

## Agency Comments

The City has received comments on the Comprehensive Plan periodic review from the WA Department of Fish and Wildlife (WDFW), Puget Sound Energy, Puget Sound Regional Council (PSRC), and the WA Department of Commerce (Commerce). The WDFW and PSE comments were considered during the Planning Commission deliberations ([PCB 24-16](#)). The comments from PSRC and Commerce that need a response and the staff proposed responses are provided in Table 1.

## PSRC Comments

The PSRC is the Regional Transportation Planning Organization (RTPO) for King, Pierce, Snohomish, and Kitsap counties. Under the GMA, RTPOs must certify that the transportation elements of comprehensive plans adopted by counties, cities, and towns within the region are consistent with the adopted regional transportation plan and, where appropriate, conform with the requirements of the GMA ([RCW 47.80.023\(3\)](#)).

The PSRC has adopted a regional planning document called VISION 2050, which establishes multicounty planning policies (MPPs) to provide direction for how the region will address growth. Within the GMA framework, comprehensive plan policies must be consistent with MPPs.

The PSRC submitted a comment letter on June 18, 2024 (Appendix B). The PSRC comments are summarized with a staff response in Table 1.

## Commerce Comments

Commerce is the state-level department tasked with implementing the GMA. Counties and cities must notify Commerce at least 60 days prior to adoption of any comprehensive plan or development code amendment ([RCW 36.70A.106](#)). Mercer Island's 60-day notice was submitted to Commerce on May 3, 2024 and Commerce acknowledged receipt of the notice in a letter dated May 6, 2024. Commerce reviewed the draft Comprehensive Plan and provided comments in a letter dated July 25, 2024 (Appendix B). The Commerce comments are summarized with a staff response in Table 1.

## Staff Comments

Staff proposes some amendments to the Capital Facilities Element to reflect the current state of facility planning. The staff proposed Capital Facilities Element amendments are provided in Appendix A, beginning on page 13 of this document. The staff proposal tracks changes from the clean version of the Planning Commission recommended draft, all proposed changes shown in Appendix A are new revisions.

## Staff Response to Comments

Table 1 shows the staff response to agency and staff comments. The staff response recommends that the City Council either amend the Comprehensive Plan or make a finding to be included in the adopting ordinance. Findings are a way for the City Council to give further context to the Comprehensive Plan update such as direction

for implementing the Comprehensive Plan or information to supplement the record to explain how the Comprehensive Plan update satisfies requirements. The staff responses recommend amendments or findings as follows:

- AC-1: Make a finding
- AC-2: Make an amendment
- AC-3: Make a finding
- AC-4: Make an amendment
- AC-5: Make an amendment
- AC-6: Make a finding
- AC-7: Make a finding
- AC-8: Make a finding
- AC-9: Make an amendment
- AC-10: Make an amendment
- AC-11: Make an amendment
- AC-12: Make a finding
- AC-13: Make an amendment
- AC-14: Make an amendment

**Table 1. Agency and Staff Comments and Responses.**

Log #	Agency	Comment	Staff Response
AC-1	Puget Sound Regional Council (PSRC)	King County's Urban Growth Capacity Analysis and the city's Economic Analysis Appendix identify a shortage of capacity to accommodate the city's employment target. The plan needs to demonstrate adequate capacity to accommodate planned employment growth through either rezoning or documenting sufficient existing capacity within its current zones.	<p>Make the following finding:</p> <p>The City's employment growth target is 1,300 new jobs by 2044 per the growth targets established in the King County Countywide Planning Policies. The City has capacity for 961 jobs according to the King County Urban Growth Capacity Report. In its capacity calculations, the Urban Growth Capacity Report did not account for existing vacant commercial office buildings that could accommodate additional employment. Specifically, the vacant office building at 3003 77TH AVE SE in the Town Center was not considered part of the City's employment capacity. That building has capacity make up the 339-job difference between capacity and employment growth target. Factoring in that building, the City has capacity to accommodate its employment growth target.</p>
AC-2	PSRC	<p>VISION 2050 calls for multimodal level of service standards, and the Growth Management Act will also require these standards by 2029 (MPP-DP-52-53). The plan has a policy to establish bicycle, pedestrian, and transit levels of service.</p> <p>PSRC encourages the city to make progress in this area and adopt standards that will support development in the Town Center. Resources on multimodal LOS can be found in PSRC's Transportation Element guidance.</p>	Overlaps with Commerce comment, would be addressed by making the finding proposed in Comment Log # AC-10
AC-3	PSRC	The draft comprehensive plan does not provide supporting documentation indicating sufficient land capacity for emergency housing and emergency shelter. RCW 36.70A.070(2)(c) states jurisdictions must ensure sufficient capacity for all housing types, including emergency housing and emergency shelter, are identified in the housing element. We recommend the city consider including this information in the final land capacity analysis.	Overlaps with Commerce comment, would be addressed by making the finding proposed in Comment Log # AC-6
AC-4	WA Department of Commerce (Commerce)	Based on our review of proposed Mercer Island Land Use Element Goal 16.4, the city's goals for Accessory Dwelling Units (ADUs) do not yet align with RCW 36.70A.681(1)(c), which explicitly states, "The city or county must allow at least two accessory dwelling units on all lots that are located in all zoning districts within an urban growth area that allow for single-family homes...". The city's proposed amendment to policy 16.4, shared via email on July 19, 2024, limits ADUs to single-family zones, which is not consistent with the statutory requirement that counties and cities must allow ADUs in all zones within an urban growth area that allow for single-family homes. While Mercer Island is not required to implement HB 1337 in its development regulations until June 30, 2025, Commerce recommends updating goals and policies in your proposed draft comprehensive plan, and incorporating into your development regulations, the full range of new ADU regulations, beginning with RCW 36.70A.680 and RCW 36.70A.681, during the periodic update process. Commerce has developed several tools to help local governments implement the current ADU requirements, including the Guidance for Accessory Dwelling Units in Washington State, the ADU Checklist, and the ADU EZView webpage with references and resources devoted to the topic.	<p>The Planning Commission recommended draft Land Use Element Policy 16.4 states: "Promote accessory dwelling units in single-family <del>districts</del> <u>zones</u> subject to specific development and owner occupancy standards."</p> <p>Staff recommends the following amendment to Land Use Element Policy 16.4:</p> <p>Promote accessory dwelling units in <u>all zones where single-family <del>districts</del> homes are allowed</u> subject to specific development <del>and owner occupancy</del> standards.</p> <p>State law prohibits cities from requiring owner-occupancy for ADUs within urban growth areas. <a href="#">RCW 36.70A.681(1)(b)</a> states "The city or county may not require the owner of a lot on which there is an accessory dwelling unit to reside in or occupy the accessory dwelling unit or another housing unit on the same lot;"</p>

Log #	Agency	Comment	Staff Response
AC-5	Commerce	<p>We appreciate the several goals and policies within the draft plan that address re-constructed and new public service facilities such as fire stations, fire flow protection and fire and emergency response that will increase service capacity and protect public safety on the island. However, the land use element must be expanded to include specific goals and policies that reduce and mitigate the risk to lives and property posed by wildfires pursuant to RCW 36.70A.070 (1), amended in 2023. We recommend adding community wildfire preparedness and fire adaptation measures to your land use element and look forward to seeing these updates as required in your final comprehensive plan update. You may wish to reference the Wildland Urban Interface Code (RCW 19.27.560), developed and adopted by the Washington State Building Code Council, as an example of development regulations intended to separate human development from wildfire prone landscapes and protect existing residential development and infrastructure through community wildfire preparedness and fire adaptation measures.</p>	<p>Add a new Land Use Element Policy under Goal 18:</p> <p><u>Establish development standards to reduce the risk to life and property posed by wildfires through community wildfire preparedness and fire adaptation measures. This should include measures to separate human development from wildfire prone landscapes and protect existing residential development and infrastructure.</u></p> <p>The proposed policy mirrors the relevant language from RCW 36.70A.070(1) to address the comment from Commerce.</p>
AC-6	Commerce	<p>During our review of your draft housing element, we did not find supporting documentation indicating sufficient land capacity for emergency housing and emergency shelter as required by RCW 36.70A.070(2)(c). While Commerce guidance indicates jurisdictions do not need to complete a land capacity analysis (LCA) for emergency housing and emergency shelter if they allow these uses in all zones that allow hotels, RCW 36.70A.070(2)(c) expressly states jurisdictions must ensure sufficient capacity for all housing types, including emergency housing and emergency shelter, is identified in the housing element. Therefore, we recommend the city consider including this information in the city's final land capacity analysis.</p>	<p>Make the following finding in the adopting ordinance for the 2024 Comprehensive Plan periodic update this fall:</p> <p>The City analyzed emergency housing development capacity and found that there is adequate capacity to accommodate the City's emergency housing needs under the interim regulations established by Ordinance 21C-23. That analysis was provided to the City Council with Agenda Bill 6519, Exhibit 2. As part of the implementation of the Comprehensive Plan, the City will consider an ordinance to establish permanent regulations that allow a similar level of capacity for emergency housing.</p> <p>Review of permanent regulations for emergency housing should include a detailed analysis of any spacing requirements to ensure that they allow adequate capacity to accommodate the City's emergency housing needs as established by King County.</p> <p>The spacing requirements are established by <a href="#">MICC 19.06.080(B)(3)(c)</a>. The table referenced in the proposed finding is provided as Table 2 below.</p>
AC-7	Commerce	<p>Thank you for evaluating barriers to housing development, Table 2, Programs and Actions Needed to Achieve Housing Availability. To strengthen this evaluation, we encourage you to expand and identify specific barriers in addition to the broad barrier categories listed in Table 2. For example, while citing recent state law in Table 2, please consider expanding on the specific actions the city will take to comply with statewide legislation and how these actions will address the associated barriers. Please refer to Housing Element Book 2, Chapter 4 Adequate Provisions and Appendix B for examples of specific barriers and actions.</p>	<p>Make the following finding in the adopting ordinance:</p> <p>The City evaluated barriers to housing development and included a summary of that analysis in the Housing Element. A more detailed evaluation of the barriers to housing development was provided to the City Council with Agenda Bill 6519, Exhibit 2.</p> <p>The table referenced in the proposed finding is provided as Table 3 below.</p>

Log #	Agency	Comment	Staff Response
AC-8	Commerce	<p>We appreciate the use of 'permanent supportive housing' in the definition of 'special needs group housing', and noting the interim amendment made through Ordinance 21C-23, which adds 'emergency housing' in the definition of 'social service transitional housing'. We recommend the use and adoption of 'emergency housing' as defined in RCW 36.70A.030(14) rather than as defined in RCW 84.36.043(3)(b). Commerce offers review, technical assistance and land use tools, such as specific checklists, to help local governments develop regulations pertaining to the siting and development of shelter, transitional housing, emergency housing, and permanent supportive housing (STEP).</p>	<p>Make a finding to guide development of permanent regulations for STEP housing that states:</p> <p>Use the definition of "Emergency Housing" established in <a href="#">RCW 36.70A.030(14)</a> when establishing permanent development regulations for shelter, transitional, emergency, and permanent supportive (STEP) housing.</p> <p>For reference, the definition of emergency housing established in RCW 36.70A.030(14) states: ""Emergency housing" means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement."</p> <p>In 2021, the City Council adopted Ordinance No. 21C-23, which enacted interim regulations to ensure that the development code was consistent with recent changes in the state law while the City completes its Comprehensive Plan periodic review. Permanent regulations to address STEP housing that replace the interim regulations will be developed following adoption of the Comprehensive Plan periodic review. The proposed finding will guide the development of permanent regulations regarding STEP housing.</p>
AC-9	Commerce	<p>New changes in HB 1220 require jurisdictions to examine racially disparate impacts, displacement, exclusion and displacement risk in housing policies and regulations and adopt policies to begin to undo the impacts (RCW 36.70A.070(e)). We appreciate your work on this, particularly the review of housing-related policies in Racially Disparate Impacts Evaluation, Appendix A: Policy Evaluation. We see that four policies were evaluated as 'approaching' because "the lack of defined terms in this policy can be problematic." We recommend identifying any undefined and problematic terms in your policies and recommending specific changes, as the intent of the review of policies is to identify areas where changes could be made in your next comprehensive plan. Please see Housing Element Book 3 Step 3: Evaluate policies (pg. 33) and Step 4: Revise policies (pg. 36) for more information on this process.</p>	<p>The Racially Disparate Impacts Report identified the following undefined terms in housing-related policies:</p> <ul style="list-style-type: none"> <li>"neighborhood character" Housing Policy 1.1 and Land Use Policy 15.1</li> <li>"character of existing development" Housing Policy 2.5</li> <li>"character of the surrounding neighborhoods" Housing Policy 2.7</li> <li>"compatible with the surrounding neighborhoods" Land Use Policy 16.5</li> </ul> <p>With the exception of Land Use Policy 15.1 and 16.5, housing policies using undefined terms are proposed to be removed from the Comprehensive Plan. The remaining undefined term is 'neighborhood character'. Staff recommends amending Land Use Policy 15.1 as follows:</p> <p><del>Existing land use policies, which strongly support the preservation of</del> <u>Preserve the neighborhood character-existing conditions in the single family all residential zones, will continue to apply. Changes to the zoning code or development standards will be accomplished through code amendments. For the purpose of implementing this element neighborhood character only refers to the form, bulk, scale, and intensity of the built environment.</u></p> <p>Note: the staff proposed amendment is the addition of the final sentence. The other amendments were proposed in the Planning Commission recommended draft presented in Agenda Bill 6510.</p> <p>The proposed amendment to Policy 15.1 would resolve the problem identified by clarifying that the undefined term should be narrowly understood as referring to physical aspects of the built environment.</p>

Log #	Agency	Comment	Staff Response
AC-10	Commerce	<p>During our review [of the Transportation Element] we did not see multimodal level of service standards (MMLOS) present in the draft transportation element. While adoption of MMLOS are not required for 2024 jurisdictions until the 5-year implementation progress report per RCW 36.70A.130(9)(a), given the complex issues that will need to be addressed and the extent of coordination with regional partners, including King County and PSRC, we encourage jurisdictions to begin the work and not necessarily wait until during the five-year progress report process.</p> <p>The draft transportation element does not identify specific actions to bring transportation facilities and services to established MMLOS (RCW 36.70A.070(6)(a)(iii)(D) and WAC 365-196-430). We recommend the city consider including this information in the final comprehensive plan document to better align with statute.</p>	<p>Staff recommends adopting a new Transportation Element Policy under Goal 10 that states:</p> <p><u>Work with partners to establish multimodal level of service (MMLOS) standards. MMLOS policies should detail actions the City will take to ensure transportation facilities and services meet those standards.</u></p>
AC-11	Commerce	<p>Thank you for including a transition plan as required by Title II of the Americans with Disabilities Act (ADA). For improved clarify, we recommend adding a reference to the transition plan in your draft transportation element.</p>	<p>Staff recommends amending Transportation Element Policy 5.2 as follows:</p> <p><del>Meet the requirements of</del> <u>Ensure that all transportation improvements are consistent with the adopted Americans with Disabilities Act (ADA) Transition Plan and apply these standards to development of the transportation system.</u></p>
AC-12	Commerce	<p>RCW 36.70A.070(6)(a)(iv)(A) and WAC 365.196-430(2)(k)(iv) require an analysis of future funding capability to judge needs against probable funding resources. We did not find specific language addressing this provision in your draft transportation element. While there is a funding section in the element, we recommend updating your transportation element or related appendices to include an analysis of future funding capability.</p>	<p>City Staff and consultants from KPG-Psomas used the City's 2023-2028 Transportation Improvement Program (TIP) to develop a 20-year financial analysis for the Transportation Element update. The analysis forecasts that the City will generate \$103,600,000 in transportation revenues from 2023-2044, which is more than sufficient to fund the Transportation Element's Project List. Because the City's forecasted revenues are significantly higher than the project list cost, this satisfies Commerce's second bullet point.</p> <p>Staff recommends the following finding to address this comment:</p> <p>The City conducted an analysis of future funding capability for transportation facilities and found that probable funding resources will meet the projected needs and allow the City to maintain adopted levels of service. That analysis was provided in Agenda Bill 6519, Exhibit 2.</p> <p>The table referenced in the proposed finding is provided as Table 4 below.</p>
AC-13	Commerce	<p>During our review, we did not identify specific language addressing funding shortfall strategies in your draft transportation element. We recommend updating the draft finance subelement (within the transportation element) to include a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met, if probable funding falls short of meeting the identified needs of the transportation system, including state transportation facilities (RCW 36.70A.070(6)(a)(iv)(c) and WAC 365-196-430(2)(l)(iii)).</p>	<p>Existing Transportation Element Policy 10.3 addresses this comment:</p> <p>10.3 Implement the following strategy when vehicle capacity or funding is insufficient to maintain the LOS standard: (1) seek additional funding for capacity improvements, (2) explore alternative, lower-cost methods to meet level-of-service standards (e.g., transportation demand management program, bicycle corridor development or other strategies), (3) reduce the types or size of development, (4) restrict development approval, and (5) reevaluate the level of service standard to determine how it might be adjusted to meet land use objectives.</p>

Log #	Agency	Comment	Staff Response
AC-14	City Staff	Amend the Capital Facilities Element as shown in Appendix A.	<p>The proposed Capital Facilities Element amendment shown in Appendix A will align the Comprehensive Plan with the current expectations for City operations in light of the City Hall closure.</p> <p>The proposed amendment would add one new goal and eight new policies to the Capital Facilities Element.</p>

Source: Placeholder

**Table 2. Emergency Housing Land Capacity Analysis.**

Zone	A Net Developable Land (Acres)	B Emergency Housing Typology	C Beds Per Facility by Typology	D Max Facilities Per Zone based on 1,000 Ft. Spacing <sup>2</sup>	E Beds based on 1,000 ft. Spacing and Beds per Facility by Typology
R-8.4	53.90	Single-family conversion	24	3	72
R-9.6	74.75	Single-family conversion	24	4	96
R-12	5.64	Single-family conversion	24	1	24
R-15	112.38	Single-family conversion	24	6	144
MF-2L	0.16	2-3 story facilities	100	1	100
MF-2	1.58	2-3 story facilities	100	1	100
MF-3	43.54	2-3 story facilities	100	2	200
PBZ	0	2-3 story facilities	100	0	0
C-O	5.96	2-3 story facilities	100	1	100
B	0	2-3 story facilities	100	0	0
TC Zones	24.01	2-3 story facilities	100	1	100
<b>Total</b>	<b>321.93</b>	-	-	<b>26</b>	<b>1,536<sup>1</sup></b>

**Notes:**

1. The City’s capacity for up to 1,536 emergency housing beds is enough to accommodate the City’s need for 237 beds.
2. The 600 foot spacing from certain developments such as parks and schools ([MICC 19.06.050\(B\)\(3\)\(c\)](#)) is not considered in this analysis because it is expected that the City will consider modifying this requirement during its review of emergency housing regulations following adoption of the Comprehensive Plan periodic review.

**Table 2 Column Source and/or Formula**

- A. King County Urban Growth Capacity (UGC) Report.
- B. WA Department of Commerce *Guidance for Updating Your Housing Element* (Commerce Guidance), Exhibit 18.
- C. Commerce Guidance, Exhibit 18.



- D. Max Facilities Per Zone based on 1,000 foot spacing =  $A * 0.0015625 * 36$ . Formula multiplies the developable acreage by the number of acres per square mile (0.0015625 acres per square mile) and then multiplies the result by the rate of facilities allowed per square mile based on the 1,000-foot spacing requirement. If facilities must be spaced 1,000 feet apart, 36 facilities per square mile would be allowed. Facilities per square mile =  $(5280/1000 + 1)^2 = 36$ . For the purpose of the rate per square mile formula, the 5280/1000 term is rounded down to the nearest whole number. Each zone is assumed to have capacity for at least one facility except for the PBZ and B zones because they don't have any net developable land.
- E. Beds based on 1,000 foot spacing and beds per facility by typology =  $C * D$ .

**Table 3. Housing Development Barrier Analysis, Programs, and Actions.**

Housing Type	Share of Existing Housing Units <sup>1</sup>	Likelihood Barriers Exist	Potential Barriers	Action or Program	Related Land Use and Housing Element Policies <sup>9</sup>
Single-Family	67%	<b>Very Low Likelihood</b> given the large share of existing units	Development Regulations	No change.	<b>Land Use</b> 15.1, 15.2, 15.5, 15.6, 16.1, 16.3, 16.4, 16.6, 16.7, 16.8
			Other Limitations: Permitting Process	Comply with statewide legislation <sup>8(d)</sup> .	<b>Land Use</b> 15.2, 16.2, 16.4, 16.5
			Other Limitations: Development Capacity	No change.	<b>Land Use</b> 15.2, 16.2, 16.3,
Multifamily and Mixed-Use	27% <sup>2</sup>	<b>Moderate Likelihood</b> given the lower share of existing units and the need to increase capacity <sup>3</sup> during the periodic review	Development Regulations	Review multifamily zone development regulations to: <ul style="list-style-type: none"> <li>• Simplify the requirements</li> <li>• Reduce permit review times</li> <li>• Consider adjustments to bulk, dimensions, and parking standards</li> </ul>	<b>Land Use</b> 1.1, 5.1, 5.2, 15.3, 17.3 <b>Housing</b> 2.2.A, 5.1
			Other Limitations: Permitting Process	Consider streamlining design review for multifamily and mixed-use development, particularly for developments with income-restricted affordable units.	<b>Housing</b> 5.1.C
			Other Limitations: Development Capacity	Increase development capacity within existing Town Center and Commercial Office zone boundaries to address the capacity shortfall identified in the City's Land Capacity Analysis Supplement <sup>7</sup> .	<b>Land Use</b> 1.1, 5.2, 5.3, 15.3, 17.3 <b>Housing</b> 1.9, 1.11, 1.12, 2.2.B,
			Other Limitations: Displacement Risk	Establish anti-displacement measures to reduce and mitigate risk of displacement in areas with increased displacement risk.	<b>Housing</b> 4.1, 4.2, 4.3, 4.4
Middle Housing	6% <sup>4</sup>	<b>Moderate Likelihood</b> given the small share of existing units	Development Regulations	Comply with statewide legislation <sup>8(b)</sup> .	<b>Land Use</b> 15.2, 15.6, 16.3, 16.5 <b>Housing</b> 5.2, 5.3
			Other Limitations: Permitting Process	Comply with statewide legislation <sup>8(b)</sup> .	<b>Land Use</b> 16.5 <b>Housing</b> 5.2, 5.3
			Other Limitations: Development Capacity	Comply with statewide legislation <sup>8(b)</sup> .	<b>Land Use</b> 16.5 <b>Housing</b> 2.4, 5.2, 5.3
Income Restricted Units, Permanent Supportive Housing (PSH) and	<1% <sup>5</sup>	<b>High Likelihood</b> given the small share of existing units	Development Regulations	<ul style="list-style-type: none"> <li>• Comply with statewide legislation<sup>8(a)</sup> for PSH and emergency housing</li> </ul> Adopt additional incentives to spur development of new income-restricted affordable housing units	<b>Land Use</b> 5.3, 16.1 <b>Housing</b> 1.9, 1.12, 1.13, 2.2.A, 2.3, 2.5, 2.12, 2.13
			Other Limitations: Permitting Process	<ul style="list-style-type: none"> <li>• Comply with statewide legislation<sup>8(a)</sup></li> </ul> Consider streamlining design review for developments with income-restricted affordable units.	<b>Housing</b> 2.13

Housing Type	Share of Existing Housing Units <sup>1</sup>	Likelihood Barriers Exist	Potential Barriers	Action or Program	Related Land Use and Housing Element Policies <sup>9</sup>
Emergency Housing			Other Limitations: Development Capacity	<ul style="list-style-type: none"> <li>Increase land capacity within existing boundaries to address the capacity shortfall identified in the City's Land Capacity Analysis Supplement<sup>7</sup></li> <li>Comply with statewide legislation<sup>8(a)</sup></li> </ul>	<b>Land Use</b> 5.3, 15.3, 16.1, 16.2, 16.6 <b>Housing</b> 1.9, 1.10, 1.11, 1.12, 2.2.B,
			Funding Gaps	<ul style="list-style-type: none"> <li>Maintain membership in A Regional Coalition for Housing (ARCH) and continue to contribute to the ARCH Housing Trust Fund (HTF)</li> <li>Evaluate potential local revenue sources for affordable housing</li> <li>Evaluate an affordable housing fee-in-lieu program</li> <li>Use incentives to reduce the per-unit costs for affordable housing</li> <li>Coordinate efforts with providers, developers, and government agencies</li> </ul>	<b>Land Use</b> 29.4 <b>Housing</b> 2.6, 2.7, 2.8, 2.9, 2.10, 2.11
Accessory Dwelling Units (ADUs)	N/A <sup>6</sup>	Very Low Likelihood given ADUs are allowed in all single-family zones	Development Regulations	Comply with statewide legislation <sup>8(c)</sup>	<b>Land Use</b> 15.2, 15.6, 16.4 <b>Housing</b> 5.3, 5.4, 5.5
			Other Limitations: Permitting Process	Comply with statewide legislation <sup>8(c)</sup>	<b>Housing</b> 5.3, 5.4
			Other Limitations: Development Capacity	Comply with statewide legislation <sup>8(c)</sup>	<b>Land Use</b> 15.2, 16.1, 16.4 <b>Housing</b> 5.3, 5.4

Notes:

1. Source: U.S. Census Bureau 2022 American Community Survey (ACS), Table B25024. This is an estimate of the number of existing housing units based on an annual survey.
2. Multifamily and mixed-use housing type is categorized as residential development with ten or more units per structure.
3. A multifamily and mixed-use housing capacity deficit was found in the Land Capacity Analysis Supplement (Appendix X). The capacity deficit was addressed in the Comprehensive Plan periodic review, but additional actions can address other potential barriers.
4. Middle housing development is categorized as residential development with 2-9 units per structure.
5. The Puget Sound Regional Council (PSRC) maintains [an inventory of income restricted housing units per jurisdiction](#). As of November 6, 2023, PSRC tracked that there were 102 income restricted affordable housing units in Mercer Island. Per the PSRC inventory, there were 30 units for extremely low-income households, 59 units for very low-income households, and 13 units for low-income households.
6. Accessory dwelling unit share of housing units is combined with the single-family. Between 2006 and 2022, the City permitted 104 ADUs.
7. The Land Capacity Analysis Supplement was developed to evaluate whether the Comprehensive Plan allows adequate capacity to accommodate its housing needs (Appendix X).
8. Statewide legislation passed in the years preceding the Comprehensive Plan periodic review affected several types of housing as follows:
  - a. House Bill 1220 – Adopted in 2021, this bill amended several GMA requirements and also set limits on how jurisdictions can regulate PSH and emergency housing;
  - b. House Bill 1110 – Adopted in 2023, this bill requires cities to allow middle housing types in zones where single-family homes are allowed. Jurisdictions must make amendments to comply with this bill within six months of the Comprehensive Plan periodic review;
  - c. Housing Bill 1337 – Adopted in 2023, this bill requires cities and counties to amend the development regulations for ADUs. Jurisdictions must make amendments to comply with this bill within six months of the Comprehensive Plan periodic review; and
  - d. Senate Bill 5290 – Adopted in 2023, this bill requires cities and counties to meet permit review timetables.
9. Related Land Use and Housing policy numbers are in reference to the Planning Commission recommended draft of the Comprehensive Plan provided to the City Council in Agenda Bill 6510. Some policies address more than one barrier or housing type.

**Table 4. Financial Analysis Provided by KPG-Psomas.**

RESOURCES (\$ in thousands)	COMMENTS	2022	2023	2024	2025	2026	2027	2028	2029-2044	2023-2044
Beginning Fund Balance		\$6,214	\$8,345	\$9,913	\$9,888	\$9,351	\$9,953	\$11,259	\$10,953	\$8,345
Revenues										
Real Estate Excise Tax	<i>RCW 82.46.101</i>	2,253	2,298	2,344	2,391	2,439	2,488	2,538	47,200	61,700
Fuel Tax	<i>RCW 47.24.040</i>	429	470	466	461	456	452	447	6,700	9,500
MI Transportation Benefit District	<i>MI Ordinance 14C-11 (Oct 2014)</i>	375	375	375	375	375	375	375	6,000	8,300
Transportation Impact Fees	<i>MI Ordinance 16C-01 (Jan 2016)</i>	75	65	65	65	65	65	65	1,000	1,400
Interfund Transfers	<i>Utility work within street projects</i>	526	513	583	658	566	300	540	9,300	12,500
State Shared - Multimodal Transportation	<i>ESSB 5987 (July 2015)</i>	34	34	34	33	33	33	32	500	700
Grant Funding			200	200	200	200	200	200	3,200	4,400
Mitigation - Sound Transit	<i>Ends December 2025</i>	200	1,958	2,402	935	0	0	0	0	5,300
<b>Total Revenues</b>		<b>\$3,893</b>	<b>\$5,914</b>	<b>\$6,469</b>	<b>\$5,118</b>	<b>\$4,134</b>	<b>\$3,912</b>	<b>\$4,197</b>	<b>\$73,900</b>	<b>\$107,500</b>
EXPENDITURES (\$ in thousands)										
EXPENDITURES (\$ in thousands)	COMMENTS	2022	2023	2024	2025	2026	2027	2028	2029-2044	2023-2044
A. Residential Streets Preservation Program		900	900	933	966	998	1,031	1,064	22,300	29,000
B. Arterial Street Improvements		75	678	1,510	1,608	916	533	2,334		TBD
C. Pedestrian & Bicycle Facilities - New		50	100	1,094	1,465	830	115	473		TBD
D. East Link Traffic/Safety Mitigation Projects		200	1,958	2,402	935	0	0	0	0	5,300
E. TIP Other		0	175	0	107	194	315	0	0	TBD
F. Operation Other	<i>Non-TIP Related Work</i>	538	535	554	574	593	613	632	13,171	16,700
<b>Total Expenditures</b>		<b>\$1,763</b>	<b>\$4,346</b>	<b>\$6,494</b>	<b>\$5,655</b>	<b>\$3,532</b>	<b>\$2,606</b>	<b>\$4,503</b>	<b>\$35,500</b>	<b>\$51,000</b>

Growth Assumptions	
Rate	Notes
1.74%	2023-28 growth
-0.82%	2023-28 growth
0.00%	No growth
0.00%	No growth
0.88%	2023-28 growth
0.00%	No growth
n/a	Assumes \$200k/yr
n/a	2023-28 TIP
3.04%	2023-28 growth
3.02%	2023-28 growth

<b>Total Revenue</b>	<b>Total Revenue</b>	<b>\$107,500</b>
<b>Preservation/Operation Expenditures</b>	<b>Preservation/Operation Expenditures</b>	<b>45,700</b>
<b>Available Revenue for New Projects</b>	<b>Available Revenue for New Projects</b>	<b>\$61,800</b>

# APPENDIX A

## STAFF PROPOSED CAPITAL FACILITIES ELEMENT AMENDMENTS

## Capital Facilities Element Amendments

[Changes tracked from the clean Planning Commission recommended draft of the Capital Facilities Element]

[...]

### PUBLIC BUILDINGS

Mercer Island is served by seven City-owned public buildings, the Mary Wayte Pool owned by the Mercer Island School District and operated by Olympic Cascade Aquatics, one Post Office and one King County Library System (KCLS) Branch Library. Facility uses, locations, and sizes are listed in Table 1 and further described below.

During 2001, construction of a new Main Fire Station and a sizable remodel of the Thrift Shop were completed. The City became the owner of Luther Burbank Park in 2003 after transfer of the property by King County. The Mercer Island Community and Events Center was completed in 2006. The reconstruction of Fire Station 92 at the south end of the Island was completed in 2015.

**Table 1. Facility uses, locations and sizes**

Facility	Use	Location	Approx. Size
City Hall <sup>1</sup>	Police, Dispatch, General Administration, Municipal Court, Facility Maintenance & Permitting Services	North MI 9611 SE 36th St. <sup>1</sup>	32,000 sq ft
Public Works Shop	Parks, Water, Sewer, Right-of-Way, Stormwater, Fleet, Engineering &	North MI 9601 SE 36th St.	15,000 sq ft
Community and Events Center	Community meeting space, Recreation programs, Gymnasium, and Fitness	North MI 8236 SE 24th St.	42,500 sq ft
Luther Burbank Administration Building	Parks and Recreation and Youth and Family Services Depts.	North MI Luther Burbank Park 2040 84th Ave. SE	5,000 sq ft
Mercer Island Thrift Shop	Sales-Fundraising: Recycled Household Goods	Central Business District 7710 SE 34th St.	5,254 sq ft
Fire Station 91	Fire & Emergency Response, Administration	Central Business District 3030 78th Ave. SE	16,600 sq ft
U.S. Post Office	Postal Service	Central Business District 3040 78th Ave. SE	10,000 sq ft
Mary Wayte Pool	Indoor Swimming Facility	Mid-Island 8815 SE 40th St.	7,500 sq ft

King County Library (KCLS) Branch Library	Public Library	Mid-Island 4400 88th Ave SE	14,600 sq ft
Fire Station 92	Fire & Emergency Response	South End Shopping Center 8473 SE 68th St.	7,940 sq ft

Notes:

1. City Hall was permanently closed on October 3, 2023, when the City Council approved [Resolution No. 1650](#).

**City Hall – Permanently Closed October 2023**

In April 2023, City Hall was temporarily closed after asbestos was detected in several locations in the building, including in the ventilation system, with the highest concentration numbering over thirteen million asbestos structures per square centimeter (13,000,000 s/cm<sup>2</sup>), found inside the Air Handling Unit located in the attic. Asbestos was also detected in 11 settled dust samples from 10 locations inside the ducts, as well as in two HVAC system filters. The source of the asbestos in the ventilation system is unknown.

During the course of evaluating the HVAC system, environmental consultants also performed tests for asbestos throughout the rest of City Hall. Additional asbestos-containing materials were identified in 13 samples, including three types of flooring (covering an additional 20,000 sq ft), flooring adhesive, window putty, and 31 interior fire doors.

City staff and outside experts worked extensively to identify solutions to address the asbestos contamination in the ventilation system and evaluate the best path forward for City Hall. Two scenarios for re-occupying the City Hall building, either fully or partially, were evaluated for timeline, preliminary costs, and impact to City operations. Unfortunately, the cost of both scenarios to re-occupy City Hall exceeded the benefits due to the age and condition of the building.

City Hall was built in 1957 and has been repaired and renovated over the years, with the last major renovation occurring in the late 1980s. Prior to the asbestos situation, the City Council recognized the need for a replacement strategy for aging city facilities and in early 2023, the City began working on a Facilities Conditions Assessment to guide long-term decisions. The initial assessment work highlighted the many other matters of concern related to the long-term use of City Hall. The building suffers from structural and seismic deficiencies. Almost all of the interior walls have been identified as lacking lateral bracing and, unless reinforced, are at risk of failure in the event of seismic activity, potentially rendering the building inoperable. Additionally, the building does not conform with current energy or building code requirements, and multiple building systems are failing or need to be substantially replaced.

Given this additional information and the anticipated investment needed to re-occupy City Hall and bring it up to current standards, the City Council approved

Resolution No. 1650 on October 2, 2023, ceasing City operations at City Hall and permanently closed the building.

Following the initial closure of City Hall in April 2023, the services provided at City Hall were relocated to other City facilities. Utility billing moved into the Public Works Building. Information and Geographic Services (IGS) staff and Police Department staff moved first to the Mercer Island Community and Event Center (MICEC) and then to the Luther Burbank Administration Building located in Luther Burbank Park. The City Council transitioned public meetings to the Zoom platform while staff worked to identify an alternative location for in-person meetings. Municipal Court proceedings were suspended while staff worked to identify a location for court services. Meanwhile court staff worked from the Conference Room at Fire Station 91. The remainder of City employees transitioned to remote work.

Following the initial closure, temporary arrangements have been made to house City services at existing facilities while a permanent solution to replace City Hall is identified. Current facilities and the City services they house are further described below.

### **Public Works Building**

The Public Works Building is 15,350 square feet. Located south of the now-closed City Hall, this building was constructed primarily as a workshop and mechanic facility in 1981. Since then, it's been repurposed several times to meet the changing needs of City operations. There are 64 permanent employees and 15 to 20 seasonal employees operating out of this facility. Those employees make up the following operational and administrative teams:

- Right-of-Way;
- Stormwater;
- Water Utility;
- Sewer Utility;
- Utility Billing (temporary);
- Parks Maintenance;
- Support Services;
- Public Works Engineering; and
- Public Works Administration.

Given the age and condition of the Public Works Building, the City prepared a Facilities Conditions Assessment (FCA) for this building in 2024. The FCA identified the following preliminary findings about the building's condition:

- Roofing is at the end of its projected useful life and leaks are prevalent throughout the building.
- The current 150kVA electrical service is insufficient to support the current needs of the facility.



- The electrical distribution system is aged, with some critical components at the end-of-life.
- The original HVAC system is mostly obsolete throughout the building, delivering poor performance, high energy consumption, and marginal air quality.
- Plumbing is inadequate to meet the staffing levels for the building, requiring the use of portable toilets to meet sanitation requirements.

Based on the findings from the FCA and known operational deficiencies of the Public Works Building, the City Council directed the City Manager to commence design of a new Public Safety and Maintenance Building in March 2024.

### **Luther Burbank Administration Building**

The Luther Burbank Administration Building is a 5,000 square foot building constructed in 1928 and located at 2040 84th Ave SE inside Luther Burbank Park. This building traditionally houses Youth and Family Services staff and Recreation, Capital Project, and Natural Resources team members. Due to the closure of City Hall in 2023, the Luther Burbank Building is also now hosting IT and GIS staff and the Police Department.

A Facilities Conditions Assessment is currently underway for the Luther Burbank Building and early findings indicate that renovations will be needed in the coming years to support ongoing operation of this building. Improvements will be needed related to HVAC and electrical upgrades, energy efficiency, seismic retrofits, and safety and ADA improvements. The building at Luther Burbank will continue to serve as an essential facility for the delivery of city services.

### **Temporary City Council Chambers**

After the City Hall closure in 2023, City Council Chambers was moved to the Slater Room at the Mercer Island Community and Event Center (MICEC). This large classroom was repurposed for City Council meetings and now includes audio/visual technology capabilities for hybrid in-person/online public meetings. The conversion of this room at the MICEC eliminated a large recreation programming space, previously used for programs, classes, and community meetings. Additionally, the City upgraded the audio/visual technology capabilities of Room 104 in MICEC to support City Council Executive Sessions, partially removing this room from public availability.

### **Temporary Municipal Court**

The Mercer Island City Hall housed the City's Municipal Court. After the building was permanently closed, the Municipal Court was moved temporarily to the City of Kirkland Justice Center while other accommodations could be made. Beginning in 2024, the City leased space in the Newcastle Professional Center, which houses the Newcastle City Hall. The interlocal agreement between Mercer Island and Newcastle includes the use of Newcastle City Council chambers for court proceedings and the use of office space for court administration. The interlocal agreement will expire in 2026 unless the cities renew it.

### **Temporary Police Department**

The Mercer Island City Hall included headquarters and support facilities for Police Department operations. When City Hall was permanently closed, the Police Department moved to MICEC, and then to the Luther Burbank Building, while alternatives were evaluated.

At the end of 2024, the Police Department is housed in three separate modular buildings on the City Hall campus. The modular buildings provide office space, locker rooms and showers, and processing facilities.

### **Remote Work**

In 2024, approximately sixty employees are without a dedicated workspace. These employees are working from home and making use of available “touch down” spaces at the City’s various buildings for meetings and in-person office needs. Most of these affected employees are from Administrative Services, Community Planning and Development, Finance, the City Attorney’s Office, and the City Manager’s Office.

### **Public Safety and Maintenance Building**

During the March 1, 2024 City Council meeting, the Council directed the City Manager to commence planning for a new Public Safety and Maintenance Building (PSM) on the current City Hall campus. This new facility will replace the existing Public Works Building and provide a new combined home for the City’s Public Works teams, the Police Department, the Emergency Operations Center, and the IT & GIS team.

The PSM building focuses on replacing critical City operational and emergency response facilities displaced by the closure of City Hall and the functional obsolescence of the Public Works Building. In addition, the facility will include new covered vehicle and equipment storage and re-design and optimization of the public works yard. In addition to providing secured parking for police vehicles, the PSM building must store and maintain over 100 pieces of equipment and City vehicles, many of which are the largest and most expensive vehicles owned and operated by the City.

As a centralized emergency response and management facility, the PSM building should be constructed to risk category IV “essential public facility” building standards, the highest risk category designation possible. Risk Category IV includes buildings that are essential in that their continuous use is needed, particularly in response to disasters. Police stations and emergency vehicle garages, Emergency Operations Centers, public works staff areas and equipment necessary for emergency response, must remain operational during and after major disaster type events. The new building is a lifeline to the community in the most extreme circumstances, and continuity of operations for the work groups housed at this facility is essential during critical events.

[...]

#### **IV. Capital Facilities Financing**

The community should expect most funding for future capital improvements to come from local public sources. Substantial investments in transportation facilities—including parking, sewage collection and conveyance, ~~and~~ stormwater facilities, City facilities to address the 2023 City Hall closure will be needed over the 20-year planning period. Funding for open space acquisition and parks improvements may also be needed to meet community expectations. Private development will finance some minor new capital improvements, such as stormwater facilities, sewage conveyance improvements, and transportation improvements where proposed development will exceed adopted levels of service. Impact fees on new development will also generate some revenue to offset the impact of such growth on Mercer Island's public schools, parks and open space, and transportation facilities.

[ ... ]

**Goal 2** Aging or obsolete public buildings are renovated, retrofitted, and replaced on Mercer Island, ensuring continuity of essential City Services.

#### Policies

2.1 Complete the design and secure funding for the development of the new Public Safety and Maintenance building.

2.2 Provide modern, safe, energy efficient, and high-quality facilities for the delivery of city services.

2.3 Centralize customer service functions to ensure easy and convenient community access to all City services.

2.4 Provide Level IV facilities for public safety and maintenance teams that ensure continuity of services during an emergency response. Co-locate work groups who often respond and operate together during an emergency.

2.5 Protect the City's fleet through the provision of covered and secure parking. Provide for on-site mechanical facilities to maintain 24/7 response.

2.6 Design new facilities such that common spaces can be shared, avoiding the costly duplication of identical spaces at other locations on the Island.

2.7 Incorporate sustainable practices in the design, renovation, repair, and replacement of City facilities. Plan for the electrification of the City's fleet.

2.8 Complete facility conditions assessments for all City facilities, establishing long-term asset repair and replacement schedules. Facility conditions assessments should be reviewed and updated every 7 to 10 years.

[ ... ]

### III. LEVEL OF SERVICE & FORECAST OF FUTURE NEEDS

In analyzing capital financing over 20 years, the City must make estimates in two areas: Cost of New Facilities and the Cost to Maintain Existing Facilities. To estimate the former, the City must evaluate its established levels of service (LOS) for the various types of facilities — streets, parks, recreational facilities, open space, trails, and public buildings — and project future needed investments to reach those service targets. In this case, "Level of Service" refers to the quantitative measure for a given capital facility. See Table 2. In establishing an LOS standard, the community can make reasonable financial choices among the various "infrastructure" facilities that serve the local population.

~~Fortunately, Mercer Island has already acquired and/or built most of the facilities needed to meet its LOS goals (e.g., parks acreage, recreational facilities, water and sewer system capacity, street system capacity, police, fire and administration buildings). As a result, while a few "LOS deficiencies" must be addressed over the next 20 years (open space, new trail construction, some street capacity improvements), most capital financing projections for Mercer Island involve reinvesting in and maintaining existing assets.~~

Listed in Table 2 below is a summary of level of service and financial assumptions (by facility type) used in making a 20-year expenditure forecast. In looking at the assumptions and projections, the reader should bear in mind two things: 1) No detailed engineering or architectural design has been made to estimate costs. The numbers are first level estimates; and 2) the objective of the analysis is to predict where major financing issues may arise in the future. The estimates should be used for long range financial and policy planning; not as budget targets.

**Table 2 — Level of Service & Financial Forecasts<sup>1</sup>**

Capital Facility	Level of Service Standard	Capital Needs	New Capital Cost (To address deficiency) <sup>2</sup>	Annual Reinvestment Cost
<b>Streets</b>				
Arterials	LOS "D"	2 locations identified	\$4,058,720	\$1,126,000
Residential	None	None	\$0	\$920,000
Town Center	LOS "C"	2 locations identified	\$2,928,000	\$166,000
Parking Facilities <sup>4</sup>	To be assessed	To be assessed	To be assessed	To be assessed
Existing and New Pedestrian and Bicycle Facilities	See Pedestrian and Bicycle Facilities Plan	Shoulder improvements, 78th Ave. pedestrian and bike improvements, safe routes to school	\$19.6 million	\$327,500
<b>Other Facilities</b>				

Parks & Open Space	See Parks, Recreation & Open Space (PROS) Plan	Dock infrastructure, restrooms, playgrounds, open space, trails, and athletic fields	\$4.3 million	\$1.3 million Parks & Open Space CIP
Recreational Facilities	See PROS Plan	None	None	None
Schools	Established in the Mercer Island School District No. 400 Six-Year Capital Facilities Plan as may be amended	Maintenance of existing buildings, new elementary school, middle school and high school expansions	\$98.8 million bond	\$7.5 million levy passed February 2022
<u>General Government: City Facilities</u>	<u>To be assessed<sup>5</sup></u>	<u>New public safety and maintenance building, rehouse other services displaced by the City Hall closure, and maintenance of existing facilities</u>	<u>To be assessed<sup>6</sup></u>	<u>To be assessed</u>
<b>Water System</b>				
Supply	6.7 m gal/day	None	None	\$6.5 million
Storage	8.0 m gal	None	\$2,750,000	
Distribution	> 30 psi	None	\$55,675,000	
Fire Flow	Multiple	None	None	
Sanitary Sewer System	0 - Sewer Overflows	Inflow & Infiltration Sewer Lakeline-portion of reaches	\$26 million	\$1.68 million
<b>Storm &amp; Surface Water System</b>				
Piped System	WA DOE Stormwater Manual	Multiple	\$850,000	\$1.2 million
Ravine Basins	WA DOE Stormwater Manual	Multiple	\$365,000	

Notes:

1. More detailed LOS standards for capacity, operational reliability, and capital facilities needs can be found in the following documents: Transportation Improvement Plan, Water System Plan, General Sewer Plan, Comprehensive Storm Basin Review, Parks, Recreation and Open Space (PROS) Plan, Pedestrian and Bicycle Facilities Plan, Open Space Vegetation Plan, Luther Burbank Master Plan, Ballfield Use Analysis, and the Transportation Element of this Comprehensive Plan.
2. Costs are estimated for the twenty-year planning period from 2024-2044. Actual costs are determined at the time improvements are added to the CIP.

3. Annual reinvestment cost is estimated based on the total estimated twenty-year cost divided by twenty years. Actual costs are not expected to occur annually.
4. An analysis is in progress, capital needs and costs to be evaluated pending completion of studies, after completion of light rail.
5. Improvement, maintenance, and replacement of City operational and administrative facilities are assessed per facility with the completion of a facility condition assessment.
6. The City is in the process of evaluating the cost to address facility needs in light of the unexpected closure of City Hall in October 2023.

# APPENDIX B

## AGENCY COMMENT LETTERS

**From:** [McConachie, Justin](#)  
**To:** [Jeff Thomas](#)  
**Cc:** [Adam Zack](#); [Alison Van Gorp](#); [Larson, Matt](#); [Tousley, Amy](#)  
**Subject:** Mercer Island Comprehensive Plan Update -- PSE Comments -- April 2024  
**Date:** Friday, April 12, 2024 12:34:44 PM  
**Attachments:** [image001.jpg](#)  
[PSE Comp Plan Language Comments April 2024.xlsx](#)

---

Dear Jeff Thomas,

On behalf of Puget Sound Energy (PSE), I am reaching out to convey our thoughts for your consideration as part of the periodic update to the comprehensive plan and development regulations under the Revised Code of Washington (RCW), specifically Chapters 36.70A and 43.21C.

The attached spreadsheet contains suggested language as it relates to customer programs and our shared climate goals. In the attached, you will find seven tabs grouped by category.

At PSE, we recognize that climate change is one of the biggest existential threats facing our planet today. As one of the largest producers of renewable energy in the Pacific Northwest, PSE has been an early leader in addressing climate change and investing billions in renewable resources and energy efficiency for homes and businesses. Now, PSE is on the path to meet the current and future needs of its customers and to deliver on the requirements to decarbonize operations and serve its customers and communities equitably. This transition is unprecedented in terms of the magnitude of the change and the accelerated time frame in which it must be achieved. By working together, we can successfully drive towards our shared clean energy goals.

PSE looks forward to providing input as the comprehensive plan items are discussed in more detail. Together, we can reduce emissions and keep energy safe, reliable, and affordable.

Thank you,

**Justin McConachie**

Municipal Liaison Manager | Municipal Relations  
1140 N 94th St, Seattle, WA 98103 | Mailstop: NSO-01  
Cell: 206.518.1452 | Office: 206.517.3432





## Puget Sound Energy Proposed Policies

On April 11, 2024, Puget Sound Energy (PSE) submitted a comment on the Comprehensive Plan suggesting the following policies.

### **Policy 1 – Energy Equity**

Partner with PSE to promote financial assistance and discounted billing programs for income qualified residents in order to ensure that the most vulnerable are not disproportionately impacted by the State's clean energy transition. [Utilities Element]

#### **PSE Programs**

PSE's Bill Discount Rate (BDR): Our BDR program provides income qualified customers with ongoing help on their monthly energy bill. Depending on household income and size, customers can save 5% to 45% a month on your bill.

PSE Home Energy Lifeline Program (HELP): PSE provides qualified customers with bill-payment assistance beyond the Washington state LIHEAP program. Customers do not need to owe a balance on their PSE bill to apply.

LIHEAP Program: This government program provides financial assistance so eligible households can maintain affordable, dependable utility services and avoid disconnection. PSE can assist with eligibility requirements and applications.

The Salvation Army Warm Home Fund: Administered by the SA and funded by voluntary contributions from PSE customers, employees, and investors. The Warm Home Fund provides short-term, emergency bill payment assistance to PSE customers facing financial difficulties.

Payment Arrangements: PSE will work with customers to produce a manageable payment schedule with a realistic timeline for up to 18 months.

Budget Payment Plan: PSE provides customers with a predictable average monthly payment to reduce bill fluctuation and avoid unplanned high bills during winter heating months.

Home Weatherization Assistance: This program provides free upgrades for single-family homes, manufactured homes or eligible apartment buildings. Upgrades can include insulation, duct sealing and much more.

Energy Efficiency Boost Rebates: PSE offers higher rebates on energy-efficient upgrades to income-qualified customers.

Low-Income Eligible Community Solar: This no cost program enables bill savings of up to \$40 per month for income eligible customers.

## **Policy 2 – Electric Vehicles**

Support EV charging infrastructure throughout the community in order to support the decarbonization of our transportation sector. [Utilities Element]

### **PSE Programs**

PSE Up & Go Electric for Public: PSE helps organizations easily and affordably install public charging for all EV drivers.

PSE Up & Go Electric for Fleet: PSE empowers businesses, municipalities and more with electrifying their fleets.

PSE Up & Go Electric for Multifamily: PSE brings pole charging to multifamily properties to attract new residents and keep existing ones.

PSE Up & Go Electric for Workplace: PSE brings charging to workplaces so employees can electrify their commutes.

PSE Home Charging: PSE provides rebates and incentives for the installation of home EV charging stations.

## **Policy 3 – Energy Efficiency**

Partner with PSE to promote energy efficiency programs and initiatives. [Utilities Element]

## **Policy 4 – Energy Efficiency**

Expedite permitting processes related to energy efficiency upgrades. [Land Use Element]

### **PSE Programs**

Home Energy Assessment: PSE offers a quick and convenient 3-step process to help customers understand and control their home's energy usage.

Energy Efficiency Rebates:

- Appliance program
- Electric hybrid heat pump water heaters
- Smart thermostats program
- Weatherization program
- Windows, water heat and space heat programs
- Home weatherization assistance
- Insulation

Other PSE Energy Rebates:

- EV chargers
- New construction

Clean Buildings Accelerator: PSE assists customers with complying with Washington's Clean Buildings Law (HB 1257, 2019).

## **Policy 5 – Green Options**

Partner with PSE to promote local investments and customer enrollment in clean energy projects and programs in order to achieve clean energy goals. [Utilities Element]

### **PSE Programs**

Green Power: PSE customers can voluntarily contribute to PSE investments in renewable energy projects in the Pacific Northwest.

Solar Choice: PSE customers can voluntarily purchase solar energy from independent sources through PSE.

Carbon Balance: PSE customers can voluntarily purchase carbon offsets from local forestry projects through PSE.

Community Solar: PSE customers can voluntarily contribute to solar projects of their choice installed on such facilities as local school and community centers.

Renewable Natural Gas: PSE customers can voluntarily purchase blocks of RNG to lower than carbon usage and support the development of locally produced RNG.

Green Direct: This program is offered to local municipalities and corporations seeking to reduce their carbon footprint by investing in large scale renewable energy projects. This program is currently full.

## **Policy 6 – Demand Response**

Partner with PSE to promote and support programs designed to decrease load on the grid during times of peak use. [Utilities Element]

### **PSE Programs**

Time of Use (TOU) Program: PSE's current pilot program uses variable 24 hour pricing to incentivize customers to use less power during times of peak demand.

Flex Rewards: This program encourages and financially incentivizes voluntary reduction in energy use during peak demand.

Flex Smart: This program financially rewards customers for allowing PSE to make remote minor adjustments to thermostats during periods of high peak load and demand.

Flex EV: This program incentivizes EV charging during off-peak hours.

## **Policy 7 – Grid Infrastructure**

Partner with PSE to effectively meet rapidly increasing electrical demand as the City and region work to achieve a Clean Energy Transition by adopting codes that support siting existing and new technologies. [Utilities Element]

### **PSE Programs**

Wind and Hybrid Wind (co-located wind and battery): A variable source of power representing approximately 30% of PSE's future electric resource need by 2030.

Solar and Hybrid Solar (co-located solar and battery): A variable source of power representing approximately 16% of PSE's future electric resource need by 2030.

Utility-Scale Battery Energy Storage Systems (BESS): A technology that will allow energy to be stored for future use representing about 22% of PSE's future electric resource need by 2030. Types of energy storage technology include:

- Chemical (e.g., Lithium-Ion Iron-Air)
- Thermal (e.g., carbon, molten salt)
- Gravity (e.g., water pumping, mechanical)

Variable generation sources (wind & solar) require large scale Battery Energy Storage Systems (BESS) to be fully utilized since the sun goes down when demand increases and wind often fades when most needed; such as during extremely cold weather. Batteries maximize electrical production from variable generation sources, help meet periods of peak demand, and provide greater reliability for the grid.

## **Policy 8 – Grid Infrastructure**

Expedite the local permitting and approval process in order to maintain grid capacity and reliability. [Land Use Element]

### **PSE Programs**

New regional transmission lines are needed to serve new utility scale clean energy resources, such as wind and solar.

New local transmission lines are needed to meet increasing local demand due to growth, EV's, and electrification of the heating sector (e.g., Sammamish to Juanita line in Kirkland).

Transmission upgrades are needed to meet increasing local demand (e.g., Energize Eastside line in Redmond, Bellevue, Newcastle, and Renton upgraded from 115kv to 230kv) due to growth, EVs, and electrification of the heating sector.

In order to assure continued capacity and reliability, new and larger substations will be needed to meet growing energy needs due to growth, EVs and electrification of the heating sector.

Additional 12.5kv distribution lines will be needed to meet growing energy needs due to growth, EVs and electrification of the heating sector.

### **Policy 9 – Grid Infrastructure**

Promote and support the growth of customer owned distributed energy resources.  
[Utilities Element]

#### **PSE Programs**

Customer Connected Solar: PSE assists customers with information and resources for installing residential solar projects and how to apply for interconnection and net metering with PSE.

Battery Walls: PSE offers installation guidelines and a process whereby customers can report battery installations.

Host An Energy Project: Community partners can get paid to lease space to PSE to develop distributed solar and/or battery storage projects.

Distributed Renewables: PSE supports the development of commercial customer-owned renewable energy projects that generate between 100 kilowatts and 5 megawatts to interconnect to the PSE electrical distribution grid.

### **Policy 10 – Grid Infrastructure**

Support ongoing vegetation management in order to maintain system reliability.  
[Utilities Element]

#### **PSE Programs**

Many cities are pursuing aggressive urban forestry programs in order to beautify their community, reduce heat islands, and to provide carbon offsets. Such policies should be balanced with the need to protect electrical system reliability around overhead lines.

### **Policy 11 – Grid Infrastructure**

Pursue public-private partnership to seek funding sources to accelerate clean energy projects. [Utilities Element]

#### **PSE Programs**

Recent state and federal legislation, including the IIJA and IRA, have unlocked public funding for climate and environmental benefit. PSE is aggressively pursuing all applicable funding opportunities to support lower customer bills, reduced power costs, and investments in the grid and clean energy. PSE is also supporting municipalities, tribes, and non-profits in their applications for public funding.

## **Policy 12 – Wildfire Management**

Support PSE’s wildfire mitigation efforts including electric system upgrades, year-round vegetation management, and fire weather operational procedures. Work closely with utilities and local fire departments to lessen the risk and impact of wildfires. [Utilities Element]

### **PSE Programs**

**Situational Awareness:** PSE evaluates the condition of the electric system, as well as the environment around it, using real-time weather data, wildfire risk modeling and pre-wildfire season inspections.

**Strengthening the electric system:** PSE regularly maintains and updates the electric system to provide safe and reliable power to our customers. In areas of high wildfire risk, we identify maintenance and improvement activities that will further reduce the risk of wildfire, including vegetation management, equipment upgrades, and in some cases, moving power lines underground.

**Operational Procedures:** During wildfire season, PSE may change some device settings or implement operational procedures to reduce the risk of wildfire. In the future, PSE may proactively turn off power during high wildfire risk conditions to help prevent wildfires. This is called a Public Safety Power Shutoff (PSPS).

**Emergency Response:** During an emergency, including an active wildfire, PSE will coordinate with local emergency officials and may implement emergency response procedures. This may include turning off power at the request of emergency officials for public and first responder safety.

## **Policy 13 – Gas Conservation and Decarbonization**

Evaluate the potential for renewable, recoverable natural gas in existing systems. [Utilities Element]

### **PSE Programs**

**Renewable Natural Gas Production:** Utilizing wastewater facility, landfill, or similar system.



State of Washington  
**Department of Fish and Wildlife, Region 4**  
 Region 4 information: 16018 Mill Creek Blvd, Mill Creek, WA 98012 | phone: (425)-775-1311

May 20, 2024

Ryan Harriman, Planning Manager  
 City Hall 9611 SE 36th St  
 Mercer Island, WA 98040  
 ryan.harriman@mercerisland.gov

**RE: WDFW comments regarding Mercer Island’s Comprehensive Plan draft language**

Dear Mr. Harriman,

On behalf of the Washington Department of Fish and Wildlife (WDFW), thank you for the opportunity to formally comment on Mercer Island’s draft Comprehensive Plan language as part of the current periodic update. Within the State of Washington’s land use decision-making framework, WDFW’s role is that of technical advisor with respect to the habitat needs of fish and wildlife and the likely implications of various land use decisions on those resources over time. We provide these comments and recommendations in keeping with our legislative mandate to preserve, protect, and perpetuate fish and wildlife and their habitats for the benefit of future generations – a mission we can only accomplish in partnership with local jurisdictions. We may decide to submit additional comments to you in the future.

**Table 1. Recommended changes to proposed Comprehensive Plan language.**

Policy Number	Policy Language (with WDFW suggestions in red)	WDFW Comment
<b>Land Use</b>		
GOAL 2  Suggested Policy  Page 15	For all new development, require parks and open space retention or creation to promote connected, healthy, and climate-resilient communities locally and regionally.	Open spaces can act as climate-resilient assets that can serve as community spaces. All development within dense or populated areas should strive for open space retention and creation for the benefit of people and the environment. Additionally, parks and open spaces are often some of the only areas within highly built environments for wildlife habitat to persist. It is important to not only plan for these spaces, but plan for the connection and linkage of these spaces to provide multi-benefit options, such as recreational trail opportunities as well as habitat corridor linkages. For

		<p>information on implementing wildlife habitat attributes in all public spaces, see WDFW’s <a href="#">Habitat at Home</a> resource as well as WDFW’s <a href="#">Landscape Planning for Washington’s Wildlife</a> for further resources, especially “Chapter 6: Implementation through Comprehensive Plans, Development Regulations, and Incentive Programs,” page 6-1.</p> <p>Some additional resources include the <a href="#">Trust for Public Lands</a>, the NRPA <a href="#">Safe Routes to Parks Action Framework</a> (which provides professionals with a “how-to” guide to implement Safe Routes to Parks strategies), and the <a href="#">Sustainable Development Code</a> website.</p>
<p>GOAL 3 Page 15</p>	<p>Have a mixture of building types, styles and ages that reflects the evolution of the Town Center over time, with human-scaled buildings, varied height, ‘green’ buildings, setbacks and step-backs and attractive facades.</p>	<p>We suggest this goal also include the intent for climate resiliency in building design. We suggest working towards sustainable development code that decreases building utility use and cost while simultaneously increasing the capacity for climate resiliency. For resources, see how the <a href="#">city of Boston</a> is identifying priority blocks that could yield the greatest benefits to residents in pursuit of a “cool” roof goal. Similarly, "green" roofs covered with sedum, native flowers, and other low-maintenance vegetation help insulate buildings from solar heat and provide pollinator habitat. Such rooftops help reduce building cooling costs and heat-related illnesses and deaths. See also the Sustainable Development Code <a href="#">website</a> for specific resources on removing code barriers, creating incentives, and filling regulatory gaps in pursuit of green building goals. The <a href="#">Georgetown Climate Center's Green Infrastructure Toolkit</a> provides funding models and approaches from U.S. municipalities, including <a href="#">Los Angeles County's Safe Clean Water Program</a> and Boulder, Colorado's Greenways Program. Additionally, it is mandatory that schools are built to meet green building standards, and with the help of <a href="#">Washington Sustainable Schools Protocol: Criteria for High-Performance Schools</a>, additional public or private infrastructure can be modeled after this example. See the <a href="#">LEED rating system</a> for further resources aimed at all building types.</p>
<p>Goal 8 Suggested Policy Page 18</p>	<p>Town Center streets should provide for safe and convenient pedestrian access and movement, with consideration for future climate-related heat</p>	<p>It is important to frame pedestrian access in a climate-related hazard context, especially in denser city center areas where exacerbated heat island effect may be present.</p>



	conditions, planning for ample street trees for cooling purposes.	
12.2 Page 19	Encourage the provision of on-site public open space in private developments. This can include incentives, allowing development agreements, and payment of a calculated amount of money as an alternative to dedication of land. In addition, encourage aggregation of smaller open spaces between parcels to create a more substantial open space.	See resources related to comments for Goal 2 page 15 above.
GOAL 13 Page 21	Town Center buildings should meet a high standard of energy efficiency and sustainable construction practices as well as exhibiting other innovative green features, above and beyond what is required by the existing Construction Code.	See resources related to comments for GOAL 3 Page 15 above for policy ideas, as this goal currently has no policies.
15.6. B Page 23	<p><del>Encourage the retention of landscaped areas and the retention and planting of trees</del></p> <p>Require protection of significant trees and avoid unnecessary disturbance of vegetation during all phases of development and require mitigation as needed, including replacement for trees removed during development. Measure progress towards City tree canopy goals by implementing a formal tree canopy plan.</p>	<p>We suggest changing the language of this policy to better reflect the importance of tree and vegetation retention. Additionally, we suggest Mercer Island develop a formal tree canopy management plan, informed by your <a href="#">Urban Tree Canopy Assessment 2018</a>, in order to track current conditions and benchmark progress towards tree canopy goals. <b>This plan should also measure how well the City’s tree-related ordinances are functioning in retaining trees on the landscape.</b> It may not be enough to rely on ordinances if there is not a system in place to track cumulative impacts over time.</p> <p>Some examples of tree management plans include the <a href="#">City of Tacoma</a>, the <a href="#">City of Snoqualmie</a>, the <a href="#">City of Redmond</a>, and the <a href="#">City of Renton</a>. The <a href="#">Puget Sound Urban Tree Canopy and Stormwater Management Handbook</a> provides additional guidance.</p>

<p>18.6 Page 25</p>	<p>Encourage, and require in some circumstances, low impact development approaches for managing stormwater and protecting water quality and habitat.</p>	<p>We recommend requiring LID standards within municipal code for all developments, especially near waterways. As noted in the <a href="#">Lake Washington/Cedar/Sammamish Watershed (WRIA 8) Chinook Salmon Conservation Plan 10-year Update</a>, Mercer Island’s shorelines are labeled as ‘Tier 1’ areas. This report states, “Tier 1 areas are the highest priority habitats for protection/restoration, and include primary spawning areas, as well as migratory and rearing corridors.”</p> <p>This underscores Mercer Island’s unique geographic location and <a href="#">distinctive obligation</a> to preserve, rehabilitate, and re-establish salmon habitat. Additionally, utilizing LID techniques can help Mercer Island address <a href="#">Federal Policy Priorities</a>, such as, “Chemicals from decaying tires, specifically 6PPD-quinone affect coho, Chinook, sockeye and steelhead. In particular, coho have been shown to be most sensitive and succumb to “urban runoff mortality syndrome” within hours of exposure. Federal funding is needed to support local governments in implementing critical stormwater retrofit projects to capture and treat toxic runoff.”</p> <p>Resources for LID include King County’s <a href="#">Regional Stormwater Action Goals</a> (which includes <a href="#">Planning Stormwater Parks</a>), the Sustainable Development Code <a href="#">website</a> and the <a href="#">VISION 2050 Planning Resources Guidance on Integrating Stormwater Solutions into Comprehensive Plans</a>.</p>
<p>18.7 Page 25</p>	<p>Services and programs provided by the City with regards to land use should encourage residents to minimize their own personal carbon footprint, especially with respect to energy consumption and waste reduction. <b>The City shall also develop and maintain a fund to build green infrastructure projects.</b></p>	<p>See resources for this in comments to GOAL 3 Page 15 above.</p>
<p>GOAL 19</p>	<p>Protect and enhance habitat for native plants and animals</p>	<p>The importance of ecosystem monetary value cannot be overstated. Protecting and restoring natural assets and</p>

<p>Page 26</p>	<p>for their intrinsic value and for the benefit of human health, <b>the ecosystem services they provide</b>, and aesthetics. Regulatory, educational, incentive-based, programmatic, and other methods should be used to achieve this goal, as appropriate.</p>	<p>the services they provide is often more cost-effective than engineered solutions. For example, restored wetlands and floodplains can prevent flooding and reduce the need for other types of flood-control infrastructure. Implementation of this policy could include comparing lifetime cost-effectiveness of nature-based versus engineered options for climate response to help identify cost-effective adaptation options. This can help build capacity and support for the adoption of response strategies that help protect and restore ecosystem function and services at risk from climate change.</p> <p>For resources, see FEMA’s guide <a href="#">Building Community Resilience with Nature-based Solutions</a>, as well as software to track these resources from <a href="#">Natural Capital Project</a>. Additionally, see Kitsap County’s approach to this through their <a href="#">Kitsap Natural Resource Asset Management Project</a>.</p>
<p>19.3 Page 26</p>	<p>Evaluate and enhance the quality of habitat to support the sustenance of native plants and animals with the appropriate balance of ground, mid-level, and tree canopy that provides cover, forage, nectar, nest sites, and other essential needs. In addition to parks and open spaces, preserve and enhance habitat in conjunction with residential, institutional, and commercial development and in road rights-of-way, <b>prioritizing connection between these spaces for habitat corridor linkages and recreational trail linkages</b>.</p>	<p>Outlined in Mercer Island’s <a href="#">PROS Plan 2022</a> is the need for trail connections. This plan’s community survey #2 asked, “What do you think are the most needed improvements to the current City of Mercer Island parks system?” 44.2% of respondents chose “Connect gaps in the trail system to create a complete trail network,” which was the highest selected response. 30.8% of respondents chose, “Expand maintenance and restoration of open space and natural areas.” Further in this survey, the second highest item selected as “very important” to residents was “Open space and natural areas,” second to “Walking / jogging trails.” Ranked highest priority for use of acquired land was, “Acquire land to preserve habitat and open space areas that can include walking / jogging trails.” Connecting open spaces, parks, and trails provides a unique, multi-benefit path towards addressing habitat connectivity and recreational needs specific to Mercer Island.</p>
<p>19.6 Page 26</p>	<p>Important wildlife habitats including forest, watercourses, wetlands, <b>riparian areas</b>, and shorelines should be connected via <b>intentional infrastructure planning and</b> natural area <b>linkages</b>, including walking</p>	<p>Riparian areas “are disproportionately important, relative to area, for aquatic species (e.g., salmon) and terrestrial wildlife,” as stated in WDFW’s <a href="#">Riparian Ecosystems, Volume 2: Management Recommendations</a> and supported by WDFW’s <a href="#">BAS</a>. As highlighted within these documents is the need for large tree retention along riparian and shoreline areas. In the context of</p>

	paths along forested road rights-of-way.	<p>Mercer Island, emphasis should be placed on retaining large trees along the shoreline of Lake Washington.</p> <p>For planning infrastructure with connectivity in mind, please see <a href="#">The Washington Wildlife Habitat Connectivity Working Group</a>, WSDOT's <a href="#">Reducing the risk of wildlife collisions website</a> as well as <a href="#">Wildlife Habitat Connectivity Consideration in Fish Barrier Removal Projects</a>, Montana Fish, Wildlife, and Parks' <a href="#">How to Build Fence with Wildlife in Mind</a>, and WDFW's <a href="#">website</a>.</p>
19.7 Page 26	View preservation actions should be balanced with the <b>efforts-requirement</b> to preserve the community's natural vegetation and tree cover <b>along shorelines</b> . [Relocated Policy 20.3]	We suggest strictly defining view preservation actions. As noted in the comment above, large trees are a crucial component of healthy shorelines. No net loss of habitat function can occur. Please review municipal code to ensure cumulative impacts are not resulting in a net loss.
19.8 Page 26	Community tree canopy goals should be adopted and implemented to protect human health and the natural environment and to promote aesthetics. Encourage the conversion of grass to forest and native vegetation. Promote the preservation of snags (dead trees) for forage and nesting by wildlife.	We recommend Mercer Island create a formal tree canopy management plan. See comments in response to 15.6. B Page 23 above.
19.10 Page 27	Support conservation on private property on Mercer Island through the use of conservation tools and programs including, but not limited to, the King County Public Benefit Rating System and Transfer of Development Rights programs.	We suggest the encouragement of homeowner and landlord involvement in WDFW's <a href="#">Habitat at Home program</a> , with the intent to incentivize community involvement and recognition of wildlife habitat creation in small (and large) spaces. Neighbors may recognize an adjacent property with a Habitat at Home <a href="#">sign</a> and be compelled to participate.
GOAL 28 Adapt to and mitigate local climate change impacts	<b>Identify and implement strategies to increase the resilience of the shoreline environment climate-related hazards, while also protecting shoreline ecological</b>	We recommend consideration for climate-related hazards when planning for shoreline access into the future. For assessing future conditions, see <a href="#">Climate Mapping for a Resilient Washington</a> , as well as FEMA's <a href="#">Resilience Analysis and Planning Tool (RAPT)</a> for resources in visualizing these hazard areas. For further

<p><b>Suggested Policy</b>                  Page 31</p>	<p>functions, allowing water dependent uses, and providing public access. Establish regulations that require the location of new lots and structure outside of hazards areas. Address appropriate efforts to protect ecological values and functions, accommodate recreational opportunities, and retreat or redevelop flood-prone structures in floodplain and shoreline areas.</p>	<p>context, FEMA’s Flood Insurance Rate Map (FIRM) modeling does not take climate change projections into consideration. We suggest Mercer Island supplement FIRM maps with best available science that incorporates climate change. For example, King County regulations place ‘<a href="#">Flood Protection Elevations</a>’ three feet above base flood elevation for development within flood-prone areas.</p>
<p><b>Housing</b></p>		
<p>Goal 1 – Overall Housing Strategies                  Page 8</p>	<p>Organize and site housing and multi-family residential buildings to create usable and connected open spaces.</p>	<p>Outlined in Mercer Island’s <a href="#">PROS Plan 2022</a> is the need for trail connections. This plan’s community survey #2 asked, “What do you think are the most needed improvements to the current City of Mercer Island parks system?” 44.2% of respondents chose “Connect gaps in the trail system to create a complete trail network,” which was the highest selected response.</p> <p>With this in mind, we suggest incorporating the adjacent policy, emphasizing the necessity to not only preserve and safeguard these open spaces but also ensure their connectivity. We propose that, along with designating open space percentages based on development type, site plans should demonstrate active efforts to connect these open spaces with others in the surrounding area.</p>
<p>Goal 1 – Overall Housing Strategies                  Page 8</p>	<p>Adopt sustainable and climate-informed design guidelines for new development.</p>	<p>See comments and resources in relation to GOAL 28 page 31 above.</p>
<p>Goal 1 – Overall Housing Strategies                  Page 8</p>	<p>Encourage the development of a variety of housing typologies to suit the needs of various potential residents while also encouraging, and in some cases requiring, techniques such as Low Impact Design (LID) standards.</p>	<p>As discussed previously, LID is exceedingly important for development to consider, as all boundaries within Mercer Island lead directly into Tier 1 priority habitat areas for chinook salmon recovery.</p>

<b>Capital Facilities</b>		
<p>1.12 Page 31</p>	<p>The City will adopt a Hazard Mitigation Plan. This Plan will be updated periodically and shall guide City efforts to maintain reliability of key infrastructure and address vulnerabilities and potential impacts associated with natural hazards and projected climate-related conditions.</p>	<p>Protecting essential public facilities and the services they provide from climate impacts helps ensure community resilience. It is vital to site these facilities outside of areas that will be impacted by climate-related stressors for the entire operational lifespan of the facility. We suggest updating zoning to allow essential or hazardous uses only in low-risk areas and assess risk when new facilities are proposed.</p>
<p>GOAL 1 Suggested Policy Page 32</p>	<p>Collaborate with WSDOT, King County, and neighboring jurisdictions to plan and prioritize public and private culvert upgrades to ensure fish passage barrier removal, adequate projected stormwater passage, and continued climate-related adaptations to handle water passage into the future.</p>	<p>It is important to plan and prioritize culvert upgrades to ensure not only fish passage benefits, but adequate projected stormwater passage. We suggest this element (and future amendments to the City of Mercer Island’s Capital Improvement Plan) include this goal and incorporate a prioritization list, especially in areas where terrestrial species connectivity can be restored simultaneously (i.e., replacing culverts with wider bridges). Current fish passage barrier locations can be found on WDFW’s <a href="#">website</a>.</p> <p>Further resources include WDFW’s <a href="#">“Incorporating Climate Change into the Design of Water Crossing Structures: Final Project Report,”</a> as well as WSDOT’s <a href="#">“Wildlife Habitat Connectivity Consideration in Fish Barrier Removal Projects.”</a></p> <p>Combining stormwater maintenance (or any maintenance) with multi-benefit goals (such as climate change resiliency or salmon recovery) opens up these projects for diverse funding opportunities (such as the Department of Commerce <a href="#">Salmon Recovery through Local Planning Grant</a>, due June 3<sup>rd</sup>).</p>
<p>GOAL 1 Suggested Policy Page 32</p>	<p>Ensure that any future maintenance and repairs to conveyances of mixed stormwater/natural waters will not negatively impact fish life, fish passage, or aquatic habitat. Additionally, the City shall consult with WDFW as needed to correctly identify specific areas and needs for the protection and</p>	<p>We suggest the addition of the adjacent policy in order to track progress towards goals relating to water quality, especially as it related to aquatic habitats and species. This would also help Mercer Island address GMA requirements such as, “cities shall give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries,” outlined in <a href="#">RCW 36.70A.172</a>.</p>

	preservation of aquatic habitats. The correct best management practices will also be employed.	
POLICIES FOR SITING PUBLIC FACILITIES AND ESSENTIAL PUBLIC FACILITIES Page 35	Consider future climate conditions during siting and design of capital facilities, including changes to temperature, rainfall, and sea level, to help ensure they function as intended over their planned life cycle.	See comments above in relation to 1.12 page 31.
<b>Shoreline Master Program element</b>		
Goal (unspecified in document) Page 5	Increase and enhance public access to and along the Mercer Island Shoreline where appropriate and consistent with public interest, provided public safety, private property rights, and in alignment with no net loss principles unique or fragile areas are not adversely affected.	We recommend specifying no net loss principles, as outlined in <a href="#">WAC 365-196-830</a> .
(4) Page 5	In new developments on the shoreline, the water's edge should be kept free of buildings. Additionally, new development shall be prohibited from constructing shoreline stabilization that employs hard armoring techniques.	<a href="#">WAC 173-26-231</a> states, "(A) New development should be located and designed to avoid the need for future shoreline stabilization to the extent feasible. Subdivision of land must be regulated to assure that the lots created will not require shoreline stabilization in order for reasonable development to occur using geotechnical analysis of the site and shoreline characteristics..."  This sentiment is exceedingly important for Mercer Island, as your unique geographic location places shorelines on all sides. Increased hard armoring is detrimental to salmonid recovery. We suggest Mercer Island establish a database that tracks hard armoring along your shorelines in order to monitor cumulative impacts and assess no net loss goals overtime.
1. (a) Page 6	Aquatic habitats, particularly spawning grounds, should be protected, improved and, if feasible, increased.	All aquatic habitats within the vicinity of Mercer Island are important in providing support for salmonid success. The importance of Mercer Island's role in salmon recovery cannot be overstated. Included in the <a href="#">Lake Washington/Cedar/Sammamish Watershed (WRIA 8) Chinook Salmon Conservation Plan (2005)</a> are

		<p>recommendations for specific restoration areas within Mercer Island, which includes, “Restoration efforts should begin with lake segments at the southern end of the lake...along the southern shore of Mercer Island and in Union Bay at the entrance to the Ship Canal.”</p> <p>In <a href="#">Chapter 10</a> page 4-6 of this report, a comprehensive list of policies and action items is given, <b>specifically for South Lake Washington</b>, including the recommendation, “Use WRIA 8 science foundation and Conservation Strategy as one of many “best available science” resources during CAO and SMP revisions. Increase riparian/shoreline buffers to extent practicable.”</p> <p><a href="#">This chapter</a> also outlines priority actions along the shoreline of Mercer Island, such as, “Explore daylighting and restoration of creek mouth in Clarke Beach Park,” “Explore options to restore small creek mouths on west and east side of Mercer Island,” and, “Explore shoreline restoration at Groveland Park.”</p> <p>This underscores Mercer Island’s unique geographic location and <a href="#">distinctive obligation</a> to preserve, rehabilitate, and re-establish salmon habitat.</p>
<p>1. (c) Page 6</p>	<p>Critical area <b>maps shall be routinely updated to reflect the most up-to-date information s have been mapped</b>. Access and use should be restricted if necessary for the conservation of these areas. The type and degree of development to be allowed should be based upon such factors as: slope, soils, vegetation, geology and hydrology.</p>	<p>Best available science should be used when creating and updating critical area documents, as per <a href="#">Chapter 365-195 WAC</a>.</p>
<p>2. Page 6</p>	<p>Existing and future activities on Lake Washington and its shoreline should be designed to <b>minimize avoid</b> adverse effects on the natural systems.</p>	<p>We suggest the use of mitigation sequencing (<a href="#">WAC 197-11-768</a>) in this policy, which first states to “avoid.” Avoidance is key, as mitigation for impacts can be costly, hard to maintain, and often do not meet no net loss standards (<a href="#">WAC 365-196-830</a>).</p>
<p>3. (d) Page 6</p>	<p>The destruction of <b>natural</b> watercourses feeding into</p>	<p>All natural waterways support aquatic habitats and species and provide vital ecosystem services. It is imperative to protect these critical areas.</p>



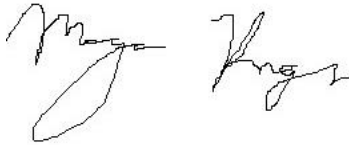
	Lake Washington should be <del>discouraged</del> <b>prohibited</b> .	
Policy (not specified in document) Page 8	Foster habitat and natural system enhancement projects that are consistent with the City's Shoreline Restoration Plan and whose primary purpose is restoration of the natural character and ecological functions of the shoreline.	See our recommendation in response to 1. (a) Page 6 above in specifying the need to consult WRIA specific salmon recovery plans, which outline specific sites for restoration consideration.
(2) Page 10	In single-family developments within the shoreline, the water's edge should be kept free of buildings <b>and hard armoring</b> .	See comments in relation to (4) Page 5 above.
<b>Transportation</b>		
7.9 Page 8	Coordinate with local and regional emergency services to develop priority transportation corridors and develop coordinated strategies to protect and recover from disaster <b>and plan for future climate-related conditions</b> .	We suggest highlighting the importance of taking future conditions into consideration as it relates to the development of transportation corridors.
11.2 Page 9	Maintain the current minimum parking requirements of three off-street spaces for single family residences, but may consider future code amendments that allow for the reduction of one of the spaces provided that the quality of the environment and the single family neighborhood is maintained.	<p>We suggest instating parking 'maximums' instead of minimums. For example, we recommend the policy:</p> <p><b>"Eliminate parking minimum requirements and establish parking maximums."</b></p> <p>This policy, which could be implemented in a development code, could help reduce impervious surfaces that exacerbate stormwater runoff and the urban heat island effect. This policy also could encourage active-transportation (walking, biking, riding transit) alternatives to driving automobiles; this reduces emissions, improves community health, and supports other co-benefits.</p> <p>Does the city currently have a way to track total impervious surface area and cumulative impacts?</p>

12.2 Page 10	Implement the Pedestrian and Bicycle Facilities Plan to meet existing and anticipated needs for nonmotorized transportation. This Plan should be coordinated with <b>habitat connectivity and</b> other transportation planning efforts and periodically updated.	See resources in comments related to 19.3 Page 26 and GOAL 2 <b>Suggested Policy</b> Page 15.
<b>Utilities</b>		
2.7 Page 4	Aggressively promote and support water conservation on Mercer Island and shall participate in regional water conservation activities.	Refer to resources in relation to our response to GOAL 3 Page 15 above.
3.4 Page 6	Actively work with regional and adjoining local jurisdictions to manage, regulate and maintain the regional sewer system, <b>keeping future climate-related hazards in mind.</b>	It is important to plan for sewer infrastructure that will be resistant to future flooding and climate-related conditions.
4.7 Page 9	Encourage and promote development that creates the least disruption of the natural water cycle, returning as much precipitation to groundwater as possible in order to extend the flow of seasonal streams into the dry season and to contribute cooling ground water to surface water features, thereby contributing to healthy fish and wildlife habitat.	We greatly appreciate the inclusion of this policy.

Thank you for taking time to consider our recommendations to better reflect the best available science for fish and wildlife habitat and ecosystems. We value the relationship we have with your jurisdiction and the opportunity to work collaboratively with you throughout this periodic update cycle. If you have any questions or need our technical assistance or resources at any

time during this process, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Morgan Krueger', written in a cursive style.

Morgan Krueger  
Regional Land Use Planner, WDFW Region 4  
425-537-1354  
Morgan.krueger@dfw.wa.gov

CC:

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## Adam Zack

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**From:** David Dixon <DDixon@psrc.org>  
**Sent:** Tuesday, June 18, 2024 5:12 PM  
**To:** Alison Van Gorp  
**Cc:** PlanReview; Adam Zack; catherine.mccoy@commerce.wa.gov  
**Subject:** PSRC Comments on Mercer Island Draft Comprehensive Plan  
**Attachments:** PSRC\_Mercer Island Draft Comprehensive Plan\_Comment Letter\_June 2024.pdf

Hi Alison,

Thanks for taking the time to meet with us to discuss the Mercer Island Draft Comprehensive Plan.

Our comments on the plan are included in the attached document, with links to relevant resources. Please reach out if you have any questions.

Best,

**David Dixon** (he/him)

Associate Planner

**Puget Sound Regional Council**

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## Puget Sound Regional Council

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June 18, 2024

Alison Van Gorp, Deputy Director, Community Planning & Development  
City of Mercer Island  
9611 SE 36<sup>th</sup> Street  
Mercer Island, WA 98040

Subject: PSRC Comments on City of Mercer Island Draft Comprehensive Plan

Dear Ms. Van Gorp,

Thank you for providing an opportunity for the Puget Sound Regional Council (PSRC) to review the City of Mercer Island draft comprehensive plan. We appreciate that the city has invested a substantial amount of time and effort in developing the draft plan and appreciate the chance to review while in draft form. This timely collaboration provides an opportunity to review plan elements for the 2024 comprehensive plan and prepares the city well for [certification](#) by PSRC once the full plan has been adopted.

The draft plan lays a strong foundation for the city's growth over the next twenty years, and we commend the work to incorporate affordable housing targets. Overall, we found few things to comment on. Importantly, though, the city should ensure that the final adopted plan documents sufficient capacity to accommodate its employment growth target. We suggest the city consider the following comments as further work is completed for the comprehensive plan update to align with [VISION 2050](#) and the Growth Management Act. We will look forward to continuing to work with you as you prepare the final draft of the comprehensive plan.

We reviewed the draft plan using the PSRC Plan Review Consistency Tool. Key sections of the consistency tool are listed below on the left along with relevant comments on the draft plan on the right:

PSRC Comments on City of Mercer Island Draft Comprehensive Plan

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**Growth Targets/Development Patterns**

Plan Review Consistency Tool	PSRC Comment on Draft Plan
<p>Demonstrate sufficient zoned development capacity to accommodate targets (RCW 36.70A.115)</p>	<p>King County’s Urban Growth Capacity Analysis and the city’s Economic Analysis Appendix identify a shortage of capacity to accommodate the city’s employment target. The plan needs to demonstrate adequate capacity to accommodate planned employment growth through either rezoning or documenting sufficient existing capacity within its current zones.</p>
<p>Prioritize investments in centers, including regional centers, countywide centers, high-capacity transit areas with a station area plan, and other local centers (MPP-RC-8-9)</p> <p>Identify high-capacity station areas and plan for densities that maximize benefits of transit investments (MPP-DP-22, DP-Action-8)</p> <p>Support the adoption of subarea plans for light rail station areas (DP-Action-8)</p>	<p>The plan should include policies to support coordination between Town Center development and the light rail station, which could be accomplished, for example, by updating the Town Center Plan, providing additional policies associated with Land Use Goals 10 and 11, and/or including a Town Center/station area map.</p>

**Transportation**

Plan Review Consistency Tool	PSRC Comment on Draft Plan
<p>Provide travel demand forecasts and identify state and local system projects, programs, and management necessary to meet current and future demands and to improve safety and human health (RCW 36.70A.070, MPP-T-4-5)</p>	<p>The plan includes a transportation project list through 2044. The city is encouraged to provide more information of how the identified projects advance goals in the plan</p>

PSRC Comments on City of Mercer Island Draft Comprehensive Plan

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Plan Review Consistency Tool	PSRC Comment on Draft Plan
<p>Develop a comprehensive concurrency program that addresses level-of-service standards for multimodal types of transportation and include implementation strategies (RCW 36.70A.070, RCW 36.70A.108, MPP-DP-52-54)</p>	<p>VISION 2050 calls for multimodal level of service standards, and the Growth Management Act will also require these standards by 2029 (MPP-DP-52-53). The plan has a policy to establish bicycle, pedestrian, and transit levels of service.</p> <p>PSRC encourages the city to make progress in this area and adopt standards that will support development in the Town Center. Resources on multimodal LOS can be found in <a href="#">PSRC's Transportation Element guidance</a>.</p>

**Housing**

Plan Review Consistency Tool	PSRC Comment on Draft Plan
<p>Demonstrate sufficient capacity for a variety of housing types (RCW 36.70A.070(2)(c))</p>	<p>The draft comprehensive plan does not provide supporting documentation indicating sufficient land capacity for emergency housing and emergency shelter. RCW 36.70A.070(2)(c) states jurisdictions must ensure sufficient capacity for all housing types, including emergency housing and emergency shelter, are identified in the housing element. We recommend the city consider including this information in the final land capacity analysis.</p>
<p>Address affordable housing needs by developing a housing needs assessment and evaluating the effectiveness of existing housing policies, and documenting strategies to achieve housing targets and affordability goals. This includes</p>	<p>The city is encouraged to include an inventory of existing housing units affordable to each income band in the housing needs assessment. This information is available in Appendix 4, Table H-2 of the King County CPPs.</p>

PSRC Comments on City of Mercer Island Draft Comprehensive Plan

June 18, 2024

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Plan Review Consistency Tool	PSRC Comment on Draft Plan
documenting programs and actions needed to achieve housing availability including gaps in local funding, barriers such as development regulations, and other limitations (H-Action-4)	

**Environment/Climate Change**

Plan Review Consistency Tool	PSRC Comment on Draft Plan
Support programs to ensure that all residents, regardless of race, social, or economic status, have clean air, clean water, and other elements of a healthy environment and prioritize the reduction of impacts to vulnerable populations that have been disproportionately affected (MPP-En-3-4, En-7-8, En-21)	The plan should include policies to address disparate environmental impacts.  The <a href="#">WA Environmental Health Disparities Map</a> can be a useful resource for this work.

**Economy**

Plan Review Consistency Tool	PSRC Comment on Draft Plan
Focus retention and recruitment efforts and activities to foster a positive business climate and diversify employment opportunities by specifically targeting: <ul style="list-style-type: none"> <li>• Businesses that provide living wage jobs</li> <li>• Locally, women-, and minority-owned small businesses and start-up companies</li> <li>• Established and emerging industries, technologies, and services that promote environmental sustainability, especially those addressing climate change and</li> </ul>	The plan includes good policies for improving business climate and fostering entrepreneurship.  Consider including policies that focus retention and recruitment on businesses that provide family wage jobs, industry clusters that export goods and services, and small/startup companies that are locally owned.



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Plan Review Consistency Tool	PSRC Comment on Draft Plan
resilience (MPP-Ec-1, Ec-3, Ec-4, Ec-7, Ec-9, Ec-16)	
Support, recognize, and empower the contributions of the region’s culturally and ethnically diverse communities, institutions, and Native Tribes (MPP-Ec-15, Ec-17, Ec-20)	Consider including policies that support the economic contributions of the region’s diverse communities.

PSRC has resources available to assist the city in addressing these comments and inform development of the draft plan. We have provided links to online documents in this letter, and additional resources related to the plan review process can also be found at <https://www.psrc.org/planning-2050/vision/vision-2050-planning-resources>.

We appreciate all the work the city is doing and the opportunity to review and provide comments. We are happy to continue working with you as the draft progresses through the adoption process. If you have any questions or need additional information, please contact me at 206-464-6172 or [ddixon@psrc.org](mailto:ddixon@psrc.org).

Sincerely,



David Dixon, Growth Management Planning  
Puget Sound Regional Council

cc: Review Team, Growth Management Services, Department of Commerce



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July 25, 2024

City of Mercer Island City Council  
C/o Adam Zack, Senior Planner  
Office of Community Planning & Development  
9611 SE 36<sup>th</sup> Street  
Mercer Island, Washington 98040

Sent via electronic email to [Adam.zack@mercerisland.gov](mailto:Adam.zack@mercerisland.gov)

RE: Comment Letter for Submittal ID 2024-S-7050 – City of Mercer Island Proposed Draft Comprehensive Plan

Dear Councilmembers:

Thank you for the opportunity to comment on the City of Mercer Island’s proposed draft 2024 comprehensive plan received on May 3, 2024. Growth Management Services processed the draft document with material identification number 2024-S-7050.

Your submission represents a great deal of work and substantial progress towards the 2024 periodic update of your comprehensive plan due December 31, 2024. We especially appreciate and applaud the extensive work conducted on the new locally-initiated elements of the plan, the Economic Development element and the Parks and Open Space element. Mercer Island has a long history of environmental awareness and action, which are reflected in the city’s progressive natural environment policies, and climate policies and associated Climate Action Plan. We are also excited to see additional comprehensive subtasks planned for the Mercer Island Comprehensive Plan 2024 update as evidenced in *Table 2. Comprehensive Plan Element-Specific Subtasks* identified in the periodic review *Scope of Work and Master Schedule*.

As part of our review we referenced the proposed draft comprehensive plan, including several technical reports, such as the *Racially Disparate Impacts Evaluation* and the *Land Capacity Analysis Supplement*. Below, you will find our comments and recommendations for the draft elements listed:

1. Land Use

- a. Based on our review of proposed Mercer Island Land Use Element Goal 16.4, the city’s goals for Accessory Dwelling Units (ADUs) do not yet align with [RCW 36.70A.681\(1\)\(c\)](#), which explicitly states, “The city or county must allow at least two accessory dwelling units on all lots that are located *in all zoning districts within an urban growth area that allow for single-family homes...*”. The city’s proposed amendment to policy 16.4, shared via email on July 19, 2024, limits ADUs to single-family zones, which is not consistent with the statutory requirement that counties and cities must allow ADUs in all zones within an urban growth

area that allow for single-family homes. While Mercer Island is not required to implement [HB 1337](#) in its development regulations until June 30, 2025, Commerce recommends updating goals and policies in your proposed draft comprehensive plan, and incorporating into your development regulations, the full range of new ADU regulations, beginning with [RCW 36.70A.680](#) and [RCW 36.70A.681](#), during the periodic update process. Commerce has developed several tools to help local governments implement the current ADU requirements, including the [Guidance for Accessory Dwelling Units in Washington State](#), the [ADU Checklist](#), and the [ADU EZView](#) webpage with references and resources devoted to the topic.

- b. We appreciate the several goals and policies within the draft plan that address re-constructed and new public service facilities such as fire stations, fire flow protection and fire and emergency response that will increase service capacity and protect public safety on the island. However, the land use element must be expanded to include specific goals and policies that reduce and mitigate the risk to lives and property posed by wildfires pursuant to [RCW 36.70A.070](#)(1), amended in 2023. We recommend adding community wildfire preparedness and fire adaptation measures to your land use element and look forward to seeing these updates as required in your final comprehensive plan update. You may wish to reference the Wildland Urban Interface Code ([RCW 19.27.560](#)), developed and adopted by the Washington State Building Code Council, as an example of development regulations intended to separate human development from wildfire prone landscapes and protect existing residential development and infrastructure through community wildfire preparedness and fire adaptation measures.

## 2. Housing

- a. During our review of your draft housing element, we did not find supporting documentation indicating sufficient land capacity for emergency housing and emergency shelter as required by [RCW 36.70A.070](#)(2)(c). While Commerce guidance indicates jurisdictions do not need to complete a land capacity analysis (LCA) for emergency housing and emergency shelter *if they allow these uses in all zones that allow hotels*, [RCW 36.70A.070](#)(2)(c) expressly states jurisdictions must ensure sufficient capacity for all housing types, including emergency housing and emergency shelter, is identified in the housing element. Therefore, we recommend the city consider including this information in the city's final land capacity analysis.
- b. Thank you for evaluating barriers to housing development, *Table 2, Programs and Actions Needed to Achieve Housing Availability*. To strengthen this evaluation, we encourage you to expand and identify *specific* barriers in addition to the broad barrier categories listed in Table 2. For example, while citing recent state law in Table 2, please consider expanding on the specific actions the city will take to comply with statewide legislation and how these actions will address the associated barriers. Please refer to [Housing Element Book 2, Chapter 4 Adequate Provisions](#) and [Appendix B](#) for examples of specific barriers and actions.
- c. We appreciate the use of 'permanent supportive housing' in the definition of 'special needs group housing', and noting the interim amendment made through Ordinance 21C-23, which adds 'emergency housing' in the definition of 'social service transitional housing'. We recommend the use and adoption of 'emergency housing' as defined in [RCW 36.70A.030](#)(14)

rather than as defined in [RCW 84.36.043\(3\)\(b\)](#). Commerce offers review, technical assistance and land use tools, such as specific checklists, to help local governments develop regulations pertaining to the siting and development of shelter, transitional housing, emergency housing, and permanent supportive housing ([STEP](#)).

- d. New changes in [HB 1220](#) require jurisdictions to examine racially disparate impacts, displacement, exclusion and displacement risk in housing policies and regulations and adopt policies to begin to undo the impacts ([RCW 36.70A.070\(e\)](#)). We appreciate your work on this, particularly the review of housing-related policies in *Racially Disparate Impacts Evaluation, Appendix A: Policy Evaluation*. We see that four policies were evaluated as ‘approaching’ because “the lack of defined terms in this policy can be problematic.” We recommend identifying any undefined and problematic terms in your policies and recommending specific changes, as the intent of the review of policies is to identify areas where changes could be made in your next comprehensive plan. Please see [Housing Element Book 3](#) Step 3: Evaluate policies (pg. 33) and Step 4: Revise policies (pg. 36) for more information on this process.

### 3. Transportation

- a. During our review we did not see multimodal level of service standards (MMLOS) present in the draft transportation element. While adoption of MMLOS are not required for 2024 jurisdictions until the 5-year implementation progress report per [RCW 36.70A.130\(9\)\(a\)](#), given the complex issues that will need to be addressed and the extent of coordination with regional partners, including King County and PSRC, we encourage jurisdictions to begin the work and not necessarily wait until during the five-year progress report process.
- b. The draft transportation element does not identify specific actions to bring transportation facilities and services to established MMLOS ([RCW 36.70A.070\(6\)\(a\)\(iii\)\(D\)](#) and [WAC 365-196-430](#)). We recommend the city consider including this information in the final comprehensive plan document to better align with statute.
- c. Thank you for including a transition plan as required by [Title II of the Americans with Disabilities Act \(ADA\)](#). For improved clarity, we recommend adding a reference to the transition plan in your draft transportation element.
- d. [RCW 36.70A.070\(6\)\(a\)\(iv\)\(A\)](#) and [WAC 365.196-430\(2\)\(k\)\(iv\)](#) require an analysis of future funding capability to judge needs against probable funding resources. We did not find specific language addressing this provision in your draft transportation element. While there is a funding section in the element, we recommend updating your transportation element or related appendices to include an analysis of future funding capability.
- e. During our review, we did not identify specific language addressing funding shortfall strategies in your draft transportation element. We recommend updating the draft finance subelement (within the transportation element) to include a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met, if probable funding falls short of meeting the identified needs of the transportation system, including state transportation facilities ([RCW 36.70A.070\(6\)\(a\)\(iv\)\(c\)](#) and [WAC 365-196-430\(2\)\(l\)\(iii\)](#)).

Department of Commerce: Submittal ID 2024-S-7050

Thank you again for the opportunity to comment. We look forward to receiving and reviewing your draft development regulations in the near future. If you have any questions or concerns about this letter, or any other growth management issues, please feel free to contact me at (360) 280-3147 or [catherine.mccoy@commerce.wa.gov](mailto:catherine.mccoy@commerce.wa.gov). We extend our continued support to the City of Mercer Island in achieving the goals of the GMA.

Sincerely,



Catherine McCoy  
Senior Planner  
Growth Management Services

CM:lw

cc: David Andersen, AICP, Senior Managing Director, Growth Management Services  
Valerie Smith, AICP, Deputy Managing Director, Growth Management Services  
Benjamin Serr, AICP, Eastern Regional Manager, Growth Management Services  
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