
HOUSE BILL 2269

State of Washington

69th Legislature

2026 Regular Session

By Representatives Bernbaum, Engell, Peterson, Reed, Leavitt, and Gregerson

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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)(a) Any rural county that is required or chooses to plan under
7 RCW 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)(a) Middle~~) 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) If a rural county takes action authorized by this subsection,
15 it may not authorize more than ~~((4-{four}))~~ four residential units
16 per lot in limited areas of more intensive rural development
17 designated according to RCW 36.70A.070(5)(d)(i), and its development
18 regulations must:

19 (i) Not require any standards for middle housing that are more
20 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) Apply to middle housing the same development permit and
5 environmental review processes that apply to detached single-family
6 residences, unless otherwise required by state law, including, but
7 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) Require that middle housing in limited areas of more
11 intensive rural development be served by ~~((existing sewer service))~~ a
12 publicly owned sanitary sewer system or a large on-site sewage
13 system.

14 (c) For the purposes of this subsection (1):

15 (i) "Rural county" has the same meaning as in RCW 43.160.020; and

16 (ii) "Large on-site sewage system" has the same meaning as in RCW
17 70A.115.010.

18 (2) (a) ~~((Middle))~~ Any county that is required or chooses to plan
19 under RCW 36.70A.040 may provide by ordinance, and incorporate into
20 its development regulations, zoning regulations, and other official
21 controls, authorization for middle housing types on each parcel that
22 permits single-family residences in designated urban growth areas.

23 (b) If a county takes action authorized by this subsection, it
24 may not authorize more than four residential units per lot within the
25 designated urban growth area and its development regulations must:

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

32 (ii) Apply to middle housing the same development permit and
33 environmental review processes that apply to detached single-family
34 residences, unless otherwise required by state law, including, but
35 not limited to, shoreline regulations under chapter 90.58 RCW,
36 building codes under chapter 19.27 RCW, energy codes under chapter
37 19.27A RCW, or electrical codes under chapter 19.28 RCW; and

1 (iii) Require that middle housing in designated urban growth
2 areas be served by water and sewer services.

--- **END** ---