

Image: Isla Community, Kirkland
Greencity Homes

MASTER BUILDERS ASSOCIATION of King and Snohomish Counties

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.

Contents

OVERVIEW 1

UTILITIES & INFRASTRUCTURE 2

ENVIRONMENTAL REGULATIONS 3

BUILDING CODE & SITE DESIGN 3

PROCESS 5

FEES 6

OTHER CONSIDERATIONS 7

MBAKS HOUSING POLICY FILTER 8

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