

## Housing Element

In the 2021 legislative session, HB 1220 substantially amended the housing-related provisions of the Growth Management Act (GMA), [RCW 36.70A.070 \(2\)](#). Local governments should review local comprehensive plan policies and countywide planning policies to be consistent with the updated requirements. Please refer to Commerce's housing webpages for further information about the new requirements: [Updating GMA Housing Elements and Planning for Housing](#)

	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
a. Goals, policies, and objectives for the preservation, improvement, and development of housing. <a href="#">RCW 36.70A.070(2)(b)</a> and <a href="#">WAC 365-196-410(2)(a)</a>	Yes; Land Use Element (LU-G4, LU-P4); Housing Element (H-G1)	Yes	Additional goals for preserving existing housing stock will be discussed during update.
b. Within an urban growth area boundary, consideration of duplexes, triplexes, and townhomes. <a href="#">RCW 36.70A.070(2)(c)</a> amended in 2021, <a href="#">WAC 365-196-300</a>	No	Yes	New state requirements will be discussed during update.
c. Consideration of housing locations in relation to employment locations and the role of ADUs. <a href="#">RCW 36.70A.070(2)(d)</a> amended in 2021	No	Yes	While ADUs are not specifically called out in the 2015 Comprehensive Plan, they are allowed per Medina's Municipal Code 16.34.020
d. An inventory and analysis of existing and projected housing needs over the planning period, by income band, consistent with the jurisdiction's share of housing need, as provided by Commerce. <a href="#">RCW 36.70A.070(2)(a)</a> amended in 2021, <a href="#">WAC 365-196-410(2)(b)</a> and <a href="#">(c)</a>	No	Yes	Is underway with the Housing Action Plan

<p>e. Identification of capacity of land for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, permanent supportive housing. <a href="#">RCW 36.70A.070(2)(c)</a> amended in 2021, <a href="#">WAC 365-196-410(e)</a> and <a href="#">(f)</a></p>	No	Yes	Will draw from the Housing Action Plan currently underway
<p>f. Adequate provisions for existing and projected housing needs for all economic segments of the community. <a href="#">RCW 36.70A.070(2)(d)</a> amended in 2021, <a href="#">WAC 365-196-010(g)(ii)</a>, <a href="#">WAC 365-196-300(f)</a>, <a href="#">WAC 365-196-410</a> and see Commerce’s Housing Action Plan (HAP) guidance: <a href="#">Guidance for Developing a Housing Action Plan</a></p>	No	Yes	Will draw from the Housing Action Plan currently underway
<p>g. Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including:</p> <ul style="list-style-type: none"> <li>• Zoning that may have a discriminatory effect;</li> <li>• Disinvestment; and</li> <li>• Infrastructure availability</li> </ul> <p><a href="#">RCW 36.70A.070(e)</a> new in 2021</p>	No	Yes	Will add policies as required
	<p>In Current Plan? Yes/No If yes, cite section</p>	<p>Changes needed to meet current statute? Yes/No</p>	Notes
<p>h. Establish policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions. <a href="#">RCW 36.70A.070(2)(f)</a> new in 2021</p>	No	Yes	Will add policies as required

<p>i. Identification of areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments.<sup>1</sup>  <a href="#">RCW 36.70A.070(2)(g)</a> new in 2021</p> <p>Establish anti-displacement policies, with consideration given to the preservation of historical and cultural communities as well as investments in low, very low, extremely low, and moderate-income housing; equitable development initiatives; inclusionary zoning; community planning requirements; tenant protections; land disposition policies; and consideration of land that may be used for affordable housing.  <a href="#">RCW 36.70A.070(2)(h)</a> new in 2021</p>	<p>No</p>	<p>Yes</p>	<p>Will add policies as required</p>
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<sup>1</sup> This work should identify areas where anti-displacement tools may be applied, but may not need to be in the comprehensive plan. See Commerce’s housing guidance: [Updating GMA Housing Elements - Washington State Department of Commerce](#)

## Section II: Development Regulations

Must be consistent with and implement the comprehensive plan. [RCW 36.70A.040](#), [WAC 365-196-800](#) and [810](#)

### Critical Areas

Regulations protecting critical areas are required by [RCW 36.70A.060\(2\)](#), [RCW 36.70A.172\(1\)](#), [WAC 365-190-080](#) and [WAC 365-195-900 through 925](#).

Please visit Commerce's [Critical Areas webpage](#) for resources and to complete the [Critical Areas Checklist](#). Critical areas regulations must be reviewed and updated, as necessary, to incorporate legislative changes and best available science. Jurisdictions using periodic update grant funds to update critical areas regulations must submit the critical areas checklist as a first deliverable, in addition to this periodic update checklist.

### Zoning Code

	In Current Regs? Yes/No  If yes, cite section	Changes needed to meet current statute?  Yes/No	Notes
a. Zoning designations are consistent and implement land use designations that accommodate future housing needs by income bracket as allocated through the countywide planning process ( <a href="#">RCW 36.70A.070(2)(c)</a> - <a href="#">Amended in 2021 with HB 1220</a> )	No	Yes	Will be amended to include housing needs by income bracket as allocated through the countywide planning process
b. Permanent supportive housing or transitional housing must be allowed where residences and hotels are allowed. <a href="#">RCW 36.70A.390</a> New in 2021, ( <a href="#">HB 1220 sections 3-5</a> ) "permanent supportive housing" is defined in <a href="#">RCW 36.70A.030</a> ; "transitional housing" is defined in <a href="#">RCW 84.36.043(2)(c)</a>	Yes; MMC 16.31.60	No	No amendments anticipated at this time
c. Indoor emergency shelters and indoor emergency housing shall be allowed in any zones in which hotels are allowed, except in cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within one-mile of transit. Indoor emergency housing must be allowed in areas with hotels. <a href="#">RCW 35A.21.430</a> amended in 2021, <a href="#">RCW 35.21.683</a> , amended in 2021, ( <a href="#">HB 1220 sections 3-5</a> ) "emergency housing" is defined in <a href="#">RCW 84.36.043(2)(b)</a>	N/A	N/A	Indoor emergency shelters and housing are not required in Medina because Medina does not allow hotels

	In Current Regs? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
d. The number of unrelated persons that occupy a household or dwelling unit except as provided in state law, for short term rentals, or occupant load per square foot shall not be regulated or limited by cities. <a href="#">(HB 5235)</a> , <a href="#">RCW 35.21.682</a> new in 2021, <a href="#">RCW 35A.21.314</a> new in 2022, <a href="#">RCW 36.01.227</a> new in 2021	No	Yes	Need to amend Single-Family Dwelling definition as it limits the number of people that can occupy a dwelling
e. Limitations on the amount of parking local governments can require for low-income, senior, disabled and market-rate housing units located near high-quality transit service. <a href="#">RCW 36.70A.620</a> amended in 2020 and <a href="#">RCW 36.70A.600</a> amended in 2019	N/A	N/A	Medina doesn't have low-income, senior, disabled, or market-rate housing
f. Family day care providers are allowed in all residential dwellings located in areas zoned for residential or commercial <a href="#">RCW 36.70A.450</a> . Review <a href="#">RCW 43.216.010</a> for definition of family day care provider and <a href="#">WAC 365-196-865</a> for more information.	Yes; MMC 16.31.020	No	No changes anticipated
g. Manufactured housing is regulated the same as site built housing. <a href="#">RCW 35.21.684</a> amended in 2019, <a href="#">RCW 35.63.160</a> , <a href="#">RCW 35A.21.312</a> amended in 2019 and <a href="#">RCW 36.01.225</a> amended in 2019. A local government may require that manufactured homes: (1) are new, (2) are set on a permanent foundation, and (3) comply with local design standards applicable to other homes in the neighborhood, but may not discriminate against consumer choice in housing. See: <a href="#">National Manufactured Housing Construction and Safety Standards Act of 1974</a>	Yes; MMC 16.31.020	No	No changes anticipated

	In Current Regs? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
<p>h. Accessory dwelling units: cities (and counties) must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations and other official controls the requirements of <a href="#">RCW 36.70A.698 amended in 2021</a>; Review <a href="#">RCW 36.70A.696 amended in 2021 through 699</a> and <a href="#">RCW 43.63A.215(3)</a></p> <p>Watch for new guidance from Commerce on the <a href="#">Planning for Housing webpage</a>.</p>	<p>Yes; MMC 16.34.020</p>	<p>No</p>	<p>Will review for compliance with most updated guidance</p>
<p>i. Residential structures occupied by persons with handicaps, and group care for children that meets the definition of “familial status” are regulated the same as a similar residential structure occupied by a family or other unrelated individuals. No city or county planning under the GMA may enact or maintain ordinances, development regulations, or administrative practices which treat a residential structure occupied by persons with handicaps differently than a similar residential structure occupied by a family or other unrelated individuals.</p> <p><a href="#">RCW 36.70A.410</a>, <a href="#">RCW 70.128.140</a> and <a href="#">150</a>, <a href="#">RCW 49.60.222-225</a> and <a href="#">WAC 365-196-860</a></p>	<p>Yes; MMC 16.31.020</p>	<p>No</p>	<p>No changes anticipated</p>

	In Current Regs? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
<p>j. Affordable housing programs enacted or expanded under <a href="#">RCW 36.70A.540 amended in 2022</a> comply with the requirements of this section. Examples of such programs may include: density bonuses within urban growth areas, height and bulk bonuses, fee waivers or exemptions, parking reductions, expedited permitting conditioned on provision of low-income housing units, or mixed-use projects. <a href="#">WAC 365-196-300</a></p> <p>See also <a href="#">RCW 36.70A.545</a> and <a href="#">WAC 365-196-410(2)(e)(i)</a></p> <p>“affordable housing” is defined in <a href="#">RCW 84.14.010</a></p> <p>Review <a href="#">RCW 36.70A.620 amended in 2020</a> for minimum residential parking requirements</p>	No	No	No programs anticipated
<p>k. Limitations on regulating: outdoor encampments, safe parking efforts, indoor overnight shelters and temporary small houses on property owned or controlled by a religious organization. <a href="#">RCW 36.01.290 amended in 2020</a></p>	No	No	No city regulations preventing a religious organization from allowing encampments, safe parking, shelters or temporary houses
<p>l. Regulations discourage incompatible uses around general aviation airports. <a href="#">RCW 36.70.547</a> and <a href="#">WAC 365-196-455</a>. Incompatible uses include: high population intensity uses such as schools, community centers, tall structures, and hazardous wildlife attractants such as solid waste disposal sites, wastewater or stormwater treatment facilities, or stockyards. For more guidance, see <a href="#">WSDOT’s Aviation Land Use Compatibility Program</a>.</p>	N/A	N/A	No airports in Medina