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CITY OF LAKE FOREST PARK
PLANNING COMMISSION MEETING

Tuesday, October 13, 2026 at 7:00 PM

Meeting Location: In Person and Virtual / Zoom

17425 Ballinger Way NE Lake Forest Park, WA 98155

INSTRUCTIONS FOR ATTENDING THIS MEETING VIRTUALLY:

Join Zoom Webinar: https://us06web.zoom.us/j/88590680456
Call into Webinar: 253-215-8782 | Webinar ID: 885 9068 0456

The Planning Commission is providing opportunities for public comment by submitting a written comment or by attending the meeting in person to provide oral public comment.

HOW TO PARTICIPATE WITH ORAL COMMENTS:

If you are attending the meeting in person, there is a sign-in sheet located near the entrance to the room. Fill out the form and the presiding officer will call your name at the appropriate time. Oral comments are limited to 3:00 minutes per speaker. Oral comments are not being accepted via Zoom.

The meeting is being recorded.

HOW TO SUBMIT WRITTEN COMMENTS:

Written comments for public hearings will be submitted to Planning Commission if received by 5:00 p.m. on the date of the meeting; otherwise, they will be provided to the Planning Commission the next day. Because the City has implemented oral comments, written comments are no longer being read under Public Comments.

For up-to-date information on agendas, please visit the City's website at www.cityoflfp.gov.

AGENDA

1. **CALL TO ORDER: 7:00 P.M. (confirm recording start)**

2. **PLANNING COMMISSION'S LAND ACKNOWLEDGEMENT**

   We'd like to acknowledge we are on the traditional land of a rich and diverse group of Native Peoples who have called this area home for more than 10,000 years. We honor, with gratitude, the land itself and the descendants of these Native Peoples who are still here today.

3. **APPROVAL OF AGENDA**

4. **APPROVAL OF MEETING MINUTES**

   A. Approval of Meeting Minutes of September 8, 2026, Regular Meeting

5. **MEETING DATES**

6. **PUBLIC HEARINGS**

7. **PUBLIC COMMENTS**

   The Commission will not be accepting online public comments. Comments are limited to a three (3) minute time limit.

   This is an opportunity for the public to address the Commission on agenda items.

   - Oral public comments are only accepted in person to ensure the orderly conduct of the meeting.

   - Speakers are limited to three (3) minutes.

   - Commissioners may not respond during public comments, but may ask staff to follow up, if appropriate.

   - Public comments may not be used to promote or oppose candidates for public office or ballot measures.

   - The Chair or presiding officer may interrupt comments that violate these instructions, are unrelated to the agenda items, or otherwise hinder the orderly conduct of the meeting.

8. **REPORT FROM CITY COUNCIL LIAISON**

   A. Josh Rosenau, City Councilmember, Planning Commission Liaison

9. **OLD BUSINESS**

   A. Climate Coordinator Update/Climate Element- Marita Davison presentation

   B. Affordable Housing Next Steps and Direction Discussion- consideration of comments from previous guest representatives for middle housing barrier perspectives

   C. Critical Areas Ordinance Update- continued Commission preparatory discussion on potential Critical Areas Ordinance amendments

10. NEW BUSINESS

11. REPORTS AND ANNOUNCEMENTS

12. ADDITIONAL PUBLIC COMMENTS

13. AGENDA FOR NEXT MEETING

A. Next regular meeting scheduled for Tuesday, November 10, 2026

14. ADJOURN

Any person requiring a disability accommodation should contact city hall at 206-368-5440 by 4:00 p.m. on the day of the meeting for more information.

City of Lake Forest Park – Planning Commission
Regular Meeting Minutes: September 08, 2026; 7:00-9:00pm
Hybrid Meeting Held in the Emergency Operations Center
at City Hall and Virtually via Zoom

Planning Commissioners present: Chair David Kleweno, Vice Chair Janne Kaje (via Zoom), Jean Reid, Meredith LaBonte, Marty Ross, Hina Shahid (via Zoom), Cherie Finazzo (via Zoom)

Planning Commissioners absent: John Drew

Staff and others present: Mark Hofman, Community Development Director; Josh Rosenau, City Council Liaison (via Zoom), Kim Pratt, City Attorney (via Zoom), Tracy Furutani, Deputy Mayor

Members of the Public present:
Jolene Jang, Stacey Auger, Brian Saunders (via Zoom), Brian Highberger, Brian O'Connor, Mark Wierenga, Gordon Stephenson

Call to order: Chair Kleweno called the meeting to order at 7:00 PM

Land Acknowledgement: Cmr. LaBonte read the land acknowledgement.

Approval of Agenda: Cmr. Ross moved to approve the agenda; Cmr. LaBonte seconded, and the motion to approve the agenda was carried unanimously.

Approval of Meeting Minutes:
Approval of Meeting Minutes of August 11, 2026, Regular Meeting
Cmr. Reid made a motion to approve the August 11, 2026, Meeting Minutes with edits provided by Mr. Hofman. Cmr. LaBonte seconded and the motion to approve the minutes was carried unanimously.

Public Hearing: No public hearing.

Next meeting: The next meeting occurs on Tuesday, October 13, 2026.

Public Comment:
Ms. Auger gave a comment on the impacts of the Garey RUE on her property, including a septic pipe issue, and ideas on how potential RUE code revisions.
Ms. Jang also gave a comment on the Garey RUE and a packet that she provided on dealing with neighboring the Garey RUE property.

City Council Liaison Report: Council member Rosenau announced that due to member availability the second half of August council meetings were cancelled. Council member Rosenau gave an overview of events including that September 12th is Picnic in the Park and that the street sweeper was named Sir Sweeps a Lot at the farmer's market family day event. Council member Rosenau also announced that Chief Zanella's appointment is running smoothly in the process, and the city council will be appointing a new Finance Director. Council member Rosenau also gave an update on the roundabout project.

DRAFT

Old Business:

Critical Areas Ordinance Update- City Attorney background discussion on reasonable use exemptions (RUE) and continued Commission preparatory discussion on potential Critical Areas Ordinance amendments

The city attorney, Kim Pratt, gave a presentation on Reasonable Use Exceptions. Ms. Pratt gave an overview of Washington state constitutional protection that no private property shall be taken or damaged for public or private use without just compensation. In terms of an economically viable use, Ms. Pratt explained that the landowner has the burden of showing that the mere enactment of a regulation constitutes a taking. If RUE permits are eliminated from the municipal code, that does not eliminate the constitutional claims of owners. During an RUE hearing, the City includes evidence that a judge will use in a superior court to decide the constitutional issues.

Ms. Pratt also gave an overview of the city code section LFPMC 16.26 Land Use Procedures and the roles of the city, applicant, and hearing examiner. Ms. Pratt also gave an example of the city of Sammamish of an RUE.

Ms. Pratt also answered questions from the commissioners on the process of RUEs and interpretations on code issues.

Affordable Housing Next Steps and Direction Discussion- guest representatives for middle housing barrier perspectives

Mr. Highberger gave his perspective as a developer in the permitting process, specifically code surrounding middle housing cottages. Mr. Highberger also stated that although zoning was amended to allow for more housing on the lot, the zoning regulations of tree canopy, critical areas, and setbacks have not changed, which makes it difficult to develop lots.

Mr. O'Connor and Mr. Wierenga brought up removing requirements for parking to allow builders to provide more flexibility for developers. They also stated that the city of Shoreline increased their maximum percentages of impervious surface and lot coverage to allow for bigger development.

Mr. Highberger, Mr. O'Connor, and Mr. Wierenga also discussed the issues of feasibility studies regarding critical areas, drainage review, and other issues. The planning commissioners discussed questions and potential solutions with the developers.

The planning commissioners recapped the information they heard during the meeting and how to move forward with the information they obtained.

New Business:

Reports and Announcements:

No reports and announcements.

Agenda for Next Meeting: Discussion on critical areas ordinance update, and questions for developers on middle housing.

Adjournment: Vice Chair Kaje made a motion to adjourn the meeting, Cmr. Reid seconded, and the motion was carried unanimously. Chair Kleweno adjourned at 9:13 PM.

APPROVED:

_____

David Kleweno, Planning Commission Chair

DRAFT

Outlook

Re: September 8, 2026 Planning Commission meeting - follow up email

From Mark Hofman <mhofman@cityoflfp.gov>
Date Wed 9/9/2026 11:55 AM
To Mark Wierenga <markw@vandervort.com>
Cc Brian Highberger <brian@uprightconstruction.com>; Brian O'Connor <BrianO@vandervort.com>; Gordon Stephenson <gordon@rpaseattle.com>

Good morning,

Thank you all! Really appreciate your willingness to attend and comment at last night's PC meeting. It's one of the better meetings we've had on the housing subject and it is very much appreciated. It will prove helpful in a variety of ways.

I'll have a short read this week of the items and comments below and will share all w/commissioners, likely this week.

Thanks for sending them in. Have a great week

Mark Hofman, AICP | **Community Development Director**
City of Lake Forest Park
17425 Ballinger Way NE | 206-957-2824
www.cityoflfp.gov

From: Mark Wierenga <markw@vandervort.com>
Sent: Wednesday, September 9, 2026 8:25 AM
To: Mark Hofman <mhofman@cityoflfp.gov>
Cc: Brian Highberger <brian@uprightconstruction.com>; Brian O'Connor <BrianO@vandervort.com>
Subject: September 8, 2026 Planning Commission meeting - follow up email

Hello Mark,

Good to see you last night at the commission meeting. As discussed, I'm attaching a short list of the code sections that we believe need clarify in order to help all of us get project running more smoothly in LFP. Please distribute this to the council members as needed.

I would not say that this is exhaustive, but really just based on our latest experience. And I think that the real struggles have to do with definitions and measurements. Here's our quick summary:

- Yards: How do we know where to locate them? On a simple, street-related site that is not a corner site, it's pretty clear that the front yard is adjacent to the street. When we have an access driveway that serves many sites, the code does not clearly tell us how the yards need to be oriented.
- Impervious surface: What counts as an impervious surface? Are there any discounts if using certain types of materials (such as impervious paving), or decks (drip-thru wood

construction)? If discounts, would they be rated as a percentage of the area? W heard that LFP uses the KC drainage manual for this, but even our civil engineer is not quite sure how to apply it. A very short addition to the definitions section would clarify this pretty easily, we think.

- Building coverage: What counts against building coverage? The footprint of the building where it meets the ground? Any wall edge regardless of relation to grade? Underground structures? Decks that are elevated above grade? If so, how much? What about roof overhangs? Are they discounted up to a certain dimension? Or fully discounted?
- Building height: The code directs us to measure from undisturbed soil. This sounds like it might be the same as existing grade (pre-development). Is this the case?
- Tree canopy: The code has language about how canopy coverage is calculated when a tree trunk straddles a property line under the "canopy coverage" definition. It states that 50% of the canopy is counted on the subject site. What it does not address but implies is that if the trunk is offsite even by an inch it would not count as canopy coverage even though we would have to protect the tree and not build within its critical root zone or plant new trees below its canopy. According to the code, trees that have trunks off-site cannot count as on-stie canopy regardless of the size of the canopy? This seems very unrealistic. There are instances where tree canopies from off-site trees cover very large areas of a site. Are we expected to plant trees under the canopy of this off-site tree just to count on-site canopy? This seems like a bad forestry practice. Canopy should be counted on-site regardless of the location of the trunk.

Also, there were some questions posed by Marty Ross, which I have put some thought into:

Q1: Regarding hurdles to construction of middle housing in Lake Forest Park: how would you rank the importance of clarifications/improvements needed between height limits, lot coverage maximums, parking requirements, and allowable types?

If the goal is to get more affordable housing in LFP, then it seems like the key goals would be:

1. Increase density allowances beyond the state mandate for LFP. This might only be for certain targeted zones. Right now, it's possible to build two dwellings on a single lot (or one primary dwelling plus two ADUs). Since land prices are so high in the city, it seems like the only way to counteract this is to allow more dwellings on a given lot.
2. Allow a higher lot area percentage for building coverage.
3. Allow a higher lot area percentage for impervious surfaces. As we mentioned, impervious surface limits can be especially limiting since driveway / access standards require so much pavement area. One way to counteract this might be allow full or partial credits for pervious and/or textured pavements. Also, credits for drip-through decks are helpful.
4. We had a discussion about housing types last night. I'm not sure that duplexes/stacked or apartments are a big help in LFP, especially with the 2-3 unit limit per building lot. Given the history and feel of our city, I would think that a true cottage code would be helpful. At a very high level, I think it would include these features:
    a. At least three cottages per site
    b. Density allowed to be at least 1 unit per 1,600 sf of lot area
    c. A central landscaped open space feature
    d. Reduced parking requirements (one car per dwelling or less)
    e. Increased building and impervious coverage limits
    f. Size limits for dwellings (1,500 sf or a sliding scale up to 1,750 sf)
    g. Height limits for dwellings (two stories)

Q2: What neighboring cities get middle housing right and how?

Vandervort Architects has worked on middle housing projects in Seattle, Shoreline, Kenmore, Bothell, Lynnwood, and Kirkland. Every city has a different way of applying the middle housing code, and the values of the various jurisdictions come through with each of their code requirements.

The critical commonality with the successful implementation of middle housing codes is th rules are clear and evenly applied. If there are questions about the code, the best jurisdictions have a process for making determinations and providing answers for applicants. It seems that code questions are gathered by planners and zoning reviews and discussed at a weekly meeting. With this method, tough zoning questions can be answered within a week or two of being asked. Seattle and Shoreline are particularly good at this process.

Some other observations about middle housing projects in the various jurisdictions we have worked in:

Seattle: Clearly, Seattle is looking for as much density as possible with their application of the code. All formerly single family zones have been consolidated into a single zone category (NR). Setbacks have been reduced, height limits and lot coverage limits have been increased. There is a lot of flexibility with the types of housing that can be built (single family homes, AADUs, townhomes, apartments, etc). The code is generally very clear and easy to apply.

Bothell is similar to Seattle in that development limits have been significantly opened up with few constraints on development. They tend to manage certain areas of the city with development districts / standards.

Shoreline also has a lot of housing types that can be proposed as middle housing. A tiered zoning format has been maintained, which is an interesting twist. Areas targeted for lower density have limits on lot coverage and height, producing new development that will be more in scale with existing low-density neighborhoods. The higher density zones allow for yields that are more robust. In these zones, we find that the possible yields are difficult to attain given other code constraints.

We have limited experience in Kirkland but I think it is somewhat similar to Shoreline in that they look to limit height and bulk in certain areas of the city and really promote it in others.

Lynnwood has established a good process for pre-application conferences and their staff are easy to get in touch with and will provide clear answers.

Let me know if you have any questions or would like to discuss further.

Regards,

Mark Wierenga

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Middle Housing Barriers & Solutions

Planning Directors Meeting
September 24, 2026

MBA™
MASTER BUILDERS ASSOCIATION
of King and Snohomish Counties



Matt Haight

Government Affairs Manager

Master Builders Association of King & Snohomish Counties



Troy Schmeil

Owner

Sapphire Homes

Sapphire Homes
Quality Homes, Built to Last

MBA MASTER BUILDERS ASSOCIATION of King and Snohomish Counties

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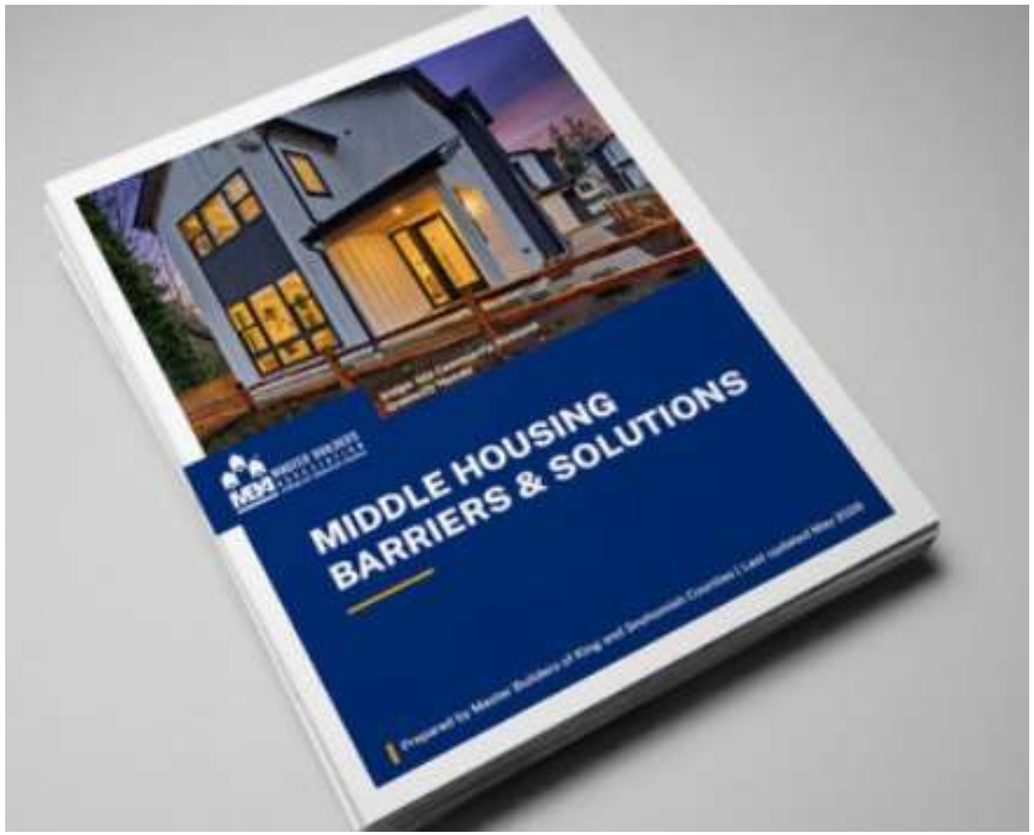
State Law Changes Related to Housing

A few examples in recent years:

- Commercial-to-Residential flexibility
- Permit review streamlining
- Middle housing and ADUs
- Condo reform
- Self-certification
- Lot splitting
- Parking reform
- TOD
- Expanding affordable housing
- Unit lot subdivisions
- Co-living housing
- Covenant homeownership program
- Density bonus threshold changes



Middle Housing: Barriers & Solutions



- Despite the adoption of HB 1110 in 2023, many implementation barriers remain across our region, affecting the ability to expand middle housing options more widely.
- Most barriers relate to PROCESS, INFRASTRUCTURE, & COST
- MBAKS's overarching suggestion for middle housing is to keep it simple.

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What Are The Barriers?



- Utilities & Infrastructure
- Environmental Regulations
- Building Code & Site Design
- Process
- Fees

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Utilities & Infrastructure

Barriers

- **Mandates to underground utilities**
- **Infrastructure limitations/water and sewer standards**
- **Inconsistent utility meter requirements**
- **Excessive frontage and right-of-way improvements or unreasonable off-site improvements such as ADA curb cuts**

Solutions

- Do not mandate undergrounding of utilities when doing so makes project financially infeasible or establish criteria for when undergrounding will not be required.
- Funding mechanisms for infrastructure, beyond the direct impacts of proposed projects, should be broad based.
- Allow independently metered utilities (water, power, and gas) for each unit and allow flexibility in selecting utility hook-up points on-site.
- Create targeted exemptions for small-scale infill projects.

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Environmental Regulations

Barriers

- **Overly restrictive tree retention or replacement requirements**
- **Critical Areas Regulations/excessive buffer requirements**



HeraldNet

Data shows tree canopy protected as more homes built

Op-ed by MBAKS Board President Vitaliy Gutsalo

Solutions

- Adopt flexible tree codes with a “right tree, right place” approach that is simple, predictable, and based on clear and objective criteria.
- Establish buffer widths for streams and wetlands that are consistent with Best Available Science, clearly defining buffer widths, vegetation standards, and mitigation pathways to reduce ambiguity and improve predictability.

This can be done without compromising critical area functions!

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Building Codes & Site Design

Barriers

- **Engineering and design standards not aligned with middle housing**
- **Road widths/fire access**
- **Curb cut restrictions**
- **Floor Area Ratio (FAR), lot coverage, and other height/bulk/scale requirements**

Solutions

- Ensure that regulations and design standards are aligned with middle housing policies to facilitate development.
- Provide flexibility by allowing internal roads to be private when fire code requirements are met; Ensure codes work together to enable rear-lot access.
- Provide flexibility for curb cuts where appropriate to enable access, improve site design, and support feasible middle housing projects.
- Modernize requirements and ensure they are consistent across jurisdictions.

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Building Code Challenges

Barriers

- **Design Standards** *Design standards can limit middle housing by imposing restrictive rules on height, setbacks, lot coverage, parking and architectural elements, increasing costs and complexity and making projects infeasible.*
- **WUI / IBC Building Code Limitations** *Constant code changes add cost and uncertainty. Also, structures with three or more units fall under the International Building Code (IBC) and are subject to more extensive and costly standards than one- or two-unit structures, which fall under the International Residential Code (IRC).*

Solutions

- Limited or No design review is preferred path forward. If a city does have a process in place, it should be limited as much as possible and ensure clear and objective standards as required by RCW 36.70A.630.
- Pass state legislation, such as HB 2141, to pause frequent code updates, which would help stabilize construction costs and improve affordability. Update local building codes to allow middle housing types with up to six units to be built under the International Residential Code.

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Process Challenges



Barriers

- **Permitting Delays**
- **Local jurisdictions improperly conducting substantive analysis in making determinations of completeness on applications**
- **Unpredictable cultural resources requirements add delay and uncertainty**
- **Lack of streamlined administrative unit lot subdivision (ULS) process**

Solutions

- Adopt measures to expedite permitting processes, such as providing for administrative approval of preliminary plats and allowing concurrent review of construction/engineering plans for a subdivision while the preliminary plat application is being reviewed/approved.
- With the passage of HB 2418, local jurisdictions should review and update permit intake practices to ensure completeness determinations are based solely on checklist compliance.
- Cultural resource review should be clear, consistent, and time-bound.
- Timely local adoption of SB 5559, expanding homeownership options sooner.

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Fees

Barriers

- **Mandatory Housing Affordability /inclusionary zoning fees**
- **Excessive and redundant review fees**



Solutions

- Oppose unfunded mandatory inclusionary zoning fees. Cities should instead adopt voluntary, incentive-based strategies to facilitate more housing choices.
- Reduce the cost of middle housing by waiving or lowering permit, impact, and utility connection fees and general facilities charges.

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What Builders Face Today

- **Homebuilding carries major financial risk** — long timelines, financing costs, and regulatory uncertainty can make projects unviable.
- **Permit delays and subjective standards increase risk**, making otherwise buildable parcels too costly or too uncertain to pursue.
- **Time and predictability are essential** — every month of delay raises carrying costs and directly reduces housing production.
- **Efficient, on-time permitting is one of the most effective tools** local governments have to reduce costs and increase supply.



Why does this matter?



For every $1,000 increase in the price of a home in the Seattle metro area, 982 people are priced out.

Source: NAHB

Other Considerations

- Lack of uniformity across jurisdictions
- Arbitrary requirements
- Higher minimum densities than what the market will support
- Uncertainty caused by Covenants, Conditions & Restrictions (CC&Rs) that predate HB 1110's effective date



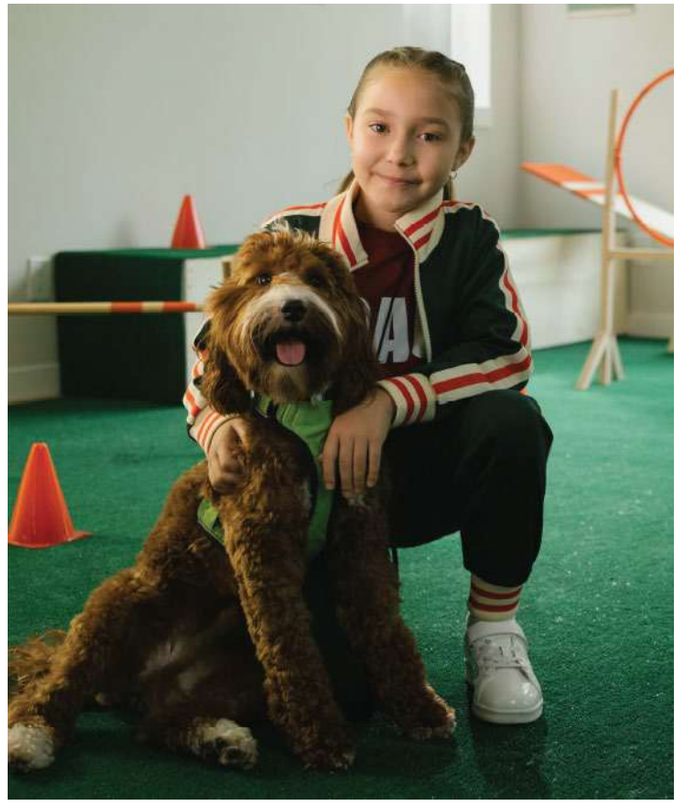
Detached accessory dwelling unit by Revolution Custom Homes
Photo: Ruum Media

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Visit mbaks.com for more resources

Check out our PR campaign: RoomForWhatMatters.com



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Resources

Department of Commerce Guidance for Neighborhood Infill Development

MBAKS Report on Mandatory Affordable Housing Fees

MBAKS Tree Codes and Housing

Middle Housing Barriers and Solutions Full Document

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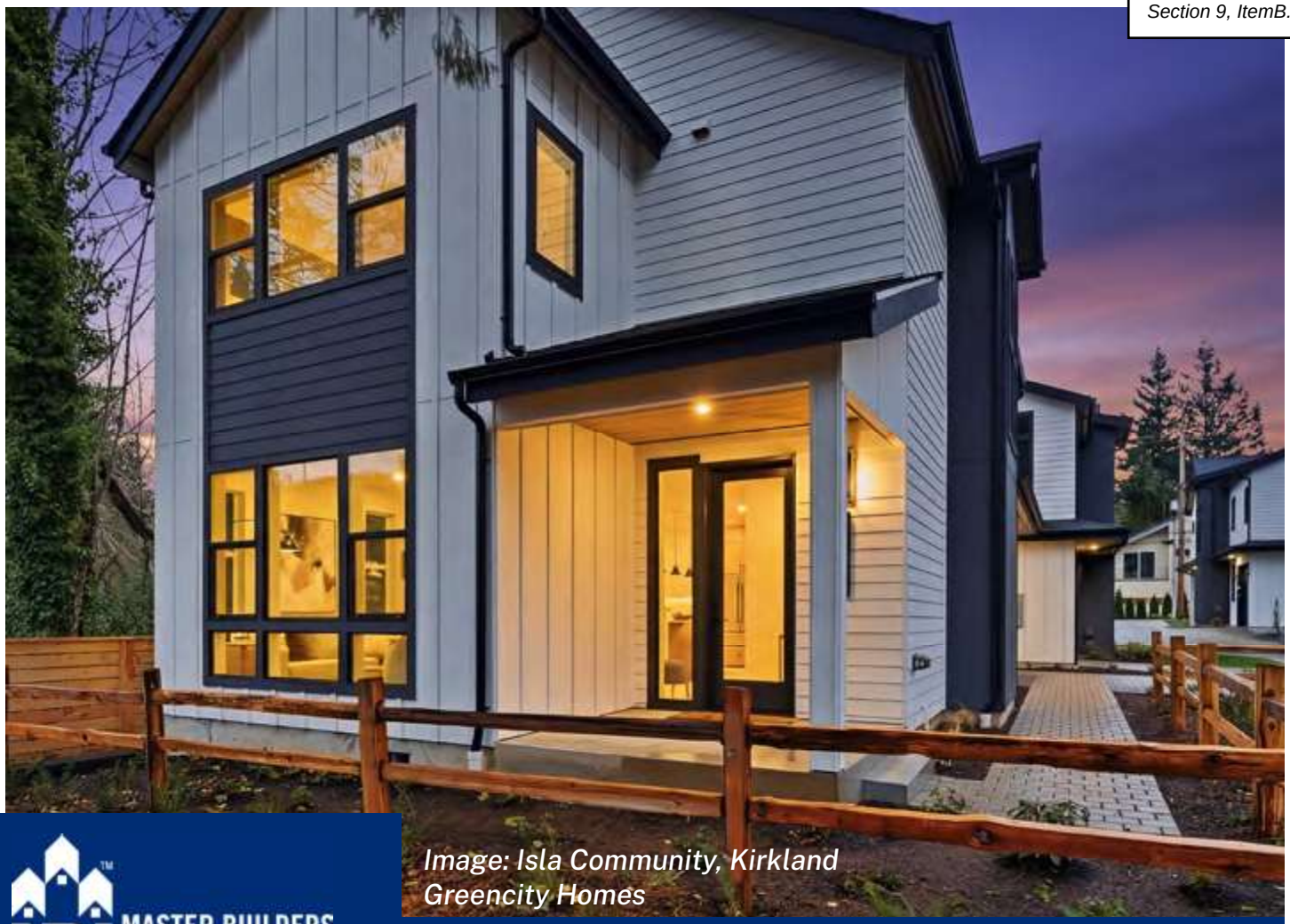


Image: Isla Community, Kirkland
Greencity Homes

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MIDDLE HOUSING BARRIERS & SOLUTIONS

Prepared by Master Builders of King and Snohomish Counties | Last updated May 2026

Middle Housing Barriers & Solutions

Prepared by Master Builders Association of King and Snohomish Counties

OVERVIEW

Everyone deserves a place to call home, and that starts with making it possible to build more homes. Middle housing reform expands opportunity, but its impact depends on local implementation.

Barriers vary jurisdiction to jurisdiction, and they add up. Codes, development regulations, fees, and site requirements that may seem modest on their own collectively make middle housing infeasible to build.

Master Builders Association of King and Snohomish Counties (MBAKS) has identified common barriers and practical solutions. While some require legislative action, many can be addressed through local policy and implementation.

MBAKS's overarching recommendation is straightforward: keep it simple. The easier, faster, and more predictable it is to build, the more likely homes will pencil and get built. Policies that add cost, time, or uncertainty reduce supply and worsen affordability. The most effective housing policies do the opposite: they allow more homes, reduce delays, provide certainty, and maintain financial feasibility.

This document is a practical resource to support our shared goal: more homes, better outcomes, and policies that make housing possible.

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UTILITIES & INFRASTRUCTURE	
Barrier	*Solution*
Mandates to underground utilities *Requiring underground utilities is often very expensive and can delay projects by as much as a year.*	Do not mandate undergrounding of utilities when it makes a project financially infeasible. Establish clear criteria for when the requirement should not apply and adopt exemptions to provide flexibility. See Electric Service, p. 21 of Department of Commerce's Guidance for Neighborhood Infill Development ("Infill Guidance").
Infrastructure limitations/water and sewer standards *Policies that limit access to water and sewer or impose excessive utility connection costs prevent properties from being developed for middle housing.*	Funding mechanisms for infrastructure, beyond the direct impacts of proposed projects, should be broad-based. Ensure regulations and policies related to infrastructure are updated to facilitate — not inhibit — development of middle housing. See Water and Sewer, *Infill Guidance* p. 11.
Inconsistent utility meter requirements *Utility meter requirements vary across jurisdictions, creating unpredictability for building middle housing.*	Allow independently metered utilities (water, power, and gas) for each unit and allow flexibility in selecting utility hook-up points on-site. For ADUs, allow shared sewer infrastructure on-site with a single connection to the main, reducing unnecessary cost without compromising function. See Utilities and Easements, *Infill Guidance* p. 16.
Excessive frontage and right-of-way improvements or unreasonable off-site improvements such as ADA curb cuts *Frontage and right-of-way improvements — such as sidewalks, curbs, and street widening — and requiring additional curb cuts/ramps create significant financial barriers to development.*	Create targeted exemptions for small-scale infill projects so it is feasible for builders to deliver middle housing and incremental infill development. Reduce costs to create middle housing by waiving or greatly reducing street improvement requirements. See Public Street Improvements, *Infill Guidance* p. 18.

ENVIRONMENTAL REGULATIONS	
Barrier	*Solution*
Tree codes and retention requirements *Overly restrictive tree retention or replacement requirements can limit housing. Codes lacking clear and objective standards increase cost and delay, presenting too much risk for builders to proceed.*	Adopt flexible tree codes with a "right tree, right place" approach that is simple, predictable, and based on clear and objective criteria. We can have both trees and housing. Ensure tree retention and replacement standards support middle housing. See MBAKS's *Tree Codes and Housing*.
Critical Areas Regulations/excessive buffer requirements *Overly large buffers can take buildable lots off the table. Many small lots simply lack space for effective on-site mitigation, reducing housing supply.*	Establish buffer widths for streams and wetlands that are consistent with Best Available Science, clearly defining buffer widths, vegetation standards, and mitigation pathways to reduce ambiguity and improve predictability. Incorporate flexibility, such as buffer averaging, into local critical areas regulations, which supports infill development and housing diversity without compromising critical area functions.

BUILDING CODE & SITE DESIGN	
Barrier	*Solution*
Engineering and design standards not aligned with middle housing *Engineering and design standards that are not aligned with middle housing can create conflicts, adding time and cost during project review.*	Ensure that regulations and design standards are aligned with middle housing policies to facilitate, not inhibit, development.
Road widths/fire access	Uniformity in road standards would help middle housing be built more consistently

Excessive road widths add cost and reduce on-site density, undermining middle housing feasibility.	across jurisdictions. Provide flexibility by allowing internal roads to be private with widths as low as 10 feet when fire code requirements are met. Ensure codes work together to enable rear-lot access. See Road and Fire Access Requirements, *Infill Guidance* p. 19. Expand the use of private road access and avoid placing caps on the number of homes that can be served. This will increase flexibility for site layouts, reduce costs, and support housing diversity.
Curb cut restrictions *Not allowing individual curb cuts for driveway access can limit marketability and reduce the feasibility of middle housing projects.*	Provide flexibility for curb cuts where appropriate to enable access, improve site design, and support feasible middle housing projects.
Floor Area Ratio (FAR), lot coverage, and other height/bulk/scale requirements *FAR, lot coverage, and other height, bulk, and scale standards can significantly limit density and the number of homes produced.*	Modernize FAR, height, bulk, and scale requirements so they facilitate rather than impede development of middle housing and ensure they are consistent across jurisdictions. See Department of Commerce's *User Guide for Middle Housing Model Ordinances*, § 7.G.3 (Dimensional Standards), p. 47 for recommended exclusions.
Design standards *Design standards imposing restrictive rules on height, setbacks, lot coverage, parking, and architectural elements add cost and complexity, making projects infeasible.*	Avoid design review where possible. Where it exists, ensure it is streamlined, time-limited, and based on clear, objective standards — as required by RCW 36.70A.630. Design regulations should support feasible middle housing development.
State Building Code limitations *Constant code update cycles add cost and uncertainty. Also, structures with three or more units fall under the International Building Code (IBC) and are subject to more extensive and costly standards than*	Support state legislation that limits frequent building code updates — such as HB 2141 — to stabilize construction costs and improve affordability. Align building codes so middle housing of up to six units can be built under IRC standards, reducing complexity and cost.

one-or two-unit structures, which fall under the International Residential Code (IRC).	
Fire sprinkler mandates *Blanket fire sprinkler mandates for single-family and middle housing add cost without clear, demonstrated safety benefits, making homes less attainable.*	Requiring and maintaining smoke alarms, alongside public education of their importance, remains the most practical and proven way to reduce home fire fatalities. See MBAKS's *Fire Sprinklers in Single-Family Homes: Legal and Policy Considerations for Housing and Fire Safety*.

PROCESS	
Barrier	*Solution*
Permitting delays *Long, unpredictable permit timelines increase carrying costs, create uncertainty, and undermine housing feasibility.*	Local jurisdictions should adopt measures to expedite permitting processes, such as providing for administrative approval of preliminary plats as authorized by RCW 58.17.095 and allowing concurrent review of construction/engineering plans for a subdivision while the preliminary plat application is being reviewed/approved. At the state level, support legislation to extend clear and objective design and development standards to all development regulations, improving predictability and efficiency. *See MBAKS's Legal Requirements for Objective Development Regulations: Providing Clarity in Local Codes*.
Local jurisdictions improperly conducting substantive analysis in making determinations of completeness on applications *Jurisdictions should not apply substantive review when determining application completeness. Doing so creates*	With the passage of HB 2418 in 2026, local jurisdictions should immediately review and update permit intake practices to ensure completeness determinations are based solely on checklist compliance. *See MBAKS's Legal Brief: What Local Jurisdictions Can and Cannot Do in Making a Determination of Completeness*.

unnecessary delays and added steps in the permit process.	
Unpredictable cultural resources requirements add delay and uncertainty *In 2026, the Legislature authorized funding to develop a model code on cultural resources. These model code efforts could expand review and consultation requirements, as well as permit timelines, if not carefully calibrated.*	Before adding new requirements, policymakers should identify gaps in current processes. Cultural resource review should be clear, consistent, and time-bound.
Lack of streamlined administrative unit lot subdivision (ULS) process *SB 5559 provides a statewide framework for implementing clear, administrative ULS processes to improve predictability and efficiency. However, the required deadline is not until July 2027.*	Encourage early implementation of SB 5559 to expand housing options sooner than the required deadline. Timely local adoption will be critical to supporting middle housing. *See MBAKS's Unit Lot Subdivisions (ULS): Expanding Homeownership Options Across Washington.*

FEES	
Barrier	*Solution*
Mandatory Housing Affordability (MHA)/inclusionary zoning fees *Mandatory inclusionary zoning (IZ) programs and fees raise constitutional issues under Supreme Court rulings requiring a showing of a "nexus" and "rough proportionality." They also undermine middle housing homeownership opportunities by adding to the cost of new housing, often making it infeasible to build. This is especially true when these fees are added on top of other costs to build, such as impact fees.*	Oppose unfunded mandatory inclusionary zoning fees. Cities should instead adopt voluntary, incentive-based strategies to facilitate more housing choices. Funding for affordable housing should be broad-based. *See MBAKS's press release "New Reports Show Local Policies Undermine Housing Goals."*

Excessive and redundant review fees *These create unnecessary cost barriers to adding more housing choices.*	Reduce the cost of middle housing by waiving or lowering permit, impact, and utility connection fees and general facilities charges. Oppose increases that add to housing costs.

OTHER CONSIDERATIONS

Barrier	*Solution*
Lack of uniformity across jurisdictions *A patchwork of local rules creates unnecessary barriers, driving up costs and making it harder and more expensive to build homes.*	Encourage cross-jurisdictional collaboration to create more uniform, simple codes. Consistent implementation of middle housing standards reduces risk and lowers barriers to entry.
Arbitrary requirements *Arbitrary requirements that add time, cost, or complexity without clear purpose increase risk and can prevent middle housing projects from moving forward.*	Encourage cities to "keep it simple." The easier and more cost-effective it is to build middle housing, the more likely it is to be built, and the more attainable it will be for those looking for a place to call home.
Higher minimum densities than what the market will support *Mandating density beyond what the market supports can stop projects altogether, ensuring feasible housing gets replaced with no housing.*	Ensure zoning and local code provides enough flexibility to align with market demand.
Uncertainty caused by Covenants, Conditions & Restrictions (CC&Rs) that predate the effective date of HB 1110 *Conflicts may exist between legacy CC&Rs and updated zoning under HB 1110. Older private restrictions can limit density and create uncertainty for middle housing implementation.*	Be aware of the enforceability of restrictive covenants predating HB 1110. *See MBAKS's Legal Brief: Enforceability of Restrictive Covenants Predating HB 1110 — Overview*. See also MRSC's *"Covenants and Zoning"* for additional background on private covenants and local zoning.

MBAKS HOUSING POLICY FILTER

Everyone deserves a place to call home. That starts with making it possible to build more homes.

Housing outcomes are driven by feasibility. MBAKS's Housing Policy Filter provides a quick, practical way to evaluate whether a policy, code, fee, or process change will meaningfully increase or decrease housing supply.

A simple test for any policy, code, fee, or process change:

- Does it add cost, time, unpredictability, or reduce the number of homes that can be built? → decreases supply



Every added cost has real impact. For every $1,000 home price increase, 982 households are priced out in the Seattle-Tacoma-Bellevue Metro area.[1]

Cost: Does this increase costs (fees, requirements, delays) or reduce the number of homes that can be built?

Time: Will this lengthen permitting or approval timelines?

Certainty: Does this introduce discretion, risk, or unpredictability?

Complexity: Does this add unnecessary steps or complication?

Everyone deserves a place to call home.

To get there, we need policies that make housing possible, not harder to build. More homes. Better outcomes. Smart policy makes both possible.

[1] Zhao, N. (2026, February 2). *Households Being Priced Out of the Housing Market*. NAHB. https://www.nahb.org/news-and-economics/housing-economics/housings-economic-impact/households-priced-out-by-higher-house-prices-and-interest-rates