant to RCW 43.21C.420 together with a planned action pursuant to RCW 43.21C.440(1)(b)(ii); Adopt a categorical exemption pursuant to RCW 43.21C.229(2) for [infill residential or mixed-use development](#); Adopt the [maximum allowable exemption levels](#) pursuant to WAC 197-11-800(1) for "minor new construction"



REGULATORY CHANGES TO FACILITATE MIDDLE HOUSING

- Allow middle housing on all lots zoned predominantly for residential use and rename single-family zones to “neighborhood residential” (or something similar) without reference to “single-family.”
- Cities with a population greater than 25,000 should allow all middle housing types, among those identified in [House Bill 1110](#), that are authorized on lots zoned predominantly for residential use.²
- Adopt financial and/or regulatory incentives for property owners to renovate and convert existing single-family homes into middle housing.
- Adopt provisions allowing middle housing to be created for ownership through methods in addition to a condominium.
- building.”
- To incentivize development of cottage housing, allow: at least a two-for-one density bonus; cottages up to 1,750 square feet of net floor area, excluding attached garages; and reduced sideyard setbacks.
- Either eliminate mandated minimum parking requirements or significantly reduce parking requirements, especially near transit or in areas with available street parking.
- Allow greater use of private drive access without placing limits on number of homes that can be served by them, to increase flexibility for site layouts, to reduce costs, and to help facilitate more housing choices.



- Allow up to 12 units per lot and provide other incentives for condominium and townhome development. This would help leverage newly passed condo bills, which among other things, exclude buildings with 12 or fewer units that are no more than three stories³ from the definition of “multiunit residential

² This includes duplexes, triplexes, and fourplexes; fiveplexes and sixplexes; townhouses; stacked flats; cottage housing; and courtyard apartments.

³ As authorized under [Senate Bill 5792](#)



- Allow reduced private driveway widths of 10 feet.⁴
- Simplify design standards and architectural treatment requirements.
- Ensure that regulations and design standards are updated to facilitate, not inhibit, development of middle housing.
- Provide flexibility to manage the scale of projects through lot coverage and floor area ratio (FAR).⁵
- For cities with a population greater than 25,000, adopt setbacks recommended in [model ordinance](#).⁶
- Exclude items from the calculation of interior floor area as recommended in the model ordinance guidance.⁷
- Allow a maximum building height of 35 feet for middle housing.

- Consider adopting a form-based development code.
- Update local building codes to allow middle housing types with up to 6 units to be built under the International Residential Code.
- Adopt tree regulations based on a “canopy” approach as is used in Snohomish County rather than those based on retention of “significant” trees and replacement ratios for trees that are removed. This approach provides more certainty and objectivity in its application and has been [demonstrated to be successful](#) over the last 10 years in increasing tree canopy and retention of existing canopy.
- Ensure local codes and design standards for tree retention/replacement do not preclude development of middle housing on a lot or reduce the number of middle housing units that could be developed.
- Do not require undergrounding of utilities when doing so makes project financially infeasible.
- Allow middle housing units to be independently metered by utilities.

⁴ While the model ordinance recommends private driveways shall not be required to be wider than 12 feet, some jurisdictions, such as Seattle and Kirkland, currently allow for 10 feet.

⁵ Allow the following FAR at a minimum:

Unit density on the lot	Minimum floor area ratio (FAR)
1	0.6
2	0.8
3	1.0
4	1.2
5	1.4
6	1.6

⁶ Street or front: 15 feet, except 10 feet for lots with a unit density of three or more; Street or front, garage door (where accessed from a street): 20 feet; Side street: Five feet; Side interior: Five feet, and zero feet for attached units internal to the development

⁷ Exclude the following from calculation of interior floor area: Cottage housing developments meeting the standards of Section 8 of the [model ordinance](#) for cities with a population greater than 25,000; Unoccupied accessory structures, up to a maximum equal to 250 square feet per middle housing unit; Basements, as defined by the city’s development regulations; Unenclosed spaces such as carports, porches, balconies, and rooftop decks

TOOLS & RESOURCES

PLANNING INSIGHTS: PRACTICAL TOOLS

MBAKS: Housing Toolkit	mbaks.com/docs/default-source/documents/advocacy/issue-briefs/mbaks-housing-toolkit.pdf
Department of Commerce: Middle Housing in Washington Resources	https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-middle-housing/
Department of Commerce: User Guide for Middle Housing Model Ordinances	https://deptofcommerce.box.com/s/dip01jnz8i0o2eeuy9v8n39kcm1uc4mk
MRSC: Missing Middle Housing	https://mrsc.org/explore-topics/housing-homelessness/housing/middle-housing
PSRC: Housing Innovation Program	psrc.org/hip
Spokane, WA: Building Opportunity for Housing	https://my.spokanecity.org/projects/shaping-spokane-housing/building-opportunity-for-housing/
Bothell, WA: Middle Housing Update	https://www.bothellwa.gov/2018/Middle-Housing
Kirkland, WA: Cottage, Carriage, and Two/Three-Unit Homes Code	codepublishing.com/WA/Kirkland/html/KirklandZ113/KirklandZ113.html
Portland, OR: Residential Infill Project	portland.gov/bps/rip



HOUSING SHORTAGE RESOURCES

Department of Commerce: Washington state will need more than 1 million homes in next 20 years	https://www.commerce.wa.gov/news/washington-state-will-need-more-than-1-million-homes-in-next-20-years/
Up for Growth: 2023 Housing Underproduction in United States	https://upforgrowth.org/apply-the-vision/2023-housing-underproduction/

COMMUNITY ENGAGEMENT TOOLS

Get community buy-in for a range of housing types, affordability, and diverse neighbors.

Sightline Messaging Memos: How to talk about housing in your community	sightline.org/series/flashcards
Coalition for More Housing Choices Local Housing Snapshots	https://www.morehousingchoices.org/housing-snapshot
Opticos: Puget Sound Regional Missing Middle Zoning Toolkit & Resources	https://opticosdesign.com/work/regional-missing-middle-zoning-toolkit-educational-resources/

MIDDLE HOUSING IN THE MEDIA

Sightline Institute: How the Washington Legislature Burst the Housing Abundance Dam	https://www.sightline.org/2023/05/08/how-the-washington-legislature-burst-the-housing-abundance-dam/
The Spokesman-Review: Spokane permanently relaxes regulations allowing more multiplexes and development flexibility	https://www.spokesman.com/stories/2023/nov/22/spokane-permanently-relaxes-regulations-allowing-m/
KUOW: Townhomes Are Making Seattle More Affordable, New Study Finds	kuow.org/stories/redfin-study-shows-townhomes-are-making-seattle-more-affordable
New York Times: Whatever Happened to the Starter Home?	https://www.nytimes.com/2022/09/25/upshot/starter-home-prices.html
New York Times: Why Housing Policy Is Climate Policy	nytimes.com/2019/03/25/opinion/california-home-prices-climate.html



HOUSING CHOICES FOR EVERYONE VIDEO SERIES

Full video series	youtube.com/playlist?list=PL9FDzjJcR6pWI1PacvKGBLMJFS7b28fLO
Backyard Cottages video	youtu.be/k2eoCtfGFmM
Microhousing video	youtu.be/n6fWvtvz5NE
Mixed-Use Apartments Video	youtu.be/NyjpgOPQzoE
Modest Condos video	youtu.be/pUY515N3oYw

LOOK BOOK: MIDDLE HOUSING IMAGES

Sightline Institute: Missing Middle Homes Photo Library	flickr.com/photos/sightline_middle_housing
Missing Middle Housing: The Types Gallery	missingmiddlehousing.com/types
AARP Missing Middle Housing Types Photo Gallery	aarp.org/livable-communities/housing/info-2020/slideshow-missing-middle-housing.html



**MASTER BUILDERS
ASSOCIATION**
of King and Snohomish Counties

STREAMLINING LOCAL PERMITTING PROCESSES

Efficient Solutions for Permitting:
Enhancing Predictability and Affordability

Prepared by Master Builders of King and Snohomish Counties

Last updated May 2024

GMHB Exhibit #310 - 0051

STREAMLINING LOCAL PERMITTING PROCESSES

Actions Local Governments Must Take Under SB 5290

Prepared by Master Builders Association of King and Snohomish Counties

BACKGROUND

On May 8, 2023 Governor Jay Inslee signed SB 5290 into law, a bill to reduce permit review timelines and facilitate swifter, more predictable construction. This new law will streamline the permit review process by requiring local governments to adopt and report timelines. To help jurisdictions comply, SB 5290 establishes grant programs and permit processing enhancements. This addresses historically slow permit processes that have elevated housing costs.

This law became effective as of July 23, 2023 and will be implemented in phases.

OVERVIEW

KEY PROVISIONS OF THE NEW LAW



Interior Alterations Exemption: Under certain conditions, the new law now requires local governments exempt interior alteration permits from site reviews, expediting remodels while maintaining safety.

Improve Determination of Completeness: SB 5290 mandates written decisions for applicants within 28 days. If a local government does not provide written determination to applicant on the 29th day, the application is deemed complete.

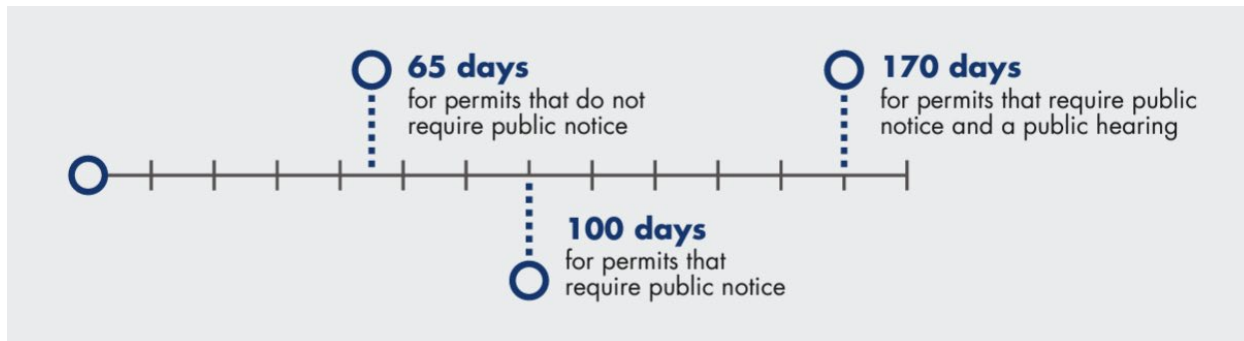
Establish Permit Review Timelines: The new law introduces defined review periods, meeting notification requirements based on permit types, and hearing criteria to improve predictability.

Enhance Reporting Requirements: SB 5290 adjusts annual reporting for permit-issuing jurisdictions. Starting in 2024, cities and counties must report process efficiency and transparency.

Research Grants for Electronic Permitting: SB 5290 aims to secure grants for local governments to facilitate the shift towards digital permit systems and streamlined processes.

PERMIT TIMELINES AND REFUNDS

Under SB 5290, project permits will be subject to tracking and timeline deadlines. Unless modified by the local government, the following time periods may not be exceeded:



If a jurisdiction is not able to issue a final decision by the established time periods, it will be required to refund a specified portion of the permit fees to the applicant. However, cities and counties that have implemented at least three best practices specified in the new law will not be subject to refunds.

BEST PRACTICES

Under SB 5290, local jurisdictions are encouraged to adopt project review and code provisions to assist in streamlining their permitting processes. When three or more of the following best practices are adopted, cities and counties can avoid the requirement to refund a portion of permit fees if they exceed permit timelines.

- Expediting permit application review for compliant projects.
- Establishing interlocal agreements to share permitting staff and resources.
- Budgeting for on-call permitting assistance to handle workload challenges and allocating new positions based on permit revenue growth.
- Making pre-application meetings optional for permit applicants.
- Allowing all housing types as permitted use in all applicable zones.
- Aligning public hearing requirements for permit applications with state law.
- Allowing outside professionals with appropriate licenses to certify components of applications.

SUPPORT AND TOOLS PROVIDED

To support cities as they transition to more streamlined and expedited permit timelines, SB 5290 authorizes a new consolidated permit review grant program.



The grant program will aid local governments in transitioning from physical permit filing systems to software systems with the ability to handle digital permit applications. To understand the barriers that jurisdictions are facing, the Department of Commerce formed a work study group to develop a report outlining the software needed to streamline existing review processes.

To learn more about eligibility requirements, timing of funding, and other details about the grant program, scan the QR code to review our full brief about SB 5290.

ESTABLISHING REASONABLE TIMELINES AND PROCESS IMPROVEMENTS

As jurisdictions have the option to adopt their own ordinances and resolutions at any time, MBAKS has developed recommended timelines and process improvements for local governments to consider. These are the top 15 ways local jurisdictions can streamline their processes:

1. Commit to meeting or exceeding established review timelines to enhance predictability and transparency for project applicants.
2. Ensure needed capacity for reviews by maintaining appropriate staffing levels and providing training.
3. Allow for civil engineering plans to be reviewed at the same time as the preliminary plat application, with the understanding that changes made to the preliminary plat during review may necessitate changes to construction plans.
4. Provide online permitting and tracking.
5. Collect permit data for producing an accurate annual permitting performance report per SB 5290.
6. Adopt a model home building permit ordinance allowing up to 13 building permit applications to be submitted and issued prior to final plat recording, or at a minimum, allow up to 13 building permit applications to be submitted and processed (but not issued) prior to final plat recording.
7. Adopt SEPA-related planning tools to facilitate the construction of “infill” housing inside urban growth areas.
8. Identify elements of the permitting process that can be simplified, such as opportunities to accept licensed approvals in place of staff review (e.g. engineering).
9. Eliminate design review (preferred) or make it as timely, objective, and predictable as possible.
10. Streamline utility availability certificate process.
11. Allow administrative approval of final plats.
12. Shorten the 28-day completeness review to 10 days or fewer when accepting applications online and eliminate the 28-day completeness requirement when requiring a submittal appointment.



Photo Credit: Mark E McClure via Sightline Institute

13. Provide more flexibility in the number of model homes allowed to be constructed in approved preliminary subdivisions.
14. Allow video inspections.
15. Review and update code to eliminate vague language that leaves interpretation open to subjective determinations, as it will improve the predictability of the code and speed up the review process.

MBAKS TIMELINE RECOMMENDATIONS

Review Type	MBAKS Desired Target (Days)
Basic plan setup (review and approval)	7
Preapproved basic plan building permit	7
Pre-app meeting	14
Application completeness	28
Inspections	Same Day
Preliminary plat review*	120
Civil construction plan review (initial review)	28
Civil construction plan review (subsequent reviews -- 2 max)	14
Land use review (administrative site plan)	30
Final plat review	14
Critical area review	30
Custom single-family building permits	21

**Preliminary plat review refers to the total time until a hearing date, while other timelines refer to individual review timelines.*