



February 9, 2023

Representative Tana Senn and Representative My-Linh Thai
Washington State House of Representatives
PO Box 40600
Olympia, WA 98504

Via email

Dear Representative Tana Senn and Representative My-Linh Thai:

We write today to express our opposition to HB 1110 and urge you to vote “No” on this bill. HB 1110, if approved as currently amended, will authorize the development of at least four units **on all residential lots on Mercer Island**, or up to six units if two are affordable. The bill language further authorizes the development of up to six units within one half-mile of a major transit stop or community amenity (schools or public parks). This bill will not produce any meaningful amount of affordable housing, it fails to provide the resources and tools needed to plan for and address critical infrastructure needs, and by mandating one-size-fits-all regulations, usurps the long-held collaborative planning approach undertaken by counties and cities under the Growth Management Act.

HB 1110 Fails to Meet 2021 Legislative Mandate to Plan for Affordable Housing

HB 1110, similar to legislation proposed last legislative session, is being marketed as an affordable housing bill to address the “missing middle.” This is a misnomer as the bill will produce almost exclusively market-rate housing. This means, especially in Mercer Island, that housing produced under this bill will be out of reach for low-and moderate-income families.

More specifically, HB 1110 fails to tie back to HB 1220, a statewide measure passed in 2021 mandating that cities plan for and accommodate affordable housing across a range of income bands. Nearly two years later, cities are still waiting on final direction from the Department of Commerce to begin their work implementing this legislation. The delays in implementation, though no fault of the cities, means that critical planning work needed to implement this affordable housing legislation at the local level will not be in place ahead of the passage of this market-rate housing bill. Consequently, the “supply” created under HB 1110 will likely be all taken up by market rate housing by the time affordable housing policies are implemented and the funding to construct affordable housing becomes available.

If the legislature stands by the affordable housing goals created in 2021, all housing legislation must directly tie back to the affordable housing target mandates prescribed by HB 1220, up to and including allowing cities to require that any up zoning of single-family zones shall include affordable housing.

HB 1110 Fails to Provide Resources to Plan for and Construct Critical Infrastructure

The upzoning of all single-family zones will force the City into an expensive and protracted planning process to study and right size infrastructure densities far beyond anything contemplated. The bill has no funding for these impacts, meaning the cost would fall on local taxpayers throughout Washington, as cities face significant financial challenges in the near future.

Much of the Mercer Island sewer infrastructure was constructed in the late 1950's and early 1960's. The City's system is complex, unique to the Island's geography, and requires the use of a Lakeline System and 17 pump stations that convey flow around the perimeter of the island.

The Mercer Island General Sewer Plan was updated in 2018 to accommodate the City's anticipated growth and was based on the 2015 Comprehensive Plan. The unplanned housing sprawl contemplated in HB 1110 would be unpredictable and likely impossible to model.

Other utility infrastructure impacts may result from this legislation, including water utility infrastructure issues, water storage capacity issues, and fire flow issues. Stormwater concerns are also anticipated.

Under HB 1110 Mercer Island will be required to plan to provide infrastructure for all residential lots (more than 7,000), which will require multiple studies, modeling, significant work for an already strained city staff, and at a significant cost to the City.

HB 1110 is a One Size Fits All Regulatory Overreach

HB 1110 places unworkable regulatory conditions on cities. Using parking as an example, cities will be prohibited from requiring off-street parking for housing units built within one half-mile of a transit stop.

A typical Mercer Island single-family lot developed under HB 1110 with six units will have anticipated demand of six to twelve vehicles, depending on the size of the units developed.

Fourteen miles of the Mercer Island perimeter is almost exclusively private drives, shared among many lot owners, with little or no opportunity for on-street parking due to steep hills and other natural impediments. Where will homeowners park?

It appears that cities will be left to problem solve and fund a parking shortage, borne by a regulatory process that overreaches and fails to acknowledge the unique circumstances of each community. The Growth Management Act (GMA) intends for local jurisdictions to

plan for, and within their communities on a neighborhood level, to accommodate unique circumstances.

HB 1110 Removes the Ability of Cities and Counties to Carefully Steward Growth

Finally, there are longstanding processes in place to collaboratively plan for and accommodate growth, guided by the framework of the GMA. In March 2022, Mercer Island completed a multi-year, county-wide planning process to update King County Countywide Planning Policies, including adopting revised housing and job growth targets. Mercer Island has consistently delivered net new housing units on pace with long-term housing targets adopted since the inception of the GMA.

Currently, the City is working on its Comprehensive Plan periodic update, required by the GMA to be completed by December 2024. Concurrently, the City is also planning for the affordable housing and racially disparate impact requirements prescribed by HB 1220. This bill already has missing middle-housing requirements, which would allow cities to identify and zone areas with available infrastructure capacity and transit access without competing with market-rate housing.

HB 1110 mandates widespread market rate housing sprawl and completely disregards the long-held collaborative planning framework set forth by the GMA while creating yet another unexpected multi-year planning exercise for Washington cities.

In Closing

As we always have been, the City of Mercer Island remains committed to sustainable and effective growth management, both for our community and our region. We understand that there is a lack of housing at all levels, and we are committed to working on solutions to address this issue. These efforts are best done at the local level and in collaboration with regional and statewide stakeholders, under the guidance of the Growth Management Act—a comprehensive planning framework. Washington is a diverse state, in many ways, and a one size fits all mandate is simply unlikely to yield positive results for Washingtonians.

Sincerely,

A handwritten signature in black ink that reads "Salim Nice". The signature is stylized, with a large, sweeping "S" and a distinct "N".

Salim Nice
Mayor

CC Mercer Island City Council