

Community Information Webinar Public Questions.

Log #	Question	Answer
1	Can you go over Non PSH and PSH again?	PSH stands for “permanent supportive housing.” PSH is a building or facility that includes housing and onsite services such as medical services. Non-PSH refers to a building with housing units that does not include additional services on site.
2	Were other cities assigned such a large percentage of supportive and below market rate housing relative to the population and land size?	All cities that plan under the Growth Management Act (GMA) have been assigned and affordable housing target for permanent supportive housing and other below market rate affordable housing. The assigned housing needs for all cities in King County can be found in the King County Countywide Planning Policies (CPPs) in CPP H-1.
3	To clarify, the original plan submitted in Nov. 2024 was appealed because it did not meet the numbers under HB 1220?	Yes, the appeal was based on challenges that the City’s Comprehensive Plan did not comply with portions of HB 1220.
4	How can we receive a copy of this PowerPoint?	A copy of the PowerPoint presentation from the March 10, 2026, Community Information Webinar is posted on the project website: https://letstalk.mercergov.org/comprehensive-plan-gma-compliance
5	Does the number assigned take into account the existing numbers of affordable housing in a city (if any)	<p>The existing supply of affordable housing was factored in when the affordable housing targets were assigned to counties and cities. Cities and counties that had higher numbers of existing affordable housing units, may have received a lower target. The cities and counties with fewer affordable housing units, may have received a higher target.</p> <p>The affordable housing targets are future needs, meaning these are the additional affordable housing units that need to be planned for on Mercer Island.</p> <p>King County published a Housing Needs Dashboard that includes more information about how housing needs were allocated to cities and counties.</p>
6	Are any of the other cities being given these targets as constrained as Mercer Island? And are these housing targets also being placed into residential neighborhoods?	See also the response to Log # 2. All cities in Washington State that plan under the GMA have been assigned affordable housing targets. Those housing targets were initially assigned to each county by the Washington State Department of Commerce. Each county then divided up the affordable housing allocation by city via the countywide planning policies.

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		<p>Once cities receive their affordable housing targets, they use the Comprehensive Plan to prepare a long-range plan to ensure zoning and other policies are in place to meet these targets. Cities have some discretion over where the additional housing is located, which is part of the “land capacity analysis.” More information about how Mercer Island is evaluating its land capacity was presented to the City Council on February 17, 2026, in Agenda Bill 6865.</p>
7	<p>How many other cities are in the same boat with us re: the outcome of an appeal?</p>	<p>The Growth Management Hearings Board (GMHB) Final Decision and Order (FDO) currently only applies to Mercer Island. A Hearings Board decision only applies to the city that was appealed. In the future, other cities and counties could be appealed to the GMHB on the same grounds and, if that appeal were successful, that jurisdiction could be subject to the same requirements. More information is available at the Growth Management Hearings Board website linked here.</p>
8	<p>My understanding is Kirkland is largely in compliance, partly because they have allowed cottage clusters and have reduced minimum lot sizes. Are we looking to do something similar, while of course trying to maintain our community feel and needs?</p>	<p>We are not in a position to comment on compliance status for other cities. All cities are working to implement the requirements of HB 1220 (2021) in addition to the requirements of all the other housing legislation passed in recent years.</p> <p>Some of the recent housing legislation includes HB 1110 passed in 2023, which is now codified as (RCW 36.70A.635). Cities in Washington State are required to allow two to four middle housing units on all lots where single family residence is an allowed use. Mercer Island adopted interim regulations to comply with this requirement in 2025 (Ordinance No. 25C-02). These regulations permit duplexes, triplexes, fourplexes, townhomes, courtyard apartments and stacked flats in the city’s Residential zones.</p> <p>Cottage housing is one of the middle housing types, although this was not included in the interim regulations. The City will be working on the permanent regulations to address the requirements of HB 1110 (2025) once the GMHB order compliance work is complete.</p>

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9	What affordable housing do we currently have? (eg. Asian elder low income building by Met Market?)	<p>The estimated existing housing supply was presented to the City Council on February 17, 2026. The estimates were included in the PowerPoint for Agenda Bill 6865 on Slide 18. The estimated supply is:</p> <ul style="list-style-type: none"> • 0-30% AMI (PSH) – 0 units • 0-30% AMI (non-PSH) – 274 units • 30-50% AMI – 285 units • 50-80% AMI – 202 units • 80-100% AMI – 1,554 units • 100-120% AMI – 1,282 units • > 120% AMI – 7,145 units
10	Do land capacity analysis take into account critical areas, watercourses, shorelines, exceptional trees, etc?	Yes, critical areas and shorelines are accounted for in the land capacity analysis and removed from the developable land inventory. Exceptional trees are not factored into the land capacity analysis.
11	Who is expected to pay for the PSH? And the staff/services associated with PSH?	The cost of developing permanent supportive housing (PSH) and providing the services is expected to be covered by the developer/provider.
12	Is the city considering eminent domain to meet the requirements of the GMHB ruling?	No, the City is not currently considering the use of eminent domain as part of the GMHB compliance strategy.
13	who is conducting the land use analysis?	The land capacity analysis is being conducted by consultants from Community Attributes Inc. (CAI). CAI presented its initial findings to the City Council on February 17, 2026, in Agenda Bill 6865 .
14	Does HB 1220 require that PSH is actually built and running? Or ONLY that there is a zone where it can be placed?	<p>To comply with the GMHB order, the City must plan for the PSH and other affordable housing but is not explicitly required to construct or operate this housing. Planning for affordable housing means ensuring that there is adequate land capacity to accommodate the assigned housing targets.</p> <p>While the GMA does not require cities to develop the affordable housing directly, the State of Washington has established a five-year check-in to measure progress on meeting the assigned housing targets (RCW 36.70A.130). In 2029, during this check-in process, construction of affordable housing units will be one of the metrics by which cities' comprehensive plans will be evaluated. If the implementation progress report shows that cities are falling behind the growth targets, additional policy changes could be required.</p>

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15	Would you please briefly discuss the examples of adequate provisions?	Adequate provisions are incentives, mandatory provisions, and planned actions intended to increase the supply of affordable housing. Examples of adequate provisions are a height bonus to incentivize affordable housing, inclusionary zoning that requires a share of new units to be affordable housing, and impact fee waivers to reduce the cost of permitting new affordable housing units.
16	MI affordable housing numbers by HB1220 are already challenging - is there a possibility that they might increase this number any time soon from the state level?	<p>The affordable housing targets assigned per HB 1220 (2021) could be changed by the Washington State Legislature at any time. Staff are unaware, however, of bills currently being considered that would change the City's assigned affordable housing targets.</p> <p>The next time housing targets will be reconsidered will be during the 2034 comprehensive plan periodic review.</p>
17	As a landowner in the MI Town Center, how will property redevelopment ever be attained if the current onerous requirements for redevelopment prohibits an economically feasible project? Without upgrading of zoning , in particular our zoning, redevelopment will never happen and therefore there will not be increases in affordable housing units.	<p>In late 2025, the City Council adopted Ordinance No. 25C-27 an ordinance related to housing production and permit streamlining that amended the development regulations in Town Center to comply with recent changes in the state law that design standards must be clear and objective (RCW 36.70A.630).</p> <p>The City is currently working on implementing policy changes to address the GMHB Order and an upzone in the Phase 1 Subarea of Town Center is likely to be implemented. The City Council discussed the potential upzone of the Phase 1 Subarea on February 17, 2026. See Agenda Bill 6865.</p>
18	3rd row number looks incorrect, 150 - 202 = -52 (slide says -6)	A condensed version of the table was presented at the Information Session on March 10 and did not include all of the columns. The full tables are provided in Agenda Bill 6865 .
19	On Step 1: Land Capacity Analysis slide - If column 3 is column one minus column two why is 0-30% off?	See response to comment Log #18.
20	Will you share a link for where to submit feedback?	Feedback can be provided via the project Let's Talk page: https://letstalk.mercergov.org/comprehensive-plan-gma-compliance
21	Can you elaborate more regarding "required upzones"?	Upzones are required to close identified gaps in land capacity at a given housing affordability level. Under the Growth Management Act (GMA), cities and counties must ensure that their comprehensive plans allow sufficient land capacity to accommodate the project growth (RCW 36.70A.115).

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22	<p>You mentioned the key thing which is that the private market will not build this many below average income units. Is there some responsibility for the city to cause them to be built or only to make the laws that permit their building?</p>	<p>Under the Growth Management Act (GMA), the City must provide enough development capacity to accommodate the affordable housing targets assigned by the state and county. The GMA does not require that the City construct affordable housing. However, the City is also required to identify barriers to housing production and make adequate provisions to accommodate all housing needs (RCW 36.70A.070). This means the City must use the tools at its disposal to create the conditions that make it feasible for developers to build housing that is needed. These tools include development regulations, incentives, subsidies and other City programs or actions.</p>
23	<p>Do we have to meet the requirements with newly constructed housing units, or could we meet affordability requirements by implementing Land Use Regulatory Agreements on existing units establishing them as “affordable” under the AMI guidelines? It may be less expensive for our city to exchange benefits to existing owners (where the cost basis is lower), and offset those benefits with fee-in-lieu or other proceeds generated by newly constructed market rate units.</p>	<p>If the City were to implement a program that converted existing dwelling units to affordable housing units, the affordable units created by that program could be counted toward achieving the City’s affordable housing targets. This type of program would be an example of an “adequate provision”.</p>
24	<p>I know we are not doing any work regarding Phase 2 Subarea now. But can you talk more about TOD (HB 1491) as it can potentially change the residential areas regarding parking requirements?</p>	<p>The Transit Oriented Development (TOD) Bill adopted by the WA State Legislature in 2025 prohibits all cities planning under the Growth Management Act from requiring off-street parking as a condition of permitting residential or mixed-use development within a station area as defined in RCW 36.70A.030 (RCW 36.70A.842). This requirement does not apply until 2029. The City will begin working on implementation of these requirements once the GMHB Order compliance work is complete.</p> <p>Some off-street parking can be required if the Washington Department of Commerce approves an empirical study demonstrating that the application of the parking limitations will be significantly less safe for automobile drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location (RCW 36.70A.842(3)(a)).</p>

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25	What is specifically included in "infrastructure cost"?	<p>Infrastructure costs the City is responsible for includes the following:</p> <ul style="list-style-type: none"> • Transportation infrastructure such as roads and sidewalks; • Capital facilities such as parks, police stations, and fire stations; and • Utility infrastructure such as water, sewer and stormwater facilities. <p>The Comprehensive Plan includes three elements (aka “chapters”) that directly address infrastructure needs associated with planned growth: Transportation Element, Capital Facilities Element, and Utilities Element. All three of these elements must be updated at the same time other changes are made to the Comprehensive Plan related to land capacity. The updates are planned as part of the GMHB Order compliance work.</p>
26	Lets pretend what the state asks is impossible. How do they enforce this?	<p>Noncompliance with the Growth Management Act (GMA) can result in sanctions that include withholding some or all of the revenues from the motor vehicle fuel tax, the transportation improvement account, the sales and use tax, the liquor profit tax, and the liquor excise (RCW 36.70A.340)</p>
27	Is it possible to recharacterize AMI as a small area AMI number for zip code 98040, rather than the King County AMI number (similar to a HUD SAFMR approach)?	<p>For the purposes of planning under the GMA, the City is required to use the area median income (AMI) for King County and does not have the discretion to choose a different or smaller area.</p>
28	Is the MF-2 zone included in the dark purple zone on the Step 3 slide? Curious to learn more about what residential areas in the light purple area would look like with these revisions	<p>The dark purple area on the Step 3 slide is the proposed Phase 1 area of the Transit Station Subarea Plan. This area would include the Town Center and the MF-2, and MF-2L zones adjacent to Town Center.</p>
29	We are in zone 2 and also have identified a parking study as something our neighbors would want, because we have single lane roads where children and seniors walk with no sidewalks	<p>More information about the parking study is provided in the response to Log #24.</p>
30	What is the city going to do regarding the two parking spots per habitable unit?	<p>No changes to the parking requirements are expected as part of the GMHB Order Compliance work.</p> <p>See Log #24 for more information on implementation of the TOD bill and the future planning work related to parking.</p>
31	Is there any possibility of many cities saying "we can't realistically do this" and they change HB 1220 to something more reasonable?	<p>HB 1220 is a statewide planning requirement. Any amendments would have to take place at the state level and be adopted by the Washington State Legislature.</p>

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32	Do you plan to meet with individual town center property owners to see what adequate provisions would be mutually acceptable?	<p>The public, including Town Center property owners, have the opportunity to provide comments to the City Council and Planning Commission throughout their review of potential amendments to comply with the GMHB Order. Both the City Council and Planning Commission have a public comment period at the beginning of every meeting during which the public can provide input. The Planning Commission will also hold a public hearing during which the public can provide testimony prior to making a recommendation to the City Council.</p> <p>Written comments can be submitted as follows:</p> <ul style="list-style-type: none"> • City Council at Council@mercerisland.gov; • Planning Commission at planning.commission@mercerisland.gov ; and • Via the Let’s Talk project page: https://letstalk.mercergov.org/comprehensive-plan-gma-compliance <p>City Council and Planning Commission meeting agendas are posted on the City website at: https://www.mercerisland.gov/meetings The City Council meets the first and third Tuesday of every month at 5:00 PM and the Planning Commission meets the fourth Wednesday of every month at 6:00 PM. Both bodies hold hybrid meetings, allowing comments via Zoom and in person at the Mercer Island Community and Events Center.</p>
33	I’m a bit unclear if the affordable housing requirement needs to be met in the walkable TOD area. If not we could meet almost all of our affordability requirement by deepening affordability in other multifamily zones that currently have no affordability requirement, but operates in the (estimated) 70-110% AMI level. Those areas wouldn’t have to meet all the affordability requirement, but if it could be included in the maps this would provide us an option for implementation in addition to town center. [Note: minor changes to this question were made to remove references to specific properties]	<p>The City Council has discretion to determine where development capacity is added throughout the City. The City Council is currently focusing on the Town Center area because the City will need to upzone in that area by 2029 to comply with the 2025 TOD Bill (HB 1491). Focusing new land capacity in the station area allows the City to address compliance with the GMHB Order while also taking the first steps in meeting the requirements of the TOD Bill.</p> <p>The City Council is not currently considering zoning changes outside of the Town Center.</p>

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34	Is the "leave a comment" section the same thing as the public feedback period ending 3/13?	<p>Comments left on the "leave a comment" section of the Let's Talk project page prior to March 13, 2026, will be provided to the City Council in advance of the March 17, 2026 meeting.</p> <p>The Let's Talk page is available at: https://letstalk.mercergov.org/comprehensive-plan-gma-compliance</p>
35	I am a Town Center owner. My question is, will the development capacity likely be changed to 8 floors instead of 5? [Note: minor changes to this question were made to remove references to specific properties]	<p>The City is currently considering potential amendments in the Town Center zone that would make the maximum building height 8 stories. The City Council will discuss this at its next meeting on March 17, 2026. There will be several opportunities to comment on that proposed change. All changes to zoning require a Planning Commission public hearing. The City Council and Planning Commission both accept public comments at the beginning of every meeting both online and in person. A full explanation of public comment opportunities during this project is provided in the response to Log #32.</p>
36	Would you mind providing me the background on why we currently aren't exploring Cottage Clusters on Mercer Island to help meet our housing needs? How and when would you recommend we reach out to the city council to get cottage clusters reviewed?	<p>A discussion of cottage housing is provided in the response to Log #8.</p>