

February 28, 2023

Senator Lisa Wellman
Washington State Legislature
Olympia, WA 98504

Re: Recommended Amendments to Substitute House Bill 1110 and Senate Bill 5190

Dear Senator Wellman,

I am writing to express my concerns on the recently introduced substitute House Bill 1110. While I appreciate the efforts that have been made to improve the Bill, I believe that it still has several key deficiencies which need to be addressed. If left unattended, these deficiencies could undermine the effectiveness of the Bill, introduce social and economic injustices while creating unintended consequences. I am requesting your assistance in addressing the following key concerns:

1. Provide Cities One Year to Develop Comp Plans – The Bill as stated only applies to a city’s comp plans completed as of January 1, 2023. The Bill does not appreciate or recognize local planning efforts in progress. As written the Bill eliminates the potential to exceed the Bill’s goals and achieve them at a lower cost and reduce the impact to communities including the environment, infrastructure, traffic and pedestrian safety. Please support the one-year exemption to complete this work in progress.
2. Override Pre-Existing Declarations and Covenants: To maximize social, economic and environmental justice, this Bill must override pre-existing Covenants, Conditions, and Restrictions (CC&Rs). Failure to provide an exemption would unfairly shift density and infrastructure burden to adjacent and typically less affluent neighborhoods. Further if not addressed, the Bill will likely spur other neighborhoods to draft similar CC&Rs shifting the burden to other less prosperous neighborhoods. As I am proposing, this preemption would not impact other remaining conditions such as height and view limitations, parking regulations, design restrictions and setbacks as specified by the an HOA’s CC&Rs.
3. Community Parks: The substitute Bill introduced “community parks” a type of community amenity, which lacks a universal definition. It is recommended that this term be removed entirely from the Bill due to its wide-ranging impact. If the provision is retained, it may negatively affect cities that are developing or enhancing parks and public spaces, due to the risk of triggering certain conditions of the Bill. If retained, as a starting point a community park should be defined as a park larger than 10 acres, featuring off-street parking and restrooms. This is because these amenities encourage greater use beyond the immediate neighborhoods to the broader community at-large.
4. Prevention of Short-Term Rentals: The Bill is silent on the prevention of new units from being turned into Airbnb's or short-term rentals. Allowing new middle housing units to be used for short-term rentals would be counter to the objectives of the Bill and reduce housing stock. The Bill should empower Cities to enable short-term rental restrictions.

5. Foreign Investment / Unoccupied Housing: There continues to be a risk of foreign investors purchasing middle housing for investment and visa related purposes. As experienced in many cities in the Northwest and Vancouver BC, properties are not occupied year-round. In the past this foreign cash buyers have fueled bidding wars, at times pricing residents out of the market. To address this risk, it is recommended the Bill specify minimum occupancy requirements and/or legal residency status.

Thank you for taking the time to consider my recommendations. Working together we can refine this Bill to help expand middle and affordable housing while helping to protect our neighborhoods and environment for future generations.

Respectfully,

Craig Spiegle
Craigsp@agelight.com
425-985-1421