

Exhibit 3



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE

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August 1, 2024

City Council
City of Medina
c/o Jonathan Kesler
Senior Planner

Sent via electronic mail: jkesler@medina-wa.gov

Re: Review of City of Medina Draft 2024 Comprehensive Plan

Dear Council Members,

Thank you for the opportunity to comment on the City of Medina's draft 2024 comprehensive plan. Growth Management Services received the proposed amendments on June 4, 2024, and processed them with material identification number 2024-S-7118.

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 the work the City of Medina has done to begin incorporating many of the required Housing Element changes, and recognize these changes differ from how the city has historically planned for housing.

Our review is focused on the specific comprehensive plan elements listed below, and we have included some line items and corresponding citations from the periodic update checklist (in *italics*) as support for our comments and recommendations that follow.

1. Land Use Element

The land use element must reduce and mitigate the risk to lives and property posed by wildfires by using land use planning tools and through wildfire preparedness and fire adaptation measures. [RCW 36.70A.070\(1\)](#) amended in 2023.

Our review did not find language concerning wildfire risk and mitigation in the land use element. Commerce recommends the addition of wildfire preparedness and fire adaptation measures in the land use element with identification of specific procedures as required by [RCW 36.70A.070\(1\)](#). 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 Element

a. *Goals, policies and objectives for:*

- *the preservation, improvement and development of housing, RCW 36.70A.070(2)(b), and*
- *moderate density housing options including, but not limited to, duplexes, triplexes, and townhomes, within an urban growth area boundary. RCW 36.70A.070(2)(b) amended in 2021*

In our review we did not identify proposed policies addressing moderate density housing options. With the new mandatory provisions from the state for moderate density housing options, [RCW 36.70A.070\(2\)\(b\)](#) requires jurisdictions to have policies for moderate density housing options including, but not limited to, duplexes. We recommend adding or adjusting a policy to incorporate these new statewide mandatory provisions.

b. *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. [RCW 36.70A.070\(2\)\(c\)](#) amended in 2021.*

Thank you for identifying that the city has a capacity deficit. In your final housing element, please include and identify policy and regulatory changes that will allow for sufficient capacity to meet the city's housing needs.

Please note that if the city chooses to use accessory dwelling units (ADUs) in the land capacity analysis, the affordability levels must reflect existing market prices. At this time, ADUs in Medina are likely unable to meet affordability levels under 80% or even 120% of AMI (see page 33 of [Housing Element Book 2](#)). Therefore, we encourage the city to look for other ways to demonstrate sufficient land capacity of housing below 80% AMI. Per Commerce's Housing Element Book 2, only multifamily housing that receives subsidies is likely to reach this affordability level (see tables on page 33 and "Step 3.2 Identify zone categories that can support feasible subsidized affordable and supportive housing" on pages 35-36). If the city chooses to deviate

from this guidance, the city must show its work and provide supporting information to document land capacity in an alternative way.

The city must also conduct an emergency housing land capacity analysis. Per [RCW 36.70A.070\(2\)\(c\)](#), jurisdictions must demonstrate sufficient capacity for all housing types, including emergency housing and emergency shelter. See page 44 of Housing Element Book 2 for a recommended approach to conduct this analysis.

- c. *Adequate provisions for existing and projected housing needs for all economic segments of the community. RCW 36.70A.070(2)(d) amended in 2021.*

In our review we did not find a section that identified barriers to housing production and adequate provisions to accommodate all housing needs. Please include a list of barriers to developing affordable housing (e.g. infrastructure limitations, development regulations, process obstacles) and actions to address those barriers, including permanent supportive housing and emergency housing, in your next submission ([RCW 36.70A.070\(2\)\(d\)](#)). See Chapter 4. Adequate Provisions and Appendix B in [Housing Element Book 2](#) for more information and examples of specific barriers and actions to develop affordable housing, including ADUs, permanent supportive housing and emergency housing (pg. 48 and pg. 114). Appendix B includes completed example checklists (pg. 122).

- d. *Review and identify policies that may have led to racially disparate impacts, displacement, or exclusion in housing ([RCW 36.70A.070\(e\)](#)).*

The housing element is missing a review of local housing policies that may have led to racially disparate impacts (RDI), displacement, and exclusion in housing ([RCW 36.70A.070\(e\)](#)). Please include a policy evaluation in the housing element or as an appendix to the plan. See Step 3: Evaluate policies in [Commerce Guidance Book 3: Guidance to Address Racially Disparate Impacts](#) for more information on this process (pgs. 33-40); this section includes an example policy evaluation and framework, which you may use to complete this review. We have additional examples of these evaluations on our [EZView site](#). Commerce also provides cities with [RDI data](#) which may be helpful in further analyzing racially disparate impacts in Medina. We look forward to seeing these updates in your final draft submitted for adoption.

- e. *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. [RCW 36.70A.070\(2\)\(f\)](#)*

While Medina encourages a variety of housing types through their draft policies, the racially disparate impacts data includes indications of racial exclusion in the community. We recommend, in concert with King County Countywide Planning Policy (CPP) requirements, the city consider additional policies to address and begin

to *undo* this exclusion. For guidance on how to revise and update housing goals and policies to address the identified racially disparate impacts, displacement, and exclusion in housing and establish anti-displacement policies, please see pages 36-39 of [Commerce Guidance Book 3: Guidance to Address Racially Disparate Impacts](#) and Appendix C of [Housing Element Book 2](#).

3. Transportation Element

- a. *Adopted multimodal levels of service standards for all locally owned arterials, locally and regionally operated transit routes that serve UGAs, state-owned or operated transit routes that serve urban areas if the department of transportation has prepared such standards, and active transportation facilities to serve as a gauge to judge performance of the system and success in helping to achieve environmental justice. [RCW 36.70A.070\(6\)\(a\)\(iii\)\(B\)](#) and (C) amended in 2023*

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\(9\)\(a\)](#), we recommend and encourage jurisdictions begin the process of working with regional partners and establishing a regional approach to the multimodal level of service standards.

- b. *A transition plan for transportation as required in Title II of ADA. Perform self-evaluations of current facilities and develop a program access plan to address deficiencies and achieve the identification of physical obstacles, establish methods, perform modifications and identify leadership roles. [RCW 36.70A.070\(6\)\(a\)\(iii\)\(G\)](#).*

Transportation element updates associated with HB 1181 are not required until the 5 year implementation progress report for 2024 jurisdictions ([RCW 36.70A.130\(9\)](#) and (10)). However, it is advisable that jurisdictions begin this planning process as early as possible. ADA transition plans are an important component of a multimodal transportation system.

4. Capital Facilities Element

- a) *An inventory of existing capital facilities owned by public entities, including green infrastructure. [RCW 36.70A.070\(3\)\(a\)](#) amended in 2023*

During our review we did not find green infrastructure included in the inventory of capital facilities. If the city has existing green infrastructure or is planning for the installation of green infrastructure, as defined in [RCW 36.70A.030\(21\)](#), please

update the capital facilities element to include reflect the inventory and/or plans in accordance with RCW 36.70A.070(3)(a).

As a friendly reminder, copies of adopted plans shall be submitted to Commerce within ten days after final adoption (RCW 36.70A.106(2)).

Again, we appreciate the work your proposed amendments represent and we wish you success in meeting the goals of the Growth Management Act. We are available for technical assistance and, if requested, can attend upcoming meetings with your Planning Commission and/or Council. If you wish to discuss these comments, you may reach me at Lexine.long@commerce.wa.gov or 360-480-4498.

Sincerely,



Lexine Long
Senior Planner, AICP
Growth Management Services

cc:

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