
SUBSTITUTE HOUSE BILL 2269

State of Washington

69th Legislature

2026 Regular Session

By House Housing (originally sponsored by Representatives Bernbaum, Engell, Peterson, Reed, Leavitt, and Gregerson)

READ FIRST TIME 01/27/26.

1 AN ACT Relating to middle housing in unincorporated areas; and
2 amending RCW 36.70A.536.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 36.70A.536 and 2025 c 386 s 1 are each amended to
5 read as follows:

6 (1) Any county that is required or chooses to plan under RCW
7 36.70A.040 may provide by ordinance and incorporate into its
8 development regulations, zoning regulations, and other official
9 controls, authorization for the following:

10 ~~((1))~~ (i) Middle housing types on each parcel that permits
11 single-family residences in limited areas of more intensive rural
12 development designated according to the requirements in RCW
13 36.70A.070(5)(d)(i);

14 ~~((b))~~ (ii) If a county takes action authorized by this
15 subsection (1)(a), it may not authorize more than ~~((4-[four]))~~ four
16 residential units per lot in limited areas of more intensive rural
17 development designated according to RCW 36.70A.070(5)(d)(i), and its
18 development regulations must:

19 ~~((i))~~ (A) Not require any standards for middle housing that are
20 more restrictive than those required for detached single-family
21 residences, but may apply any objective development regulations that

1 are required for detached single-family residences, including, but
2 not limited to, setback, lot coverage, stormwater, clearing, and tree
3 canopy and retention requirements;

4 ~~((+ii+))~~ (B) Apply to middle housing the same development permit
5 and environmental review processes that apply to detached single-
6 family residences, unless otherwise required by state law, including,
7 but not limited to, shoreline regulations under chapter 90.58 RCW,
8 building codes under chapter 19.27 RCW, energy codes under chapter
9 19.27A RCW, or electrical codes under chapter 19.28 RCW; ~~((and~~

10 ~~(+iii+))~~ (C) Require that middle housing in limited areas of more
11 intensive rural development in a rural county be served by a publicly
12 owned sanitary sewer system or a large on-site sewage system; and

13 (D) Require that middle housing in limited areas of more
14 intensive rural development in a nonrural county be served by
15 ~~((existing sewer service))~~ a publicly owned sanitary sewer system.

16 ~~((+2+)+a+))~~ (b) (i) Middle housing types on each parcel that
17 permits single-family residences in designated urban growth areas.

18 ~~((+b+))~~ (ii) If a county takes action authorized by this
19 subsection (1) (b), it may not authorize more than four residential
20 units per lot within the designated urban growth area and its
21 development regulations must:

22 ~~((+i+))~~ (A) Not require any standards for middle housing that are
23 more restrictive than those required for detached single-family
24 residences, but may apply any objective development regulations that
25 are required for detached single-family residences, including, but
26 not limited to, setback, lot coverage, stormwater, clearing, and tree
27 canopy and retention requirements;

28 ~~((+ii+))~~ (B) Apply to middle housing the same development permit
29 and environmental review processes that apply to detached single-
30 family residences, unless otherwise required by state law, including,
31 but not limited to, shoreline regulations under chapter 90.58 RCW,
32 building codes under chapter 19.27 RCW, energy codes under chapter
33 19.27A RCW, or electrical codes under chapter 19.28 RCW; and

34 ~~((+iii+))~~ (C) Require that middle housing in designated urban
35 growth areas be served by water and sewer services.

36 (2) For purposes of this section:

37 (a) "Rural county" has the same meaning as in RCW 43.160.020; and

1 (b) "Large on-site sewage system" has the same meaning as in RCW
2 70A.115.010.

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