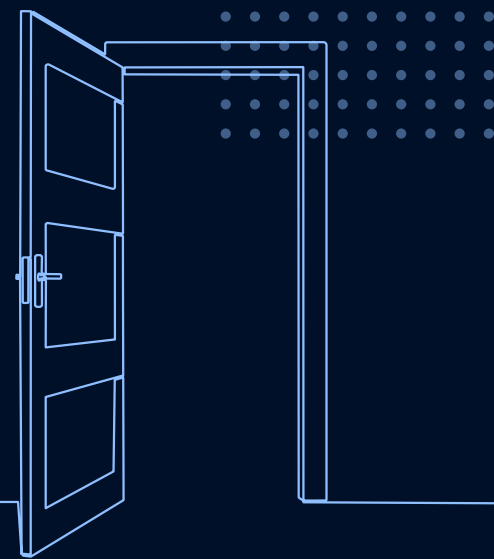


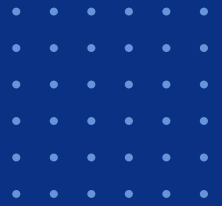


MBAKS Housing Toolkit

Making Home Happen

We believe everyone deserves a place to call home.





Policy choices shape housing choices

According to Vision 2050, adopted by the Puget Sound Regional Council, the four-county Puget Sound region — King, Snohomish, Pierce, and Kitsap — is projected to add approximately 1.5 million people by 2050. Accommodating that growth will require a clear plan to build enough housing to ensure that the region is affordable for current residents, newcomers, and future generations.

Meeting that challenge means building more homes and expanding housing choices. That includes the full range of housing types, such as condominiums, accessory dwelling units (ADUs), townhomes, and multiplexes, alongside single-family homes. Every housing type plays a role in meeting the region's growing housing needs and creating more opportunities for people to find a home they can afford.

In the Seattle metro area, 67.5% of households already cannot afford the median-priced new home. NAHB estimates that every additional \$1,000 in the price of a new home prices another 982 households out of the market.¹ That's why we need to be especially thoughtful about policies that add costs to housing.

Layers of regulations and long permit review times create significant barriers that drive up the cost of housing. These costs continue to push housing further out of reach for many buyers and renters. However, there are steps local jurisdictions can take today to ease or eliminate some of these regulatory barriers and reduce cost pressures on new housing.

This Toolkit is intended to serve as a useful guide for local governments, identifying specific code updates and process improvements jurisdictions can implement now to facilitate more diverse, affordable housing for our growing population. All these tools can be adopted locally and do not require state legislative action. Throughout the Toolkit are examples of local jurisdictions already using these tools, along with sample codes, where applicable, that other cities can reference.

HOUSING AFFORDABILITY IN THE SEATTLE METRO AREA

67.5%

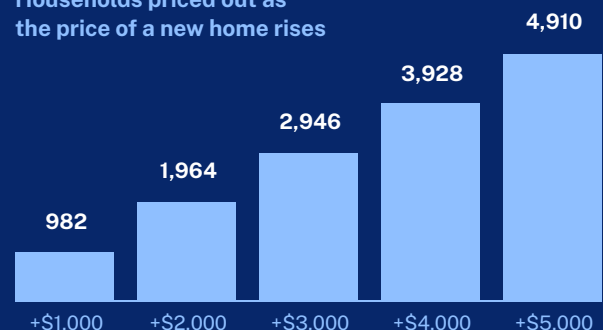
of households cannot afford the median-priced new home

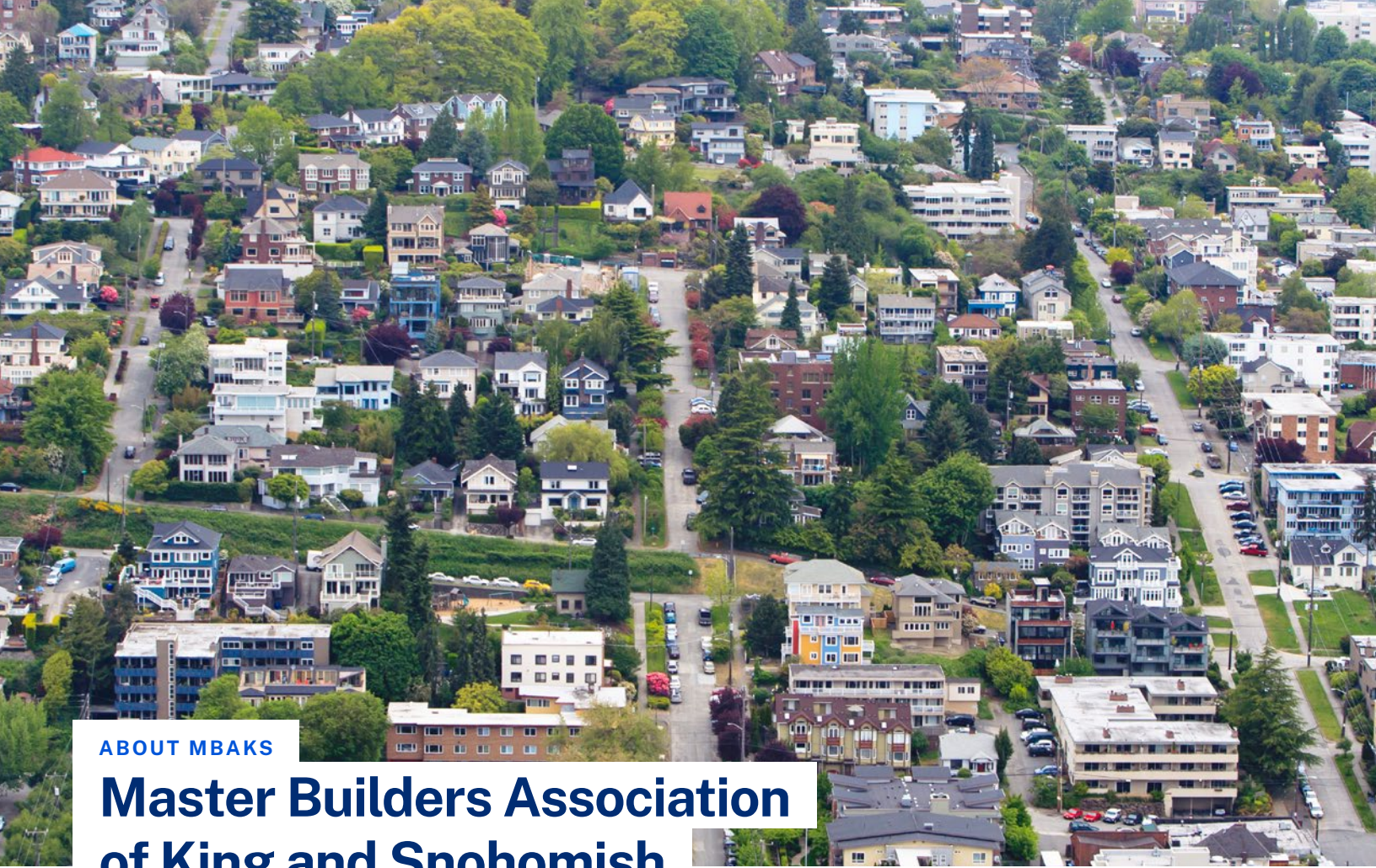


Priced out of the median new home

Source: National Association of Home Builders priced-out data (2026).

Households priced out as the price of a new home rises





ABOUT MBAKS

Master Builders Association of King and Snohomish Counties

Founded in 1909 and headquartered in Bellevue, Washington, the Master Builders Association of King and Snohomish Counties (MBAKS) is the oldest and largest local homebuilders association in the nation — and a trusted voice for attainable housing in our communities.

We believe everyone deserves a place to call home, and our purpose is to make home happen.

MBAKS works with policymakers and community partners to reduce barriers to housing production, expand housing choices, improve affordability, and strengthen the communities we call home.

MBAKS believes in being a good neighbor, giving back through annual projects that build wheelchair ramps and refresh nonprofit facilities, and by partnering with local jurisdictions to plant trees in public spaces.

Our identity is rooted in both advocacy and action. Our mission is bigger than homes — it's about creating opportunity, strengthening neighborhoods, and investing in the future of our communities. With the strength of our members and partners, we're making home happen in real, tangible ways every day.

Four Years of Housing Reform, 2023–2026

Many of the tools in this Toolkit relate to state laws adopted since 2023. Local choices determine how well they translate into homes that can actually be built.

2023

HB 1110

Middle housing: most cities must allow duplexes through sixplexes, townhomes, cottages, and stacked flats in residential zones

EBH 1337

Accessory dwelling units: two ADUs per lot, no owner-occupancy requirement, 1,000-square-foot baseline

SB 5258

Unit lot subdivisions required in every jurisdiction's short plat regulations

2SSB 5290

Permit review deadlines of 65, 100, or 170 days, with fee refunds when jurisdictions miss them

ESHB 1293

Design review must use clear and objective standards and cannot reduce development capacity

2024

HB 1998

Co-living homes legalized wherever six or more multifamily homes are allowed

SSB 6015

Clarifies what counts toward residential minimum parking requirements

2025

3SHB 1491

Transit-oriented development: residential and mixed-use projects in station areas exempt from SEPA review

SB 5184

Parking minimums capped in cities with more than 30,000 residents and eliminated near major transit stops

E2SHB 1096

Administrative lot splitting must be allowed in all cities by July 27, 2027

SB 5559

Unit lot subdivision applications reviewed only against clear and objective standards

2026

HB 2418

Completeness determinations are procedural only, with no substantive review at intake

E2SSB 6026

Housing allowed in most commercial and mixed-use zones in cities with more than 30,000 residents

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PART 1 OF 3

Maximizing Residential Densities and Middle Housing

IN THIS SECTION

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- 12 Increase Housing Capacity Near Transit and Jobs

602 Flats is located in Seattle. This project by BUILD LLC includes four flats built on a 2,600 square-foot corner lot. Photo: Andrew van Leeuwen



This five-unit townhome project built by Blackwood Homes in Ballard is an example of housing developed using unit lot subdivision. Photo: Ruum Media

MAXIMIZING RESIDENTIAL DENSITIES AND MIDDLE HOUSING

HOUSING TYPES AND INNOVATION

The following tools will help local jurisdictions expand attainable housing choices. Washington’s middle housing law (House Bill 1110) adopted in 2023 requires a greater variety of homes in residential neighborhoods, but local implementation will determine how effectively those opportunities translate into homes that can actually be built. Allowing more housing types, such as cottage housing, accessory dwelling units, townhomes, multiplexes, and microhousing, gives Washington families more housing choices in neighborhoods close to jobs, transit, schools, parks, and other amenities.

Allow lot size averaging

Lot size averaging for subdivisions and short subdivisions is an innovative development technique that allows for flexibility in site planning and the creation of smaller lots on constrained sites. This enables more efficient use of buildable land. The size of individual lots within a subdivision or short subdivision using lot size averaging can be less than the required minimum lot size. This is provided the average lot size of all lots meets or exceeds the minimum lot size allowed, and the development density achieved is not greater than allowed by the underlying zone.

The flexibility allowed by lot size averaging is useful for developing housing on unusually shaped parcels, particularly on properties constrained by critical areas.

It will also ensure that the densities anticipated in code can be met. Smaller lot sizes can also provide more affordable housing options and facilitate middle housing.

Jurisdictions that choose to allow lot size averaging should also make sure that the tool is easy to find in code and straightforward to implement.

RESOURCES:

- Burien (19.15.005)
- Carnation (Chapter 15.48)
- Redmond (20C.30.25-050)
- Snohomish County (30.23.210)
- Sultan (19.44)
- Mark Villwock/LDC Inc. “Lot Size Averaging.”

Facilitate cottage housing

Cottage housing refers to multiple smaller, detached dwelling units that share common areas. A cottage housing development will typically include several homes grouped together around open space held in common ownership by the lot owners. Grouping homes together in this manner can lower the cost of housing by making more efficient use of the land.

This form of middle housing provides more compact urban development, expanding the range of housing types available to homebuyers. While Washington’s middle housing state law (HB 1110) requires local jurisdictions to allow a minimum of six out of eight middle housing types, MBAKS encourages local jurisdictions to take steps to facilitate all eight options, including cottage housing.

RESOURCES:

- MBAKS. “Cottage Housing Issue Brief.” March 2023.
- MBAKS. “Middle Housing Barriers & Solutions Issue Brief.” May 2026.
- Department of Commerce. “Guidance for Neighborhood Infill Development.” August 2024.
- City of Kirkland Zoning Code (KZC 113.35)
- City of Redmond, Cottage Housing Developments (RZC 21.08.290)
- MRSC. “Cottage Housing.”

Align regulations and policies to support multiplexes

Local jurisdictions should ensure their development regulations, engineering and design standards, and policies are aligned to support successful implementation of middle housing. Many people who want to live in our cities are finding it difficult to find a home that fits their budget and lifestyle. Facilitating more home choices creates more options for current residents, newcomers, and future generations in

neighborhoods closer to jobs, transit, schools, parks, and other amenities. Multiplexes, such as duplexes, triplexes, fourplexes, and sixplexes, are more affordable than detached, single-family houses because land costs, which account for a significant portion of the cost of a new home, can be spread across more homes.

HB 1110 now requires local jurisdictions to allow diverse housing options like multiplexes, townhouses, stacked flats, courtyard apartments, or cottage housing. This is a major reform to the Growth Management Act (GMA), which requires Washington’s fastest-growing cities and counties to develop comprehensive plans and development regulations to guide their growth. Local jurisdictions subject to HB 1110 do have the option to go beyond the minimum residential densities required and therefore should implement middle housing choices to the greatest extent possible in their communities.

It is imperative as local jurisdictions seek to implement middle housing that their policies, procedures, engineering and design standards, and other regulations do not impede construction of middle housing.

RESOURCES:

- MBAKS. “Middle Housing Barriers & Solutions Issue Brief.” May 2026.
- MBAKS. “Middle Housing Implementation Plan.” October 2024.
- Department of Commerce. “Guidance for Neighborhood Infill Development.” August 2024.
- Department of Commerce. “Planning for Middle Housing.”
- Department of Commerce. “User Guide for Middle Housing Model Ordinances.” October 2024.
- MBAKS. “Middle Housing video.” October 2024.
- Seattle King County REALTORS®, Washington REALTORS®, & Kimley-Horn. “REALTORS®+Housing”
- City of Auburn. “Middle Housing Code Update.” 2023.
- City of Bothell Middle housing code (BMC 12.14.134)
- City of Shoreline. “Neighborhood Residential Zoning Rules.”
- MRSC. “Middle Housing.”
- Oregon Department of Land Conservation and Development. “More Diverse, Affordable, and Accessible Choices.”
- Sightline Institute. “Sightline Housing Solutions Photo Library.” 2019.

ONE LOT, MORE HOMES: MULTIPLEXES SPREAD THE COST OF LAND



Illustrative: assumes the land cost of one lot is shared evenly by the homes built on it.

Facilitate accessory dwelling units (ADUs) and allow separate ownership

State legislation adopted in 2023 (EHB 1337) requires GMA planning jurisdictions to remove local barriers on ADU construction by eliminating owner-occupancy requirements, legalizing two ADUs per lot, and establishing a baseline minimum ADU size of 1,000 square feet, among other changes. ADUs are critical tools for accommodating growth in the very places where many families want to live — near job centers and existing infrastructure.

ADUs make it easier for first-time buyers seeking to qualify for a home, enable seniors to age in place, and expand options for multigenerational living. ADUs are also an environmentally friendly housing option, given their small size and the fact that residents tend to drive less and own fewer vehicles, resulting in lower carbon emissions. Local jurisdictions should adopt a flexible accessory dwelling unit code to implement the requirements and enable ADUs as a homeownership option.

Separate ownership of ADUs and detached accessory dwelling units (DADUs) is one of the most critical pathways for success of middle housing, financial security, and bridging economic and opportunity divides. ADUs and DADUs are more affordable to build and own; they offer affordable first-time homeownership opportunities, safe aging-in-place living for seniors, reliable single-parent ownership, and opportunities for Black, Indigenous, and people of color (BIPOC) homeownership to build valuable equity.

RESOURCES:

- MBAKS. “Accessory Dwelling Units Issue Brief.” October 2025.
- Department of Commerce. “Guidance for accessory dwelling units in Washington state.” June 2026.
- Department of Commerce. “Accessory Dwelling Units (ADUs) resources.”
- REALTORS® + Housing website, developed in partnership with Seattle King County REALTORS®, Washington REALTORS®, and Kimley-Horn

- City of Seattle. “ADUniverse.”
- City of Burien ADU code (BMC 19.17.070)
- Everett Community, Planning & Economic Development. “Accessory Dwelling Units resources.”
- City of Kirkland. “The Kirkland ADU Toolkit.”
- Snohomish County ADU code (30.28.010)
- The Urbanist. “Snohomish County Relaxes Urban Accessory Dwelling Rules Ahead of State Deadlines.” March 31, 2025.
- City of Burien. “Accessory Dwelling Units Fact Sheet.” May 2024.
- AARP. “All About Accessory Dwelling Units.”
- MBAKS. “Housing Choices for Everyone. Backyard Cottages.” June 2019.
- MRSC. “Accessory Dwelling Units (ADUs)”

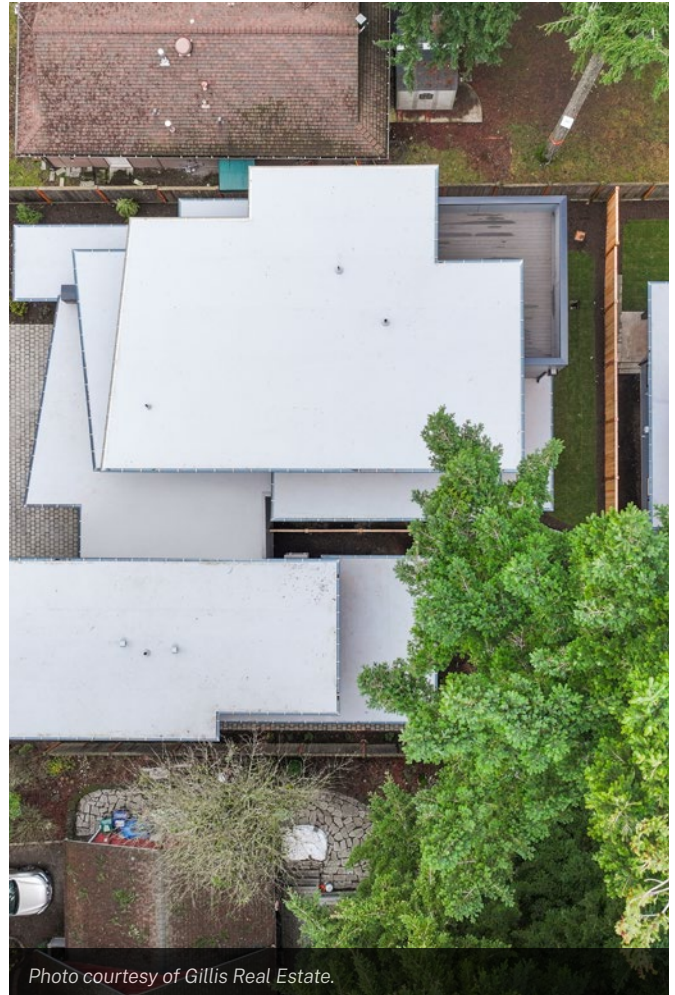


Photo courtesy of Gillis Real Estate.

WHAT EHB 1337 (2023) REQUIRES OF LOCAL ADU CODES

2

ADUs allowed on every lot

1,000 sq ft

Baseline minimum ADU size

24 ft

Height every city must allow, at minimum

½ mile

From major transit, no parking can be required

0

Owner-occupancy requirements

Adopt unit lot subdivision (ULS) code provisions

In 2023, the Washington Legislature adopted Senate Bill 5258, requiring all local governments to update their short plat regulations to allow unit lot subdivisions (ULS). ULS allows attached housing types to be sold as individual lots and eliminates the need for communities with attached housing types to be sold as a condominium. By avoiding the condominium process it is less expensive for both buyers and builders to obtain financing and insurance. Developing land through a ULS creates homeownership opportunities and facilitates construction of middle housing. Townhomes and other forms of middle housing that can be developed through ULS provide opportunities for homeownership and makes efficient use of buildable land. Jurisdictions must implement this change by their next periodic comprehensive plan update but have the option to do so sooner, as many have already done.

RESOURCES:

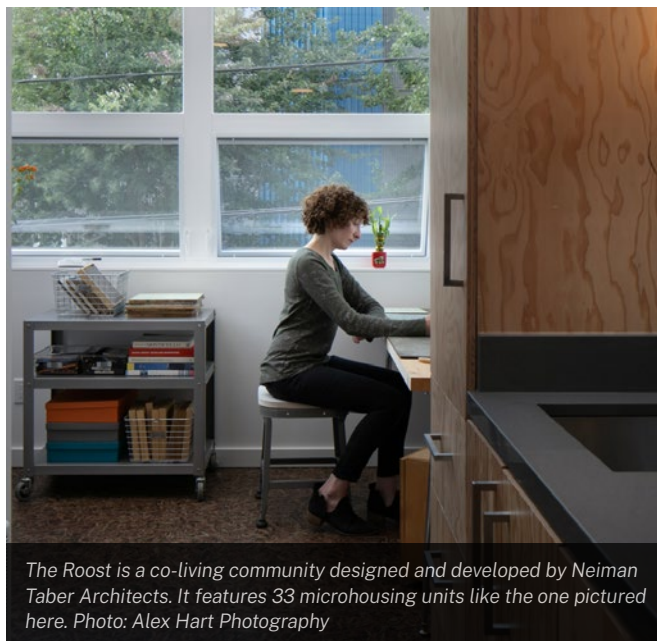
- RCW 58.17.060(2)
- City of Lynnwood — LMC 19.40 — Depending on underlying zoning, can be processed as short/long plats or as binding site plans
- Snohomish County
 - SCC 30.41A.205 — Design Standards — unit lot subdivision
 - Townhouse code
 - Zero lot line development definition
 - Single-family attached definition
 - Townhouse dwelling definition
- City of Mountlake Terrace — MTMC 17.09
- City of Bothell. “New Detached Condominium or Townhomes Building Permit Checklist.” August 2026.
- City of Bellevue — Fee Simple Ordinance
- City of Everett, EMC 19.27.070.
- City of Seattle ULS code (SMC 23.24.045 for short subdivisions and SMC 23.22.062 for full subdivisions).
- City of Snohomish. “Unit Lot Subdivision Fact Sheet.” October 2022.
- City of Tukwila. “Middle Housing Handbook.” August 2025.
- MBAKS. “Fee-Simple Unit Lot Subdivisions presentation.” 2014.

Facilitate co-living homes

In 2024, the Washington Legislature enacted House Bill 1998, requiring jurisdictions to allow co-living homes — a form of microhousing with small private units and shared kitchens — in all urban growth areas where six or more multifamily homes are allowed. Co-living homes provide an affordable housing option for those seeking a smaller housing option to fit their budget and lifestyle.

RESOURCES:

- RCW 36.70A.535
- MRSC. “Types of Affordable Housing.”
- Seattle King County REALTORS®. “Advancing Co-Living Housing.” May 1, 2026.
- Sightline Institute. “Micro-housing: It’s Not about the Size but How You Use It.” November 2, 2023.
- MBAKS. “Housing Choices for Everyone: Microhousing.” September 2019.
- City of Seattle. “Mayor Harrell Signs Legislation to Expand Co-Living Housing Opportunities in Seattle.” November 20, 2024.



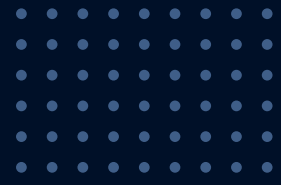
The Roost is a co-living community designed and developed by Neiman Taber Architects. It features 33 microhousing units like the one pictured here. Photo: Alex Hart Photography

“Developing land through a ULS creates homeownership opportunities and facilitates construction of middle housing.”

HOUSING TYPES AND INNOVATION

“Allowing more housing types gives Washington families more housing choices in neighborhoods close to jobs, transit, schools, parks, and other amenities.”

HOUSING TYPES AND INNOVATION



Detached accessory dwelling unit by Revolution Custom Homes. ADUs are more affordable to build and own and offer significant community benefits. Photo: Ruum Media

INCREASE HOUSING CAPACITY NEAR TRANSIT AND JOBS

Housing located near transit reduces our reliance on cars, lowers traffic congestion and greenhouse gas emissions, and creates more sustainable communities. It also supports walkable neighborhoods and helps to accommodate growth by enabling higher-density housing within the Urban Growth Areas (UGAs) where the GMA and Vision 2050 intend for it to occur.

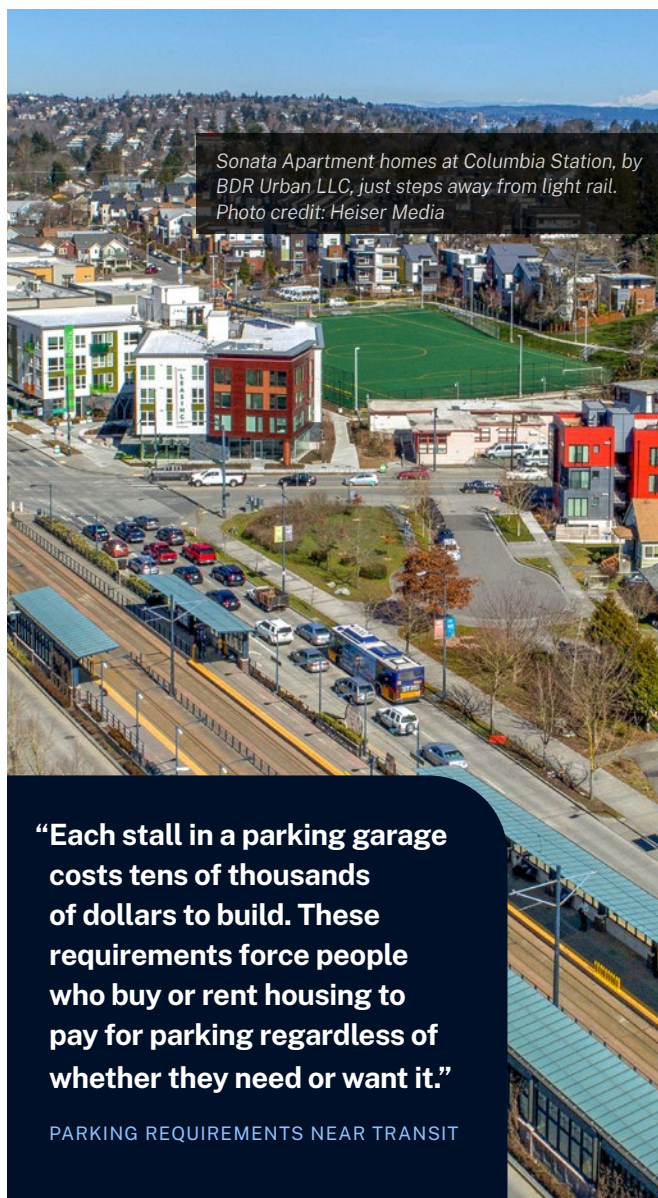
Plan for transit-oriented development

Local jurisdictions should actively increase housing capacity around major transit and employment hubs. Transit-oriented development (TOD) is designed to provide higher density housing options and jobs around existing and planned transit stations or corridors.

Washington's middle housing law requires cities to authorize higher minimum densities for properties located near a major transit stop, and under HB 1110, jurisdictions may exceed the state's minimum density requirements.

RESOURCES:

- RCW 36.70A.840 (TOD); RCW 36.70A.635(1) (Middle Housing)
- MRSC. "Transit-Oriented Development (TOD)."
- City of Shoreline. "Light Rail Stations Subarea Plans Update."
- City of Mountlake Terrace. "Town Center Subarea Plan."
- City of Bellevue. "Wilburton Vision."
- City of Mill Creek. "South Town Center Subarea Plan."
- City of Lynnwood. "Comprehensive Plan and Subarea Plans."
- The Urbanist. "Redmond Sees New Neighborhood Burgeon Around Marymoor Park as Light Rail Arrives." May 9, 2025.
- The Urbanist. "Everything You Need to Know About Downtown Redmond Link." May 10, 2025.
- Washington State Standard. "Next stop for Washington housing: More construction near transit." May 13, 2025.
- The Urbanist. "Mountlake Terrace's Town Center Slowly Emerges Ahead of Light Rail." August 27, 2024.
- Washington State House Bill 1491 (2025) is codified under RCW 36.70A.840 through 36.70A.842.
- Examples of jurisdictions that exceed Washington's minimum density baselines near major transit stops include:
 - Seattle Department of Construction & Inspections. "Frequent Transit Service Area and Major Transit Stops." July 7, 2025.
 - City of Kirkland. "Middle Housing Code Amendments." June 17, 2025.



Reduce or eliminate mandatory minimum parking requirements near transit

Washington state adopted sweeping parking reform legislation in 2025, capping parking minimums in cities with over 30,000 residents. Now, no off-street parking can be required for projects near major transit stops, such as light rail or frequent bus corridors. Local governments can choose to eliminate minimum parking requirements altogether, as Bothell and Shoreline have done. The 2025 parking reforms follow HB 1110, eliminating off-street parking requirements for middle housing within a half mile of a major transit stop.

These changes reflect growing recognition that mandatory minimum parking requirements add to the cost of housing by increasing the impervious land area required for parking or triggering the need for structured parking and larger stormwater facilities, which can render projects infeasible. Each stall in a parking garage costs tens of thousands of dollars to build. These requirements force people who buy or rent housing to pay for parking regardless of whether they need or want it. They also attract buyers and renters who own cars and are less likely to use transit. Mandatory minimum parking requirements not only increase congestion and pollution but ignore the benefits of living near high-capacity transit. In addition, one-size-fits-all parking requirements result in land being dedicated to parking that might otherwise be used for housing.

RESOURCES:

- RCW 36.70A.817 (parking reform); RCW 36.70A.698 (ADUs near transit)
- Washington State Department of Commerce. "What Residential Parking Laws Apply to My Jurisdiction?"
- Washington State's Parking Reform Is Already Working: Gould, Catie — Sightline Institute, May 7, 2026 (updated 6/5/2026)
- Washington State Senate Approves Sweeping Parking Reform Bill: Packer, Ryan — The Urbanist, February 20, 2025
- 2025 Legislation Affecting Local Government Planning: Bauer, Leonard — MRSC, August 5, 2025
- The State of Parking Mandates in Washington: Gould, Catie — Sightline Institute, October 2024
- Spokane Just Ditched Parking Mandates. What's Stopping the Rest of Washington?: Packer, Ryan — The Urbanist, August 16, 2024
- Shoreline Makes Good on Pledge to Stop Mandating Car Parking Citywide: Packer, Ryan — The Urbanist, Aug. 13, 2025
- Bothell Drops Parking Mandates, Legalizes Neighborhood Corner Stores Citywide: Packer, Ryan — The Urbanist, July 10, 2025
- City of Olympia: Chapter 18:38, Parking and Loading
- In These US Cities, Parking Reform Is Gaining Momentum — Institute for Transportation & Development Policy, February 1, 2024

Periodically review underutilized land for potential redesignation and possible rezoning

Local jurisdictions should not wait for the next 10-year comprehensive plan update to evaluate whether changes to policy or the future land use map are warranted. Jurisdictions should consider expanding their allowed uses for underutilized land near transit and job centers, such as Business Park zones, to include development of a range of housing types. This tool could support the critical need for diverse housing types, particularly missing middle housing, near transit and employment hubs.²

Legislation enabling commercial-to-residential conversion adopted in 2026 (E2SSB 6026) prohibits local jurisdictions from restricting housing in many commercial and mixed-use zones with certain limited exceptions. This law applies to cities planning under the GMA with a population over 30,000 and limits where jurisdictions can require commercial uses as a condition of residential development. SB 6026 is intended to make it easier to convert underused commercial spaces like strip malls and big-box stores into much-needed housing.

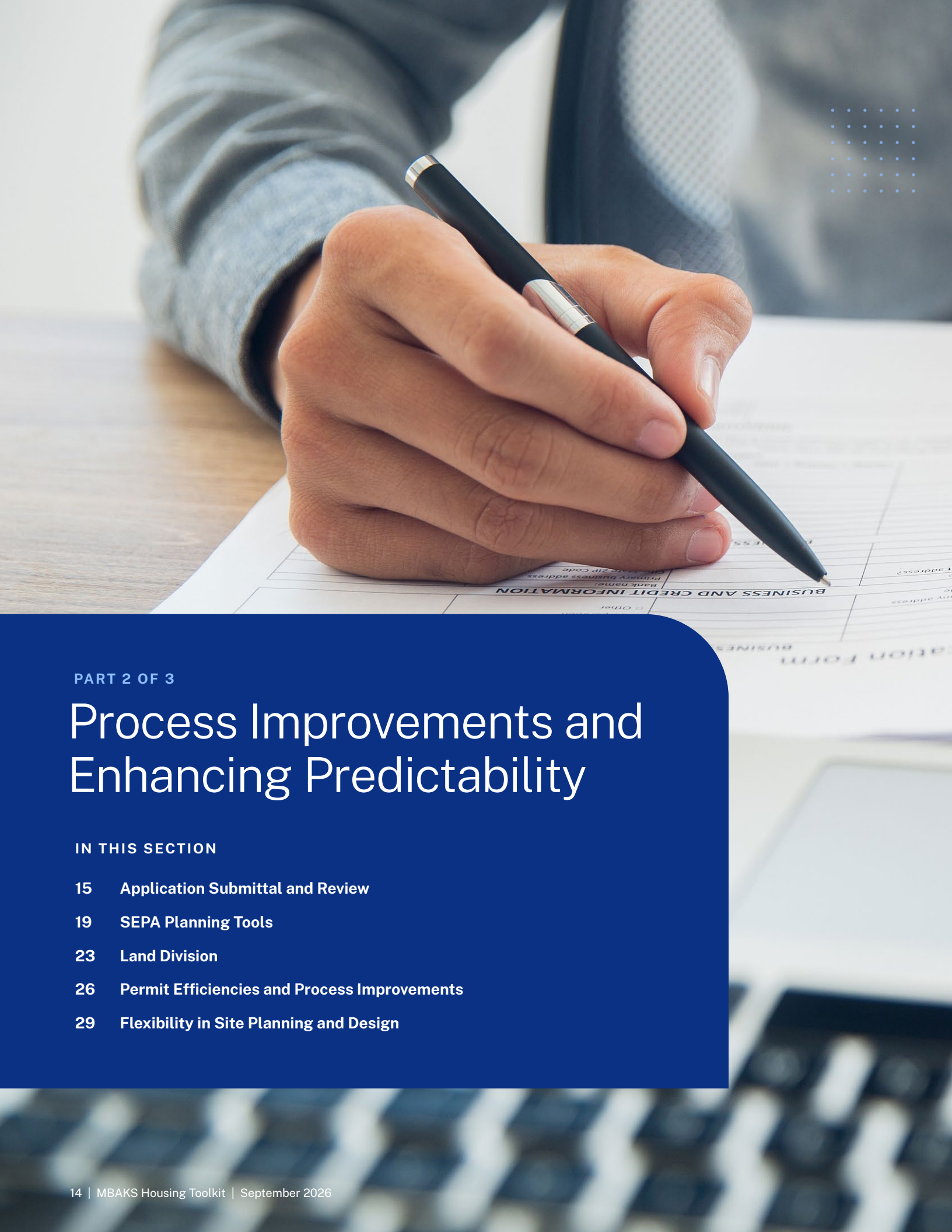
RESOURCES:

- RCW 36.70A.816
- Washington Just Passed First-in-the-US Flexibility for Ground-Floor Retail: Bertolet, Dan — Sightline Institute, March 11, 2026
- Snohomish County, Ordinance No. 22-014: Ordinance allows for single family homes, cottage housing, duplexes, multiple family and townhomes in zones designated for Business Parks.

A NOTE ON RCW 36.70A.840 (2025)

Legislation enacted in 2025 (codified as RCW 36.70A.840) categorically exempts all residential and mixed-use development projects within designated "station areas" from environmental review under the Washington State Environmental Policy Act (SEPA).





PART 2 OF 3

Process Improvements and Enhancing Predictability

IN THIS SECTION

- 15 Application Submittal and Review
- 19 SEPA Planning Tools
- 23 Land Division
- 26 Permit Efficiencies and Process Improvements
- 29 Flexibility in Site Planning and Design



PROCESS IMPROVEMENTS AND ENHANCING PREDICTABILITY

APPLICATION SUBMITTAL AND REVIEW

Streamlining the permit review process increases predictability and will result in housing being built and brought to market sooner while lowering overall housing costs. The following are several steps local jurisdictions can take to make their permit processes more efficient and predictable.

Ensure completeness determinations are made timely without substantive review

Under the Local Project Review Act,³ local jurisdictions must determine within 28 days of receipt of a project permit application that it is procedurally complete.⁴ A determination of completeness is intended to be a procedural determination that the applicant has submitted all required information for a complete application as set forth in the “checklist” adopted by the jurisdiction; it is not a substantive review of the applicant’s submittal. However, some local jurisdictions cause unnecessary delays preventing an applicant from obtaining a completeness determination by conducting some level of substantive review of the application material.

With the passage of HB 2418, local jurisdictions should review their permit intake procedures and practices to ensure completeness determinations are based solely on checklist compliance and not on substantive review. Some local jurisdictions in practice make the completeness determination upon application submittal. Where a submittal appointment is required to review the submittal, the local jurisdiction could make the completeness determination at that time. If the applicant submits a fully complete application meeting the local jurisdiction’s submittal checklist, the local jurisdiction could deem it complete in far under the 28 days allowed by statute. This would be a small but important step towards streamlining the permit process and making it more predictable.

RESOURCES:

- RCW 36.70.070
- MBAKS. “Legal Brief — What Local Jurisdictions Can and Cannot Do in Making a Determination of Completeness.” 2025.

BY THE NUMBERS

28 days

Statutory window for a completeness determination, which HB 2418 (2026) confirms is procedural only

65 / 100 / 170

Days to a final decision under SB 5290, depending on notice and hearing requirements



Establish local vesting of regulations and impact fees

Washington's well-established vested rights doctrine gives property owners and developers the right to develop properties according to the development regulations and land use controls in effect when a fully complete application is submitted. Vesting is crucial to ensuring predictability, stability, and fairness in the development process. Vesting provides certainty for everyone — the applicant, staff, and the public — guaranteeing that the rules governing the application will not change. Builders depend on vested rights to plan, finance and build new housing on time and within budget.

Washington's vested rights doctrine was originally based on the state constitution, and case law extended the doctrine to a broad range of applications. In 1987 the Legislature codified vested rights for building permit applications⁶ and subdivision applications.⁷ However, recent court decisions have narrowed Washington's vested rights doctrine. In *Potala Village Kirkland, LLC v. City of Kirkland*,⁸ the Court of Appeals held for the first time that the doctrine is now only statutory, meaning that vested rights exist only as provided by state statutes.⁹

These decisions do not mean that local jurisdictions are precluded from establishing vesting for impact fees or storm drainage regulations (or any other code, regulation or standard). The state Supreme Court

recognized in *Erickson & Associates, Inc. v. McLerran*¹⁰ that “municipalities are free to develop vesting schemes best suited to the needs of a particular locality.” The Supreme Court subsequently affirmed its Erickson decision in *Abbey Road Group, LLC v. City of Bonney Lake*,¹¹ recognizing that a vesting date established through a local ordinance is valid so long as vesting occurs no later than the statutorily prescribed vesting. Thus, for vesting to be recognized, according to the courts it must be delineated in code, whereas Washington Courts had previously recognized that the common law vested rights doctrine extended to a broader range of applications.

In the absence of the common law doctrine, a city or county may establish vested rights by ordinance. It is costly and time-consuming if the applicable regulations change midway through the permit review process and needlessly add to the cost of housing. Therefore, local jurisdictions should adopt clear code provisions regarding vesting. This provides builders, staff, and the public clear guidance and predictability.

RESOURCES:

- Vesting of building permit applications (RCW 19.27.095(1)) & Vesting of preliminary plat applications (RCW 58.17.033(1)).
- MBAKS. “Impact Fees: FAQ.” September 2026.
- Snohomish County School Impact Fee Vesting
 - Ordinance 18-036
 - SCC 30.66C.100

A NOTE ON HB 2418 (2026)

In 2026 the Legislature adopted HB 2418,⁵ clarifying and reinforcing that a completeness determination is purely procedural and is not to be based on substantive review of the application submittal materials. Before processing an application that has been deemed complete, local jurisdictions can — based on their substantive review of the submittal — require more information and studies from an applicant. But this cannot be done as part of making the completeness determination.



Meet or exceed established permit review timelines

The Local Project Review Act requires local jurisdictions planning under the GMA to implement procedures for timely review of project permit applications. Since 1995 that time period had been 120 days from the completeness determination. However, there was no prescribed remedy for an applicant if the local jurisdiction failed to issue a timely decision.

That changed in 2023 when the Legislature substantially amended the time period in which a local jurisdiction must make a final decision.¹² The time periods are now determined by the nature of the project permit application.¹³ Local jurisdictions now must make final decisions on complete applications submitted after January 1, 2025: (a) within 65 days from the completeness determination if the application does not require public notice; (b) within 100 days from the completeness determination if the application requires public notice but not a public hearing; and (c) within 170 days from the completeness determination if the application requires both notice and a public hearing.¹⁴ The Legislature also clarified when the clock “stops” and provided flexibility to local jurisdictions to modify the permit types subject to these categories and in some cases different time periods.¹⁵



SB 5290 puts some teeth into the new time periods in the form of refunds and/or waivers of permit fees if the local jurisdiction does not meet the applicable deadline.¹⁶ However, builders are more interested in having their applications approved on time than in getting a refund or waiver of permit fees. Decisions on applications are often issued well in excess of the established timeline for many reasons ranging from inadequate staffing to resolving disputes with staff regarding codes/regulations/standards that are not clear and objective. Both circumstances result in

lengthy and unpredictable review processes that keep new housing from being built and brought to market.

RESOURCES:

- RCW 36.70B.080
- MBAKS. “Streamlining Local Permitting Processes.” May 2024.
- BIAW. “Cost of Permitting Delays in Select Jurisdictions in Washington state.” November 1, 2022.
- Department of Commerce. “SB 5290 (2023) Local Project — Key Requirements.” October 2024.
- Department of Commerce. “2SSB 5290 Frequently Asked Questions.”
- MRSC. “The Importance of Streamlining Your Development Review Process.” August 19, 2026.

Provide required timeline data

Transparency in timeline permit data provides much-needed predictability for permit applicants so they can analyze the feasibility of projects and make informed decisions when deciding whether to undertake a project. Lengthy and unpredictable permit review times also drive up development costs, which result in higher rents and housing prices. SB 5290 makes clear that local jurisdictions must now produce an annual performance report showing how they performed with processing project permit applications under the new deadlines. Local jurisdictions must now provide data that includes the items listed below.

Cities with a population of over 20,000 are required to collect this data and issue permit timeline performance reports, which the Department of Commerce publishes annually. In King and Snohomish counties, 32 local jurisdictions are subject to these requirements. Local jurisdictions are encouraged to use this data to evaluate what is working well and identify roadblocks that need to be addressed in their permitting process.

RESOURCES:

- MBAKS. “Streamlining Local Permitting Processes.” May 2024.
- MRSC. “The Importance of Streamlining Your Development Review Process.” August 19, 2026.
- MRSC. 2023 Legislative Updates to Modernize and Streamline Local Project Review.” September 5, 2023.
- Department of Commerce: 2SSB 5290 Frequently Asked Questions
- Department of Commerce. “Chapter 36.70B RCW: Local Project Review.” June 2025.
- Department of Commerce. “Annual Permitting Performance Report — 2024.” July 2025.
- Department of Commerce. “Annual Permitting Performance Report — 2025.” July 2026.
- MBAKS. “New Report Highlights Permitting Data, Opportunities for Improvement.” July 2, 2026.

Provide online permitting and real-time tracking

Providing applicants with the ability to submit and track applications online allows for a more efficient and transparent process. Online permitting proved to be a valuable tool during the COVID-19 pandemic when face-to-face interaction was not allowed. However, local jurisdictions should not rely solely on online permitting tools. To be successful today, there must be a human element as part of any permit process so applicants have access to the permit review team as questions and individual issues arise.

RESOURCES:

- MyBuildingPermit.
- City of Kent. "Electronic Permit Applications."

What the annual permit performance report must include

- Permit timelines for certain permit processes in counties and cities;
- The total number of decisions issued during the year for preliminary subdivisions, final subdivisions, and binding site plans;¹⁷
- Permit processes associated with the approval of multifamily housing;
- Construction plan review for each of these permit types when submitted separately;
- The total number of decisions for each permit type which included consolidated project permit review; and
- The total number of days: from submittal to a decision being issued; the application was in review with the county or city; and the application was awaiting a response from the applicant.

"Vesting provides certainty for everyone — the applicant, staff, and the public — guaranteeing that the rules governing the application will not change."

APPLICATION SUBMITTAL AND REVIEW

Avoid development moratoria

Local governments can avoid enacting development moratoria by proactively planning for growth and working to expand housing supply and choices. Should a moratorium be enacted, jurisdictions should limit the time it is in effect. While moratoria are authorized by the GMA (RCW 36.70A.590), they harm our region's ability to add much-needed housing supply, making it even harder for current and future residents to find a home they can afford. Moratoria are also counterproductive when they prevent transit-oriented development in areas where regional transportation infrastructure has been or will be built.

The delays caused while a moratorium is in effect can add significantly to the selling price of housing units once they finally reach the market. This is especially true for projects that may be in earlier stages of planning and for which significant resources have already been invested when a moratorium is put in place. Consequently, a building moratorium restricts supply and worsens housing affordability.

Moratoria also represent a missed opportunity for cities, which stand to lose significant revenue from new construction that does not get built. This includes the real estate excise tax, construction sales tax, and sales tax from homebuyers' purchases, and recurring property tax revenue. Not only does housing provide for a basic human need, but it is also a major economic driver that benefits our entire region.

RESOURCES:

- RCW 36.70A.590
- MBAKS. "Responding to Development Moratoria: Legal and Policy Considerations for Navigating a Moratorium." May 2026.
- National Association of Home Builders (NAHB). "Moratoria on Residential Development Permits: A Toolkit Report." February 2026.

SEPA PLANNING TOOLS

There are actions that cities and counties can take under SEPA to facilitate construction of “infill” housing inside UGAs. These tools can help alleviate some of the redundancies and time delays encountered by developers seeking to build more infill housing. In the decades since SEPA was adopted, many other state laws have been enacted requiring jurisdictions to adopt regulations that protect the environment. These include the GMA, critical areas regulations, stormwater regulations, the Shoreline Management Act, local tree retention/ replacement codes, and many other development regulations and standards that are utilized to mitigate project impacts. As a result, environmental protections today have expanded well beyond SEPA, now provided by a myriad of regulations that weren’t in place when it was originally adopted.

The enactment of the GMA in 1990 required most local jurisdictions in the state to adopt comprehensive plans and development regulations with the primary objective being to direct most population and employment growth to occur within UGAs. Adoption of those comprehensive plans and development regulations undergoes SEPA review at the “programmatic” (non-project) level. Since enacting the GMA, the Legislature has struggled to harmonize and integrate when SEPA review at the project level is warranted given the programmatic level planning local jurisdictions are required to do under the GMA. How much environmental review under SEPA at the project level is necessary and appropriate given the GMA’s requirements for local jurisdictions to do more upfront planning, and corresponding SEPA review, of comprehensive plans and development regulations at the programmatic level?

In recognition of the planning and environmental review of comprehensive plans and development regulations required by the GMA, the Legislature in 1995 determined that for purposes of SEPA, most environmental impacts of individual projects within UGAs will be mitigated through compliance with existing local development regulations and state and federal regulations.¹⁸ Thus, after a local jurisdiction determines a development proposal complies with applicable codes and development regulations it does not then undertake “environmental review.”

Rather, under RCW 43.21C.240 “environmental review” under SEPA became a determination that (a) a development proposal meets all applicable codes and development regulations and (b) those codes and development regulations will mitigate any specific environmental impacts of the project.

BY THE NUMBERS

30 lots

Single-family homes a jurisdiction may exempt from SEPA review as minor new construction

60 units

Multifamily homes that may be exempted under the same rule

65,000 sq ft

Commercial development eligible for the infill exemption since 2012

This, however, only defines the scope of the review required by a local jurisdiction when making a “threshold determination” under SEPA. It did not address what projects would be exempt from SEPA review altogether.

Whether a residential development was exempt from SEPA review was for many years determined by the categorical exemption in the SEPA Rules¹⁹ adopted by the Department of Ecology (Ecology) for “minor new construction.”²⁰ However, the threshold under this categorical exemption was very low as to the size of the residential project that would be exempt. Very few residential construction projects qualified for the exemption.

The Legislature therefore in 2012 directed Ecology to update the SEPA Rules to increase the minimum number of lots/units that qualify for the minor new construction categorical exemption. Ecology also established a higher maximum number of lots/units that cities and counties could allow so larger projects could utilize this exemption. Under the updated categorical exemption for minor new construction, Ecology amended the SEPA Rules to allow local jurisdictions to exempt up to 30 lots/homes for single-family development and up to 60 units for multifamily projects.

Many jurisdictions that are fully planning under the GMA have raised the exemption levels up to the maximum allowed for “minor new construction” to encourage development in UGAs and streamline permit processes.²¹ Increasing the exemption level significantly reduces the duplication and administrative costs of permit review. At a minimum, a local jurisdiction should increase the thresholds in its categorical exemption to the maximum project sizes allowed²² if it has not done so already. The following are actions local jurisdictions can take under SEPA to facilitate more housing choices.

Adopt an exemption for infill development

Efforts have been made over many years to create a SEPA exemption for infill development. In 2003, the Legislature authorized local jurisdictions to adopt a categorical exemption for infill residential and mixed-use development within UGAs that is consistent with the adopted comprehensive plan and development regulations.²³

However, this categorical exemption is not “self-effectuating.” It requires a local jurisdiction to adopt an ordinance to create a categorical exemption consistent with the requirements of the statute. The Legislature authorized, but did not mandate, that local jurisdictions adopt an infill categorical exemption. Unfortunately, no jurisdiction took this step for almost 10 years.

As originally enacted, RCW 43.21C.229 applied to residential and mixed-use development. In 2012, the Legislature amended the statute to allow the exemption to apply to up to 65,000 square feet of commercial development (excluding retail).²⁴ That change prompted the City of Kent to enact an infill development categorical exemption pursuant to RCW 43.21C.229 for its Downtown Subarea and to implement the City’s revised 2005 Downtown Strategic Action Plan.²⁵

In 2020 the Legislature again tweaked RCW 43.21C.229 to provide that a proposed development must be “roughly equal to” (adding the word “roughly”) to the density and intensity contemplated under the comprehensive plan and development regulations to qualify for the infill development categorical exemption.²⁶ This change prompted Snohomish County to adopt an infill categorical exemption in 2022.²⁷



In 2025, the Legislature established another categorical exemption for new residential and mixed-use developments near major transit stops. The exemption applies to areas located within walking distance of light rail stations and bus rapid transit stops.



This infill development categorical exemption is an important tool allowing flexibility with local options for jurisdictions that want to plan for and accommodate growth. Adopting SEPA exemptions in this way would alleviate some of the redundancies and time delays encountered by developers, which often act as a barrier in efforts to build more infill housing inside UGAs. Jurisdictions conduct significant environmental review and public outreach in the comprehensive plan update. SEPA exemptions for infill development avoid doing the same work twice.

RESOURCES:

- RCW 43.21C.229
- MBAKS. “SEPA Reform: Infill Issue Brief.” November 2022.
- City of Seattle, Ordinance 127391.
- Snohomish County, Ordinance No. 22-037.
- Washington State Legislature. 3SHB 1491, Final Bill Report (2025).

Conduct subarea planning for transit-oriented development

In 2023, the Legislature amended RCW 43.21C.229²⁸ to create a SEPA categorical exemption for infill development that is “self-effectuating” and does not require jurisdictions to adopt an ordinance defining the scope of the exemption. However, there are several steps that must be satisfied for individual projects to use this categorical exemption.

First, this exemption applies only where the local jurisdiction has done upfront programmatic SEPA review for its subarea planning. The SEPA review must include environmental analysis of the impacts of the development that would be allowed in the subarea and measures to mitigate environmental impacts.

Second, the local jurisdiction must document its consultation with the Department of Transportation regarding impacts to state-owned transportation facilities, including consideration of whether mitigation is necessary.

This categorical exemption is a great opportunity for local jurisdictions to consider subarea planning and undertake corresponding SEPA review upfront at the comprehensive planning level. Completing this environmental analysis upfront will create more consistency and streamline projects with upfront expectations of mitigation costs and requirements, saving time and money.

TWO DECADES OF THE SEPA INFILL EXEMPTION

2003

Legislature authorizes a SEPA exemption for infill inside UGAs. No city adopts one for almost ten years.

2012

Exemption extended to 65,000 sq ft of commercial space. Kent adopts one for its Downtown Subarea.

2020

Projects need only be “roughly equal” to planned density and intensity to qualify.

2022

Snohomish County adopts an infill categorical exemption.

2025

New exemption for housing and mixed-use near light rail and bus rapid transit stops.

Use planned actions

Local jurisdictions can also use the planned action provisions in SEPA under RCW 43.21C.440. Local governments can assess environmental impacts within a defined area or for a specific project and reduce a layer of regulation for developments proposed within the area that meet the planned uses. This tool allows upfront SEPA review in lieu of environmental review of individual development projects to implement the planned action. Several jurisdictions noted below have done planned action environmental impact statements in conjunction with subareas or defined projects.

- Lynnwood City Center & Alderwood Planned Action EIS
- Bothell Downtown Subarea Plan & Regulations
- Shoreline Light Rail Stations Subarea Plans Update
- Mill Creek South Town Center Subarea Plan

RESOURCES:

- RCW 43.21C.440; WAC 197-11-164 through -172
- MRSC. "Planned Action Resources."
- Puget Sound Regional Council. "Planned Action EIS."





PROCESS IMPROVEMENTS AND ENHANCING PREDICTABILITY

LAND DIVISION

Increasing SEPA exemption levels helps streamline the permit process and bring much-needed housing to the market sooner, including middle housing. Pictured: West Seattle townhomes by Intracorp Homes.

To build more homes for sale, jurisdictions must allow the creation of lots that can be legally conveyed.²⁹

This typically is done through the subdivision process pursuant to state subdivision statutes.³⁰

Subdivisions can take the form of short subdivisions (also known as “short plats”), “long” subdivisions, and unit lot subdivisions. However, the subdivision process can be time-consuming and costly, which delays new homes reaching the market and increases the price of housing. Below are steps local jurisdictions can take to make the subdivision process more efficient and predictable and facilitate the creation of more lots on which for-sale housing can be built.

Raise short plat thresholds to statutory maximum

Current state law³¹ defines short subdivisions to be a division of land into four or fewer lots. However, local jurisdictions have the option to allow up to nine lots to be created through short plats in UGAs. Despite this authority, many cities in the Puget Sound region have not increased their short plat thresholds above four lots and require a formal subdivision for projects with five or more lots. This adds months and tens of thousands of dollars for small infill developments.

The short plat process is intended to be an administrative process “for the summary approval of short plats.”³² It is faster and more predictable than the long subdivision process. All local jurisdictions should allow nine lots to be created through short plats in UGAs.

RESOURCES:

- RCW 58.17.020(16)
- MRSC. “Subdivisions.”

Allow administrative approval of long subdivisions

Local jurisdictions should allow administrative approval of long subdivisions in the same manner as short plats pursuant to RCW 58.17.095. Today, many large residential projects, such as an apartment complex, can be approved administratively through a binding site plan process, which does not require a public hearing.

In 1986, the Legislature authorized local jurisdictions to approve preliminary plats administratively without a public hearing — the same process that is used to approve short plats. Few local jurisdictions have used this authority to approve long plats administratively. One example is Everett, which in 2020 amended its code to allow the director to administratively approve subdivisions of 10 to 50 lots.

Adopting administrative approval of long subdivisions would streamline the permit process, bringing much-needed housing to the market sooner, including middle housing. Allowing administrative approval also frees up staff time that can be reallocated.

RESOURCES:

- MRSC. “Subdivisions.”

Allow administrative approval of final plats

Individual lots in a subdivision cannot be sold and conveyed until a final plat is approved, signed, and recorded.³³ Historically, final plats required approval by the legislative body of the local jurisdiction. In 2017, the Legislature adopted legislation providing a local option to allow administrative approval of final plats for long subdivisions. Specifically, local jurisdictions can now allow administrative approval of final plats, which may be delegated to the planning director or other designated official, such as a hearing examiner. Administrative approval of final plats can shorten the approval time by weeks and even months, bringing greater efficiency to the permit process.

RESOURCES:

- RCW 58.17.100

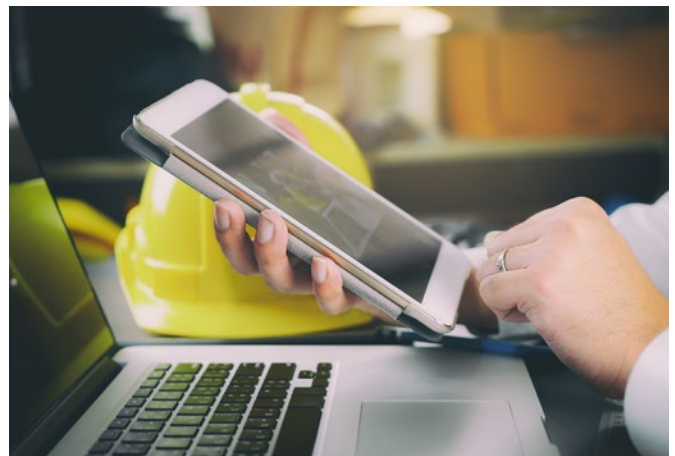
Implement administrative lot splitting

Prior to 2025, the only means to divide property into separate legal lots was through either a subdivision or creation of a condominium. In 2025, the Legislature adopted an administrative lot splitting process that cities must implement by July 27, 2027.³⁴ MBAKS encourages early implementation to expand housing

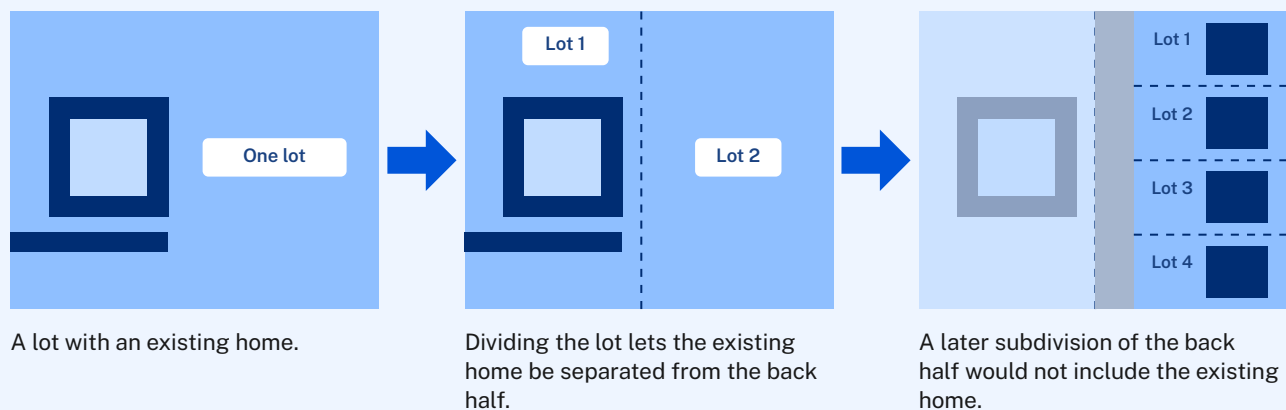
options sooner. Allowing lot splitting will expand housing supply, increase homeownership opportunities, enable housing at lower price points, create more starter home options for first-time buyers, offer existing homeowners flexibility to stay in their homes, and create space for extended family.

RESOURCES:

- RCW 58.17.145.
- MBAKS. "Creating More Housing Through Lot Splitting." November 2025.
- Washington State Department of Commerce. "Residential Lot Splitting Fact Sheet." May 2026.
- City of Des Moines, DMMC 17.52.



THE NEW LOT SPLITTING PROCESS (HB 1096)



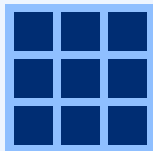
New lots created through this process cannot be further divided through another lot split, though they may be subdivided through other processes. Diagram adapted from Kimley-Horn.

SHORT PLATS ARE FASTER AND MORE PREDICTABLE, AND MAY GO UP TO NINE LOTS



4 lots

Statutory default for a short plat, the summary process most cities still stop at



9 lots

Maximum a jurisdiction may allow through short plats in urban growth areas



July 27, 2027

Deadline for most cities to allow one lot to be split into two administratively (E2SHB 1096)

“All local jurisdictions should allow nine lots to be created through short plats in urban growth areas.”

LAND DIVISION



PERMIT EFFICIENCIES AND PROCESS IMPROVEMENTS

Local jurisdictions looking for ways to increase housing production and reduce the cost to build housing should streamline the permit process to make it more efficient and predictable. This will go a long way toward easing cost pressure on new homes and allowing them to be built more quickly. The following are steps local jurisdictions can take to streamline the permitting process.

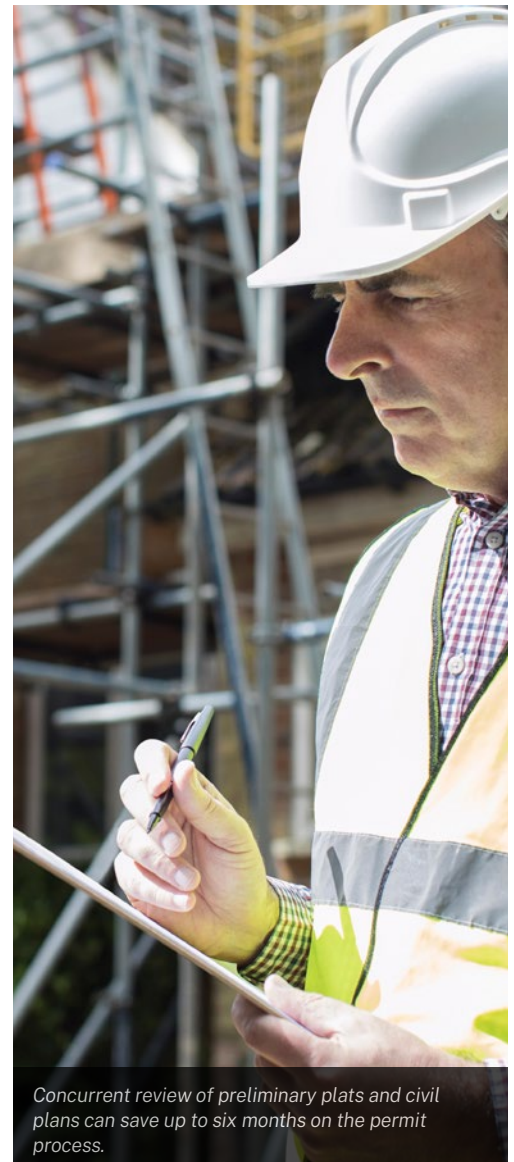
Allow concurrent review of preliminary plat and civil plans

Many local jurisdictions do not allow an applicant to submit construction plans to build a subdivision until the preliminary plat has been approved. Local jurisdictions can allow for civil engineering and construction plans to be reviewed concurrently with the preliminary plat application, with the understanding that changes made to the preliminary plat during review may necessitate changes to construction plans. Allowing this as an option could save up to six months on the permit process and ensure houses get to market faster. Some jurisdictions have stated concurrent review results in better submittals leading to faster review and approval.

Auburn, Bellevue, and Kent are examples of cities that allow concurrent review.

Eliminate discretionary design review

Some local jurisdictions require a design review process for reviewing the exterior aesthetic and architectural quality and design of certain projects. Design review can create unpredictability and cause unnecessarily long permit review. The design review process is often used by residents as a tool to block or delay new housing. And design review standards are often vague and ambiguous, leading to subjective and inconsistent interpretations. This adds unnecessary delays and costs to the homebuilding process, creating a significant hurdle in the effort to build more housing. This lack of predictability and potential for delays makes projects subject to design review riskier, more expensive, and harder to finance. Cities should consider eliminating design review altogether.



Concurrent review of preliminary plats and civil plans can save up to six months on the permit process.

For cities that choose to maintain a design review process, it should be as streamlined, objective, and predictable as possible, and consistent with statutory requirements. In 2023, the Legislature for the first time enacted requirements and restrictions on design review for local development regulations governing “the exterior design of new development.”³⁵ Such development regulations must (1) be “clear and objective”³⁶ and include ascertainable guidelines, standards, or criteria so applicants will know how a design standard applies to the project, and (2) must not result in a reduction in density, height, bulk, or scale of a proposed development.³⁷

RESOURCES:

- RCW 36.70A.630, RCW 58.17.060(3) and RCW 58.17.020(13)
- MBAKS Legal Brief “Legal Requirements for Objective Development Regulations”
- MRSC. “Design Review.”
- Seattle Daily Journal of Commerce. “Recently Signed Bill Takes Aim at Design Review.” May 15, 2023.

Allow construction of model homes before final plat approval

Local jurisdictions should have a model home permit process to allow home construction to begin prior to final plat approval and recording. In the absence of a model home permit process, builders in some jurisdictions can submit building permit applications prior to final plat recording but cannot have the permit issued so construction can begin.

Some jurisdictions do not even allow permit applications to be submitted until the final plat is recorded. A model home permit process can save builders months of construction time and reduce costs. Beginning construction of homes prior to final plat recording allows homes to be brought to market sooner.

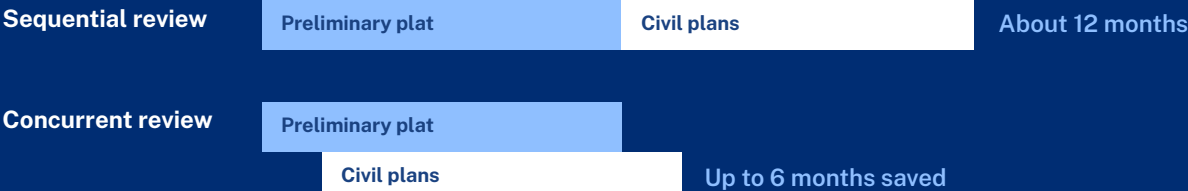
If a local jurisdiction already allows model home permits, the jurisdiction should consider increasing the number of allowed model home permits. For example, for short plats consisting of nine or fewer lots, the city of Lake Stevens only allows a maximum of two model home building permits or 20% of the total number of single-family residences proposed, whichever is less. For all other subdivisions, the maximum number of model home permits Lake Stevens allows is six or 20% of the total number of single-family residences planned for the development, whichever is less. The city of Monroe allows up to seven model homes or 20% of the total number of single-family residences planned for the development. Snohomish County and the city of Marysville allow up to nine model home permits.

Local jurisdictions should allow six or more model home permits.

RESOURCES:

- City of Lake Stevens Model Homes code 14.44.025
- City of Marysville Model Homes code 22C.010.070 (30)
- City of Monroe Model Homes code 22.68.050
- Snohomish County, SCC 30.41A.500–30.41A.550.

CONCURRENT REVIEW CAN TAKE MONTHS OFF THE PERMIT PROCESS



Illustrative durations. Changes to the preliminary plat during review may require changes to the construction plans.

Allow virtual inspections

During the COVID-19 pandemic, local governments employed various approaches to help facilitate permits and the development review process amid physical distancing requirements. One such tool was video inspections. Even though the pandemic has ended, video inspections enable local jurisdictions to remotely inspect development and construction sites by having the project manager use a smartphone app, such as Zoom, Teams, or FaceTime, to display sites

for inspectors. This use of technology enables local jurisdictions to conduct inspections more efficiently: builders can schedule inspections more quickly and avoid the setbacks that often hold up on-site inspections. Video inspections worked well during the pandemic and local jurisdictions should continue using this virtual tool.

RESOURCES:

- City of Seattle, Seattle Department of Construction & Inspections (SDCI). "Guide to Video Inspections." April 3, 2020.



“Concurrent review of preliminary plats and civil plans could save up to six months on the permit process and ensure houses get to market faster.”

PERMIT EFFICIENCIES



PROCESS IMPROVEMENTS AND ENHANCING PREDICTABILITY

FLEXIBILITY IN SITE PLANNING AND DESIGN

What can be built on a site, and how it is laid out, depends on a wide array of local development regulations and engineering and design standards.³⁸ How a project is designed to comply with all these regulations and design standards determines how much of a site can be developed for housing. By increasing flexibility in site planning and design, local jurisdictions provide more housing choices and can help reduce cost pressures on new housing. The following tools provide more flexibility in site planning and design, which can help local jurisdictions optimize residential densities and facilitate middle housing within UGAs.

Ensure tree policies are balanced and predictable

When adopting or updating codes regarding tree retention and replacement, local jurisdictions should take a balanced approach to ensure a sustainable tree canopy while accommodating a growing population, as required by the GMA.

There is not a one-size-fits-all approach for regulating trees. Trees should not be given priority over other important GMA planning goals, such as housing.

Local jurisdictions should ensure that any tree codes adopted or updated meet three fundamental objectives, listed below.

Three objectives for a balanced tree code

- Tree codes should be clear and objective and not require subjective interpretation. Otherwise, weeks (and sometimes months) of permitting delays result when code requirements are not clear and objective and the applicant and staff debate what is required.
- Tree codes should provide flexibility for the builder to determine how requirements are met through retention and/or replacement and provide incentives for tree retention.
- Tree codes should provide for no net loss of housing and include exceptions when requirements conflict with other development regulations and design standards, such as those for required access and utility connections.

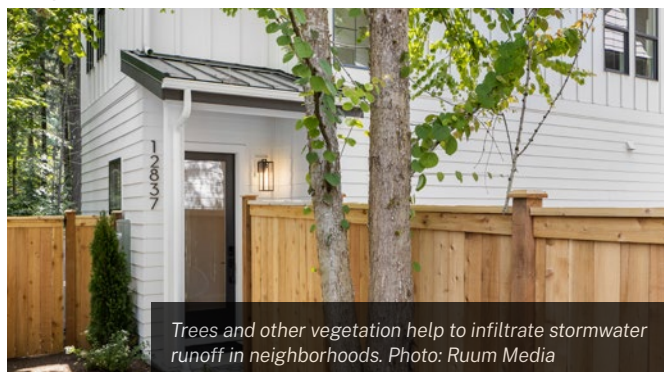
RESOURCES:

- RCW 36.70A.630(2) (defining clear and objective development regulations regarding exterior design and providing for no net loss); RCW 58.17.020(13) (defining “clear and objective design and development regulations” to be applied to ULS applications)
- Kirkland Zoning Code 95.30.6 (tree code provision re “no net loss”)
- MBAKS. “Tree Codes and Housing.” November 2024.
- MBAKS. “Legal Brief — Tree Regulations Part 1.” March 2024.
- MBAKS. “Legal Brief — Tree Regulations Part 2.” March 2025.
- The Urbanist. “Op-Ed: Building Toward a Greener, Housing-Abundant Seattle.” September 13, 2026.
- King County Department of Natural Resources and Parks. “Guide to Developing Effective Urban Tree Regulations on Private Property.” 2024.
- City of Seattle, Seattle Department of Construction & Inspections (SDCI). “Trees and Codes.”
- Snohomish County. “2025 Tree Canopy Monitoring Report.” 2025.
- Arbor Day Foundation. “Right Tree, Right Place.”
- Newcastle MC 18.16, Kenmore: examples of incentives and bonus measures for retention
- King County Tree Code

Adopt flexible form-based codes

A “form-based code” (“FBC”) is an innovative alternative to traditional zoning, which focuses on separating different types of land uses. FBC instead focuses on how a local jurisdiction desires an area to look and function, and therefore regulates the physical form, scale, design, and placement of buildings in relation to streets and public spaces. This allows a more flexible and integrated approach to designing projects and facilitates development of a mix of residential housing types, higher densities, and more walkable communities. FBC can be an important tool for facilitating development of middle housing and more affordable housing options.

While FBC can be implemented across an entire local jurisdiction, it has been used more frequently to facilitate development or re-development of specific areas, including subareas adopted as part of a local jurisdiction’s comprehensive plan. FBC has been used successfully by local jurisdictions both in Washington and elsewhere around the country. Resources regarding FBC and examples of where FBC has been implemented are provided below.



Trees and other vegetation help to infiltrate stormwater runoff in neighborhoods. Photo: Ruom Media

RESOURCES:

- Smart Growth America. “What is a Form-Based Code?”
- Missing Middle Housing. “Form-Based Coding.”
- City of Bothell. Downtown Subarea Plan and Regulations.
- Clark County. Highway 99 Subarea Hybrid Code. (Woodland District is a hybrid code; Woodland Square, in Urban Neighborhood 1, is form-based.)
- City of Shoreline. Mixed Residential Zoning and Subarea Planning — SMC Table 20.50.020(2).
- City of North Bend. Downtown Form-Based Code.
- City of Marysville. Downtown Form-Based Code.
- Arlington County, Virginia. “Form-Based Code Applications.”
- City of Miami, Florida. “Miami 21.”

Provide road and access flexibility

Local jurisdictions have several options to create more flexibility regarding roads and access for subdivisions. Local jurisdictions should broaden the ability to use private roads, such as drive aisles, in lieu of requiring internal public roads. This can result in a more efficient road system that is less expensive to build and maintain than public roads and is especially important for adding more density within UGAs for middle housing. Whether private roads and drive aisles can be used is important for a builder to know when determining project feasibility, especially for middle housing.

Private roads and drive aisles are narrower than standard public road profiles and therefore reduce the amount of impervious surface that would increase the stormwater requirements on site. They also provide more flexibility in designing a project and aid the builder in designing housing that homebuyers want to buy. Creating more flexibility for private roads and drive aisles will also help reduce costs that drive up home prices.

RESOURCES:

- Snohomish County Access and road network requirements, 30.34A.080
- Department of Commerce. “Guidance for Neighborhood Infill Development.” August 2024.
- City of Bothell. “Design and Construction Standards, Chapter 1 — General Conditions.”
- City of Seattle, Seattle Fire Code (2021 ed.), Appendix D (allowing internal private roads with a 10-foot minimum unobstructed width for developments with a single access point serving 30 or fewer one- or two-family dwelling units).

Provide flexibility for narrower residential streets

Many local jurisdictions have adopted road design requirements and parking standards that can impede housing production, particularly for middle housing. An example is when a local jurisdiction requires an internal road to be a public road within a middle housing project. Allowing narrower road widths for public and private roads within developments provides greater flexibility in site design and can help lower the cost of new housing.

Narrower road widths also have an environmental benefit as less pollutant-generating impervious surfaces are created. This also results in smaller stormwater infrastructure, which both reduces costs and helps maximize the density on a project site. And allowing for narrower private roads that will be maintained by homeowners associations through covenants, conditions, and restrictions eases the burden on the local jurisdictions to maintain public roads within a development.

RESOURCES:

- Marysville's planned residential development (PRD) street width/standard detail
 - Code
 - Engineering Standards (Ch. 3, pp. 48–49, Standard Details 3-218-001 and 3-218-002)
 - Snohomish County Townhouse Code (Chapter 30.31E)

Allow flexibility to meet parking requirements

Previously, there were inconsistencies in how local jurisdictions determined whether minimum parking requirements were met. For example, some jurisdictions did not allow certain parking spaces on lots to count toward meeting minimum parking requirements. This forced additional parking to be provided elsewhere to meet minimum parking requirements. This also resulted in wider public or private internal roads, more impervious surface, and more parking than was needed to serve the residents — driving up the cost to build new homes.

Some jurisdictions in Washington and elsewhere in the country are eliminating minimum parking requirements altogether citywide, for example the cities of Spokane, Bellingham, Shoreline, Bothell, and in Austin, Texas.

RESOURCES:

- RCW 36.70A.622 (residential parking restrictions)
- Washington State Department of Commerce. “What Residential Parking Laws Apply to My Jurisdiction?”
- Institute for Transportation and Development Policy (ITDP). “The Opportunity of Reforming Parking: A Taming Traffic Deep Dive Report.” 2024.
- Sightline Institute. “Washington State's Parking Reform Is Already Working.” May 7, 2026.

“Allowing narrower road widths for public and private roads within developments provides greater flexibility in site design and can help lower the cost of new housing.”

FLEXIBILITY IN SITE PLANNING AND DESIGN

Reduce minimum building setback requirements

A setback is the minimum distance that a home must be kept from a street, road, or adjacent property line and is typically required along front, rear, and side property lines. Larger setbacks can reduce the density that can be achieved on a site, resulting in development costs being shared across fewer homes, thereby adding to the cost of the new homes. This is also a less efficient use of buildable lands within UGAs. Local jurisdictions should update setback requirements in development regulations and design standards to ensure they facilitate, rather than inhibit, housing production, including middle housing and ADUs.

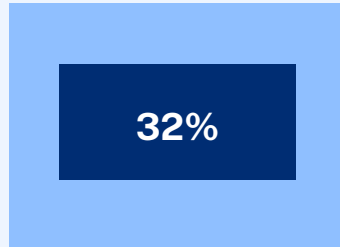
RESOURCES:

- City of Lake Stevens, LSMC 14.18.300.
- City of Oak Harbor, OHMC 19.31.
- City of Marysville, MMC 22C.010.450.

A NOTE ON RCW 36.70A.622 (2024)

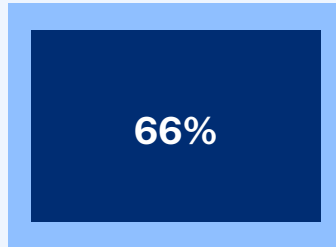
In 2024, the Legislature adopted SSB 6015 (now codified as RCW 36.70A.622), which provides clarification of what can and cannot be required to meet minimum parking requirements for residential development. This provides flexibility to builders in designing parking configurations that are right-sized for the needs of the new communities. Local jurisdictions should ensure that their residential parking requirements are aligned with the state law and provide as much flexibility as possible to avoid unnecessary costs and an oversupply of parking.

HOW SETBACKS SHAPE WHAT A LOT CAN HOLD



Larger setbacks

About a third is buildable



Reduced setbacks

About two-thirds is buildable

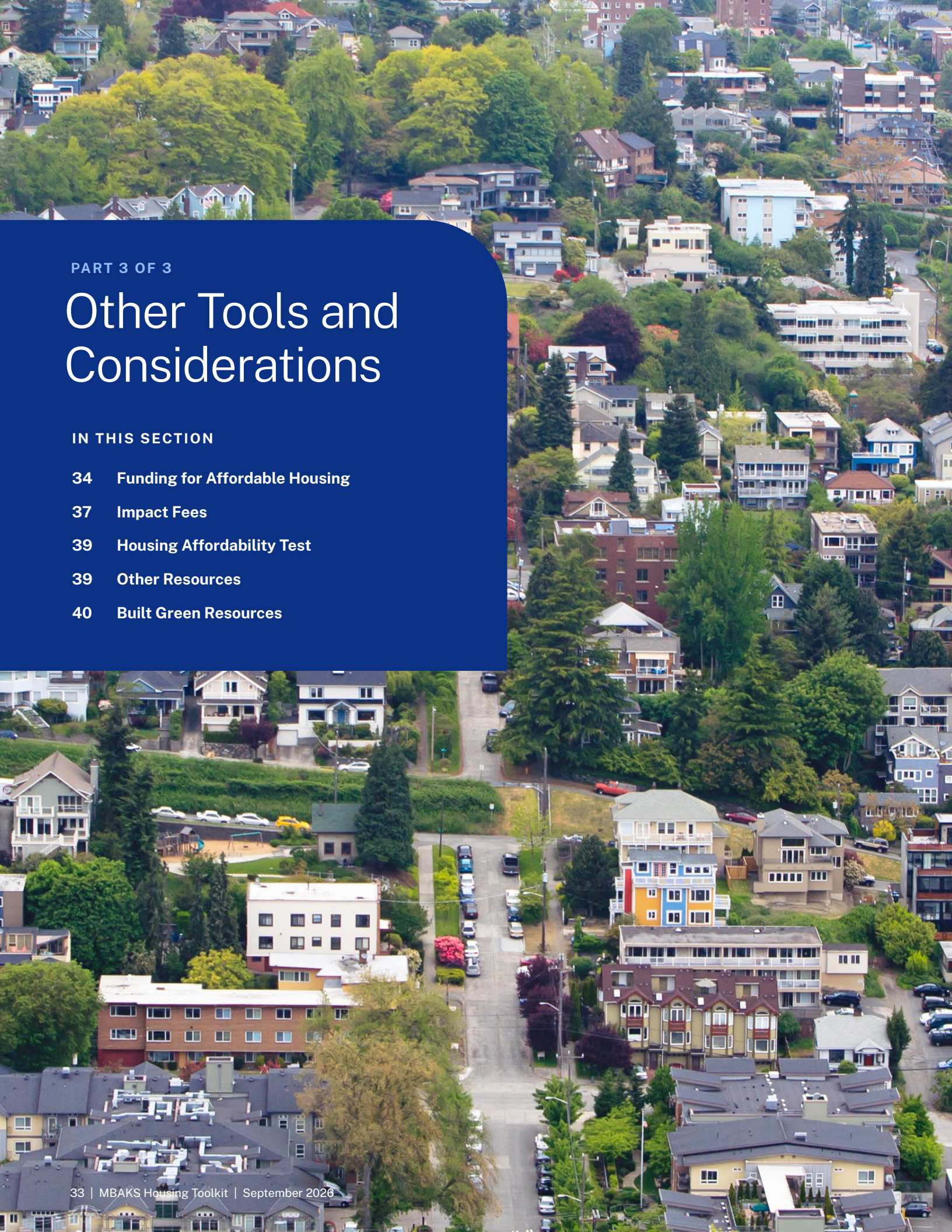
More of every lot goes to homes

Setbacks apply along front, rear, and side property lines. Every foot given up shrinks the buildable area, so fewer homes share the cost of land and infrastructure. Right-sizing them matters most for middle housing and ADUs.

Illustrative lot proportions.

“Trees should not be given priority over other important GMA planning goals, such as housing.”

FLEXIBILITY IN SITE PLANNING AND DESIGN

An aerial photograph of a suburban neighborhood. The houses are mostly two-story, with various roof colors and styles. There are many green trees scattered throughout the neighborhood, some with yellowing leaves, suggesting autumn. A street with parked cars runs through the middle of the image. The overall scene is a typical suburban residential area.

PART 3 OF 3

Other Tools and Considerations

IN THIS SECTION

- 34 Funding for Affordable Housing
- 37 Impact Fees
- 39 Housing Affordability Test
- 39 Other Resources
- 40 Built Green Resources

FUNDING FOR AFFORDABLE HOUSING

Most of the tools in this Toolkit are intended to facilitate a full range of housing, from market-rate to affordable housing. However, there are additional steps local governments can take to facilitate housing options for all economic segments of the market, including low- and moderate-income households earning less than the area median income (“AMI”), seniors, formerly homeless individuals, and families. The best way to promote housing affordability is to lower regulatory barriers to adding more homes across the full spectrum of housing. Easing of regulatory requirements, such as design review or impact fees, should not be limited to housing intended for a predetermined affordability level but should apply to all housing types.

The following are some tools local jurisdictions can implement to facilitate production of affordable housing.

Adopt affordable housing levies

Local jurisdictions have typically relied on affordable housing incentive programs authorized under RCW 36.70A.540 to generate new affordable housing units or fees to build or acquire affordable units. Under these programs, a builder must provide a certain number of units in a project for affordable housing (the “performance option”) or pay an affordable housing fee (the “payment option”).

Incentives are supposed to be provided to offset the cost of either option to the builder. However, both the performance and payment options can be cost prohibitive and render projects — especially small-scale projects, such as middle housing — infeasible. The consequence is that projects do not get built, resulting in no new affordable housing units or affordable housing fees not being paid. Affordable housing programs can be counterproductive as the cost of providing affordable units in a project or paying affordable housing fees is ultimately reflected in an increased price of the market rate units. Housing is not made more affordable by making housing more expensive to build.

Instead of placing the burden of developing/funding affordable housing on market-rate builders through affordable housing programs, local jurisdictions should instead consider a local housing levy under RCW 84.52.105, which provides that:

“A county, city, or town may impose additional regular property tax levies of up to fifty cents per thousand dollars of assessed value of property in each year for up to ten consecutive years to finance affordable housing for very low-income households when specifically authorized to do so by a majority of the voters of the taxing district voting on a ballot proposition authorizing the levies.”

A housing levy is an important tool for ensuring cities are inclusive, affordable, and livable for everyone. A levy also recognizes that the need for affordable housing is a community-wide issue. Housing levies can have significant, tangible results. For example, Seattle's housing levy has led to the creation and preservation of more than 11,000 affordable homes for seniors, low- and moderate-income households, and formerly homeless individuals and families. It has also provided down payment assistance to more than 1,000 first-time low-income homebuyers, as well as emergency rental assistance for thousands of families in need.

RESOURCES:

- City of Seattle. "2023 Seattle Housing Levy."
- City of Bellingham. "Home Fund."
- MBAKS. "The Decline of Seattle Townhomes Under MHA." 2025.
- EConorthwest. "Mandatory Affordable Housing Fees Carry Unintended Consequences." July 2025.
- EConorthwest. "How Nexus Studies Misunderstand the Affordable Housing Challenge." July 2025.
- MBAKS. "MBAKS Legal Memorandum: Constitutional Risks of Mandatory Housing Affordability Programs Post-Sheetz." August 2025.



The Sammamish Cottages Community, a Habitat for Humanity Seattle — King & Kittitas Counties project, features 10 affordable homes ranging from 1,000 to 1,500 square feet.

“Housing is not made more affordable by making housing more expensive to build.”

FUNDING FOR AFFORDABLE HOUSING

Adopt or expand the Multifamily Tax Exemption (MFTE) program

A multifamily tax exemption (“MFTE”) is a helpful tool to incentivize development of more affordable multifamily housing. Jurisdictions must designate certain areas in which the tax exemption may apply. New multifamily construction within the designated area may defer taxes on the value-added portion of new or rehabilitated property investment for eight years if adding multifamily housing units, and up to 12 years if 20% of housing units are affordable to low- and moderate-income households.

MFTE is also an important option for jurisdictions to allow in their development regulations to meet heightened requirements adopted by the Legislature in 2021 through HB 1220 for the Housing Element of GMA comprehensive plans. This legislation also amended the Planning Goal for Housing³⁹ to provide that local jurisdictions must “[p]lan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.” Accordingly, local jurisdictions for the first time must plan for homes of all types that all ranges of household incomes can afford.⁴⁰ MFTE is a useful tool for local jurisdictions to help meet these requirements.

RESOURCES:

- RCW 84.14.020
- City of Bellevue. “Multifamily Tax Exemption (MFTE) Program Fact Sheet.” 2021.
- City of Everett MFTE code
- City of Marysville MFTE code

MULTIFAMILY TAX EXEMPTION DURATION

Standard MFTE



8 years

With 20% of units affordable



12 years



Stream Dexios, a Built Green certified apartment home project, participates in Seattle's Multifamily Tax Exemption program. Photo credit: MCRES Media

IMPACT FEES

Impact fees can add significant costs to new housing and affect project feasibility. Local jurisdictions should carefully consider the effect fees have on housing affordability and use available tools to ensure costs remain proportional and predictable.

Keep impact fees proportional and housing feasible

Local jurisdictions that plan under the GMA can impose impact fees to finance public facilities.⁴¹ When fees and other development costs become too burdensome they drive up the cost of new homes and create financial barriers to construction. Projects may become infeasible or have difficulty obtaining financing, resulting in fewer homes being built.

Impact fees should be balanced with other funding sources. Chapter 82.02 RCW sets forth specific legal requirements to impose impact fees. Before deciding to impose new impact fees or to update an existing impact fee, local jurisdictions should confer with legal counsel to ensure they are consistent with the statutory requirements in ch. 82.02 RCW and meet the tests for “nexus” and “rough proportionality.” The impact fees should also be based upon a fee study and a capital facilities plan demonstrating the four tests on page 38.

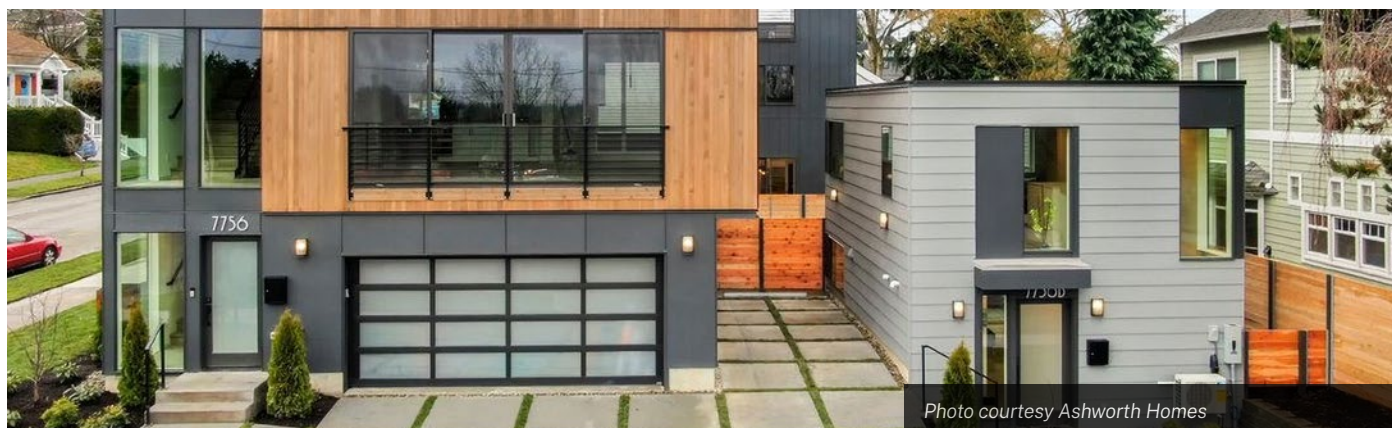
When local governments impose the impact fees, they should ensure a deferred payment process is established as required under RCW 82.02.060(3) to provide builders with maximum flexibility.

Impact fees are a significant cost that can be challenging for builders to finance and result in significant upfront costs, especially for small and mid-sized builders. Deferring their collection until occupancy or closing of the sale of the home (and closer to when the impacts of the new housing will actually occur), would help reduce a significant cost driver for new housing and would enable more projects to move forward.

When adopting or updating impact fee schedules, local jurisdictions should consider the cumulative effect of the impact fee — together with other fees (e.g., affordable housing fees) and development regulations — on the cost of housing. Local jurisdictions have authority to impose no impact fee, place a cap on the impact fee, or reduce the amount of the proposed impact fees.

RESOURCES:

- Chapter 82.02 RCW; RCW 82.02.020 and RCW 82.02.050 through .110.
- MBAKS. “Impact Fees: FAQ.” September 2026.
- MRSC. “Impact Fees.”
- Washington State Department of Commerce. “2025 Impact Fee Deferral Report.” November 7, 2025.
- MBAKS. “Impact Mitigation Fees for King and Snohomish Counties.”



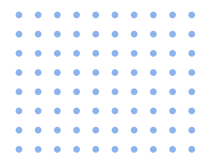


What an impact fee study must show

- Relate to “public facilities needed to serve new growth and development,”
- Are “reasonably related to the new development that creates additional demand and need for public facilities,”
- Are “a proportional share of the cost of the public facilities,” and
- Are “used for facilities that reasonably benefit new development.”

“Local jurisdictions have authority to impose no impact fee, place a cap on the impact fee, or reduce the amount of the proposed impact fees.”

IMPACT FEES



Housing Affordability Test

This Toolkit sets out proactive steps to support more housing choices. Before adopting any new law, regulation, fee, code, or permitting requirement, local jurisdictions should always begin by asking whether a new requirement is needed to address the issue at hand? Is the issue isolated or is it likely to re-occur? Are there other ways to address the issue (e.g., a code interpretation or a director's rule)?

After considering these questions, local jurisdictions should apply a simple test.

Will this make it easier or harder to build homes that people can afford?

- ✓ **Removes barriers to housing → More housing supply.**
- ✓ **Reduces cost, delay, or uncertainty → More attainable homeownership.**
- ✗ **Adds cost, delay, uncertainty, or reduces housing capacity → Fewer homes and higher prices.**

OTHER RESOURCES

- Housing Supply Accelerator Playbook: authored by the American Planning Association (APA) and the National League of Cities (NLC) and produced in collaboration with the Mortgage Bankers Association, the National Association of Home Builders and the National Association of REALTORS
- Washington Center for Housing Studies (Building Industry Association of Washington).
- National Association of Home Builders (NAHB). "Creating Housing for All — Creative Solutions to the Affordability Crisis." January 2019.
- Diversifying Housing Options With Smaller Lots and Smaller Homes: National Association of Home Builders, June 2019
- Washington Center for Housing Studies (Building Industry Association of Washington). "Washington Housing Affordability Index."
- Up for Growth. "Housing Underproduction™ in the U.S."

1.5 million

More people are projected to live in the four-county Puget Sound region by 2050, according to Vision 2050.

BUILT GREEN RESOURCES

Many local governments have adopted green building incentive programs to encourage environmentally sustainable building practices and make progress toward local and regional climate action plan targets. Incentives are an established way to increase the supply of healthy, resource-efficient homes and can include expedited permitting, fee rebates, FAR bonuses, parking and lot-size reductions, and more.

The Master Builders Association of King and Snohomish Counties offers the Built Green certification program designed to promote environmentally healthy design and construction and serve as a resource for MBAKS Members. About 50,000 units of housing have been Built Green certified since 2001. Below, you can find information about some of the municipalities and utilities offering incentives for certifying projects with Built Green or using specific sustainable practices.

RESOURCES:

- Built Green. “Green Building Incentives Resources.”
- Built Green. “Green Building Incentives Handout.”
- City of Seattle, Seattle Department of Construction & Inspections (SDCI). “Priority Green Permitting and Zoning Incentives.”
- City of Shoreline. “Deep Green Incentive Program (DGIP).”
- City of Kirkland. “High Performing Green Building Program.”
- City of Redmond. “Green Building Incentive Program.”
- City of Bellevue. “Green Building Incentives – Parking Minimum Reductions and FAR Bonuses.”
- City of Tacoma. “Planned Residential Development Density Bonus.”
- City of Tacoma. “Priority Permitting.”
- Puget Sound Energy. “Multifamily Construction Rebates.”
- Snohomish County Public Utility District (SnoPUD). “Green Home Rewards.”
- Seattle City Light. “Multifamily Construction and Retrofit Rebates.”
- City of Marysville. Built Green incentives.
- Shift Zero. “Net Carbon Incentive Policy Toolkit.”
- Internal Revenue Service (IRS). “Credit for Builders of Energy-Efficient Homes.”
- City of Issaquah. Sustainable Building Design Standards.
- Energy Smart Eastside. “Heat Pump Incentive Program.”
- Willdan Energy Solutions. “Energy Design Assistance Program.”
- City of Bothell, BMC 20.02.155 (green building permit fee rebate). City of Bothell, BMC 12.30.060 (Green Planned Unit Developments).
- City of Edmonds, ECDC 16.60.050.
- City of Lynnwood, LMC 8.30.0420 (City Center subarea).
- King County, Department of Natural Resources and Parks (DNRP). “Transfer of Development Rights.”



Resources

Every resource cited in this Toolkit, organized to match the section where each is referenced. Links are given in full. Some entries have no link — jurisdictions named as examples, and code provisions cited by name in the text. Statutes, case law, and bill citations appear in the Numbered Legal Notes beginning on page 46.

MAXIMIZING RESIDENTIAL DENSITIES AND MIDDLE HOUSING

Housing Types and Innovation

Allow lot size averaging

Burien (19.15.005) <https://www.codepublishing.com/WA/Burien/#!/Burien19/Burien1915.html#19.15.005>

Carnation (Chapter 15.48) https://library.municode.com/wa/carnation/codes/code_of_ordinances?nodeId=TIT15LAUS_CH15.48DEDIRE_15.48.010MILOSIRE

Redmond (20C.30.25-050) <https://www.codepublishing.com/WA/Redmond/CDG/RCDG20C/RCDG20C3025.html>

Snohomish County (30.23.210) <https://snohomish.county.codes/SCC/30.23.210>

Sultan (19.44) <https://www.codepublishing.com/WA/Sultan/>

Mark Villwock/LDC Inc. “Lot Size Averaging.” <https://mbaks.app.box.com/s/1b0ptoeayr6bhqt4cyddxkoihzaxi2ms>

Facilitate cottage housing

MBAKS. “Cottage Housing Issue Brief.” March 2023. <https://www.mbaks.com/docs/default-source/documents/advocacy/issue-briefs/cottage-housing-issue-brief.pdf>

MBAKS. “Middle Housing Barriers & Solutions Issue Brief.” May 2026. <https://www.mbaks.com/docs/default-source/documents/advocacy/other-publications/mbaks-middle-housing-barriers-and-solutions.pdf>

Department of Commerce. “Guidance for Neighborhood Infill Development.” August 2024. <https://deptofcommerce.app.box.com/s/u2094vptcax1zi942dy6v9y35t0entsh>

City of Kirkland Zoning Code (KZC 113.35) <https://kirkland.municipal.codes/KZC/113.35>

City of Redmond, Cottage Housing Developments (RZC 21.08.290) <https://redmond.municipal.codes/RZC/21.08.290>

MRSC. “Cottage Housing.” <https://mrsc.org/explore-topics/planning/housing/missing-middle-housing>

Align regulations and policies to support multiplexes

MBAKS. “Middle Housing Barriers & Solutions Issue Brief.” May 2026. <https://www.mbaks.com/docs/default-source/documents/advocacy/other-publications/mbaks-middle-housing-barriers-and-solutions.pdf>

MBAKS. “Middle Housing Implementation Plan.” October 2024. <https://www.mbaks.com/docs/default-source/documents/advocacy/issue-briefs/missing-middle-issue-brief.pdf>

Department of Commerce. “Guidance for Neighborhood Infill Development.” August 2024. <https://deptofcommerce.app.box.com/s/u2094vptcax1zi942dy6v9y35t0entsh>

Department of Commerce. “Planning for Middle Housing.” <https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-middle-housing/>

Department of Commerce. “User Guide for Middle Housing Model Ordinances.” October 2024. <https://deptofcommerce.app.box.com/s/hx0itq9b0a3nwefm9lm9wxcqtz9dzsf3>

MBAKS. “Middle Housing video.” October 2024. https://www.youtube.com/watch?v=7YahTAj_Hac&t=4s

Seattle King County REALTORS®, Washington REALTORS®, & Kimley-Horn. “REALTORS®+Housing.” <https://realtorsplushousing.com/>

City of Auburn. “Middle Housing Code Update.” 2023. https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_11470554/File/City%20

Hall/Community%20Development/Zoning%20and%20Land%20Use/Auburn_MH_InfoGuide_25-0131.pdf

City of Bothell Middle housing code (BMC 12.14.134) <https://bothell.municipal.codes/BMC/12.14.134>

City of Shoreline. “Neighborhood Residential Zoning Rules.” <https://www.shorelinewa.gov/government/departments/planning-community-development/development-code-and-zoning-updates>

MRSC. “Middle Housing.” <https://mrsc.org/explore-topics/housing-homelessness/housing/middle-housing>

Oregon Department of Land Conservation and Development. “More Diverse, Affordable, and Accessible Choices.” <https://www.oregon.gov/lcd/housing/pages/choice.aspx>

Sightline Institute. “Sightline Housing Solutions Photo Library.” 2019. https://www.flickr.com/people/sightline_middle_housing/

Facilitate accessory dwelling units (ADUs) and allow separate ownership

MBAKS. “Accessory Dwelling Units Issue Brief.” October 2025. <https://www.mbaks.com/docs/default-source/documents/advocacy/issue-briefs/10-7-2025-adu-issue-brief-.pdf>

Department of Commerce. “Guidance for accessory dwelling units in Washington state.” June 2026. <https://deptofcommerce.app.box.com/s/cnuqx6zm0zvku2a4lbox2iwdielg6>

Department of Commerce. “Accessory Dwelling Units (ADUs) resources.” <https://www.commerce.wa.gov/growth-management/housing-planning/adus/>

Seattle King County REALTORS®, Washington REALTORS®, & Kimley-Horn. “REALTORS®+Housing.” <https://realtorsplushousing.com/>

City of Seattle. “ADUniverse: Step-by-Step Guide.” <https://aduniverse-seattlecitygis.hub.arcgis.com/pages/guide>

City of Burien ADU code (BMC 19.17.070) <https://www.codepublishing.com/WA/Burien/html/Burien19/Burien1917.html>

City of Everett, Community Development Department. “Accessory Dwelling Units.” <https://www.everettwa.gov/3089/Accessory-Dwelling-Units>

City of Kirkland. “The Kirkland ADU Toolkit.” <https://www.kirklandwa.gov/Government/Departments/Planning-and-Building/Housing/The-Kirkland-ADU-Toolkit>

Snohomish County ADU code (SCC 30.28.010) <https://snohomish.county.codes/SCC/30.28.010>

The Urbanist. “Snohomish County Relaxes Urban Accessory Dwelling Rules Ahead of State Deadlines.” March 31, 2025. <https://www.theurbanist.org/snohomish-county-relaxes-urban-accessory-dwelling-rules-ahead-of-state-deadlines/>

City of Burien. “Accessory Dwelling Units Fact Sheet.” May 2024. https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_11045935/File/Business/Building%20&%20Construction/Permit%20Center/Fact%20Sheets%20and%20Fee%20Tables/2024.12.06%20Accessory%20Dwelling%20Units%20Handout_updated%202024.12.pdf

AARP. “All About Accessory Dwelling Units.” <https://www.aarp.org/livable-communities/housing/info-2019/accessory-dwelling-units-adus.html>

MBAKS. “Housing Choices for Everyone. Backyard Cottages.” June 2019. <https://www.youtube.com/watch?v=k2eoCtfGFmM>

MRSC. “Accessory Dwelling Units (ADUs).” <https://mrsc.org/explore-topics/housing-homelessness/housing/accessory-dwelling-units>

Adopt unit lot subdivision (ULS) code provisions

City of Lynnwood — LMC 19.40 — Depending on underlying zoning, can be processed as short/long plats or as binding site plans. <https://www.codepublishing.com/WA/Lynnwood/html/Lynnwood19/Lynnwood1940.html>

Snohomish County

- SCC 30.41A.205 — Design Standards — unit lot subdivision <https://snhomish.county.codes/SCC/30.41A.205>
- Townhouse code
- Zero lot line development definition
- Single-family attached definition
- Townhouse dwelling definition

City of Mountlake Terrace — MTMC 17.09. <https://www.codepublishing.com/WA/MountlakeTerrace/>

City of Bothell. “New Detached Condominium or Townhomes Building Permit Checklist.” August 2026. <https://www.bothellwa.gov/DocumentCenter/View/5553/Townhome-or-Detached-Condo-Bldg---2b>

City of Bellevue — Fee Simple Ordinance. <https://bellevuewa.gov/city-government/departments/development/codes-and-guidelines/code-amendments/recent-code-amendments/unit-lot-subdivision>

City of Everett, EMC 19.27.070. <https://everett.municipal.codes/EMC/19.27.070>

City of Seattle ULS code (SMC 23.24.045 for short subdivisions and SMC 23.22.062 for full subdivisions). https://library.municode.com/wa/seattle/codes/municipal_code?nodeId=TIT23LAUSCO

City of Snohomish. “Unit Lot Subdivision Fact Sheet.” October 2022. <https://www.snohomishwa.gov/DocumentCenter/View/4787/Unit-Lot-Subdivision-FAQ>

City of Tukwila. “Middle Housing Handbook.” August 2025. <https://www.tukwilawa.gov/wp-content/uploads/DCD-Tukwila-Middle-Housing-Handbook.pdf>

MBAKS. “Fee-Simple Unit Lot Subdivisions presentation.” 2014. <https://mbaks.app.box.com/s/ttzyi2p0uzznkcxbfv1dzyz765kg1pvx>

Facilitate co-living homes

MRSC. “Types of Affordable Housing.” <https://mrsc.org/explore-topics/housing-homelessness/housing/types-of-affordable-housing>

Seattle King County REALTORS®. “Advancing Co-Living Housing.” May 1, 2026. <https://www.nwrealtor.com/2026/05/01/advancing-co-living-housing/>

Sightline Institute. “Micro-Housing: It’s Not About the Size but How You Use It.” November 2, 2023. <https://www.sightline.org/2023/11/02/micro-housing-its-not-about-the-size-but-how-you-use-it/>

MBAKS. “Housing Choices for Everyone: Microhousing.” September 2019. <https://www.youtube.com/watch?v=n6fWvtz5NE>

City of Seattle. “Mayor Harrell Signs Legislation to Expand Co-Living Housing Opportunities in Seattle.” November 20, 2024. <https://harrell.seattle.gov/2024/11/20/mayor-harrell-signs-legislation-to-expand-co-living-housing-opportunities-in-seattle/>

Increase Housing Capacity Near Transit and Jobs

Plan for transit-oriented development

MRSC. “Transit-Oriented Development (TOD).” <https://mrsc.org/explore-topics/planning/zoning/transit-oriented-development>

City of Shoreline. “Light Rail Stations Subarea Plans Update.” <https://engage.shorelinewa.gov/stationarea>

City of Mountlake Terrace. “Town Center Subarea Plan.” <https://www.cityofmlt.com/338/Town-Center-Subarea-Plan>

City of Bellevue. “Wilburton Vision.” <https://bellevuewa.gov/city-government/departments/community-development/planning-initiatives/wilburton-vision>

City of Mill Creek. “South Town Center Subarea Plan.” <https://millcreekwa.gov/projects/stc>

City of Lynnwood. “Comprehensive Plan and Subarea Plans.” <https://www.lynnwoodwa.gov/Services/Apply-for-a-Permit/Planning-Zoning/Comprehensive-Plan-and-Subarea-Plans>

The Urbanist. “Redmond Sees New Neighborhood Burgeon Around Marymoor Park as Light Rail Arrives.” May 9, 2025. <https://www.theurbanist.org/redmond-sees-new-neighborhood-burgeon-around-marymoor-park-as-light-rail-arrives/>

[theurbanist.org/redmond-sees-new-neighborhood-burgeon-around-marymoor-park-as-light-rail-arrives/](https://www.theurbanist.org/redmond-sees-new-neighborhood-burgeon-around-marymoor-park-as-light-rail-arrives/)

The Urbanist. “Everything You Need to Know About Downtown Redmond Link.” May 10, 2025. <https://www.theurbanist.org/everything-you-need-to-know-about-downtown-redmond-link/>

Washington State Standard. “Next stop for Washington housing: More construction near transit.” May 13, 2025. <https://washingtonstatestandard.com/briefs/next-stop-for-washington-housing-more-construction-near-transit/>

The Urbanist. “Mountlake Terrace’s Town Center Slowly Emerges Ahead of Light Rail.” August 27, 2024. <https://www.theurbanist.org/mountlake-terraces-town-center-slowly-emerges-ahead-of-light-rail/>

Washington State House Bill 1491 (2025) is codified under RCW 36.70A.840 through 36.70A.842. <https://app.leg.wa.gov/billsummary/?BillNumber=1491&Year=2025&Initiative=false>

Examples of jurisdictions that exceed Washington’s minimum density baselines near major transit stops include:

Seattle Department of Construction & Inspections. “Frequent Transit Service Area and Major Transit Stops.” July 7, 2025. <https://buildingconnections.seattle.gov/2025/07/07/frequent-transit-service-area-and-major-transit-stops/>

City of Redmond. “Zoning District Consolidation.” <https://www.redmond.gov/2106/Zoning-District-Consolidation>

City of Kirkland. “Middle Housing Code Amendments.” June 17, 2025. <https://www.kirklandwa.gov/Government/Departments/Planning-and-Building/Planning-Projects/Middle-Housing-Code-Amendments>

Reduce or eliminate mandatory minimum parking requirements near transit

Washington State Department of Commerce. “What Residential Parking Laws Apply to My Jurisdiction?” <https://deptofcommerce.app.box.com/s/tlhkk1xl0d5ie9bec8rxybyns7mp9gmk>

Sightline Institute. “Washington State’s Parking Reform Is Already Working.” May 7, 2026. <https://www.sightline.org/2026/05/07/washington-states-parking-reform-is-already-working/>

The Urbanist. “Washington State Senate Approves Sweeping Parking Reform Bill.” February 20, 2025. <https://www.theurbanist.org/2025/02/20/washington-state-senate-approves-sweeping-parking-reform/>

MRSC. “2025 Legislation Affecting Local Government Planning.” August 5, 2025. <https://mrsc.org/stay-informed/mrsc-insight/august-2025/2025-planning-legislation>

Sightline Institute. “The State of Parking Mandates in Washington.” October 2024. <https://www.sightline.org/the-state-of-parking-mandates-in-washington/>

The Urbanist. “Spokane Just Ditched Parking Mandates. What’s Stopping the Rest of Washington?” August 16, 2024. <https://www.theurbanist.org/2024/08/16/spokane-just-ditched-parking-mandates/>

The Urbanist. “Shoreline Makes Good on Pledge to Stop Mandating Car Parking Citywide.” August 13, 2025. <https://www.theurbanist.org/2025/08/13/shoreline-makes-good-on-pledge-to-stop-mandating-car-parking-citywide/>

The Urbanist. “Bothell Drops Parking Mandates, Legalizes Neighborhood Corner Stores Citywide.” July 10, 2025. <https://www.theurbanist.org/2025/07/10/bothell-drops-parking-mandates-legalizes-corner-stores-citywide/>

City of Olympia, OMC 18.38. <https://www.codepublishing.com/WA/Olympia/html/Olympia18/Olympia1838.html>

Institute for Transportation and Development Policy. “In These U.S. Cities, Parking Reform Is Gaining Momentum.” February 1, 2024. <https://itdp.org/2024/02/01/in-these-us-cities-parking-reform-is-gaining-momentum/>

Periodically review underutilized land for potential redesignation and possible rezoning

Sightline Institute. “Washington Just Passed First-in-the-U.S. Flexibility for Ground-Floor Retail.” March 11, 2026. <https://www.sightline.org/2026/03/11/washington-just-passed-first-in-the-us-flexibility-for-ground-floor-retail/>

Snohomish County, Ordinance No. 22-014. <https://snhomish.county.codes/enactments/Ord22-014>

PROCESS IMPROVEMENTS AND ENHANCING PREDICTABILITY

Application Submittal and Review

Ensure completeness determinations are made timely without substantive review

MBAKS. “Legal Brief — What Local Jurisdictions Can and Cannot Do in Making a Determination of Completeness.” 2025. <https://mbaks.app.box.com/s/12wq2x4egyfh1661xkuwjw5jdpshijgh>

Establish local vesting of regulations and impact fees

MBAKS. “Impact Fees: FAQ.” September 2026. <https://mbaks.box.com/s/n39hn8kcsk03o5i6uljro1hwcnjhmm7>

Snohomish County School Impact Fee Vesting — Ordinance 18-036 (SCC 30.66C.100). <https://snohomish.county.codes/enactments/Ord18-036>

Meet or exceed established permit review timelines

MBAKS. “Streamlining Local Permitting Processes.” May 2024. https://www.mbaks.com/docs/default-source/documents/advocacy/issue-briefs/2024-5-14-streamlining-local-permitting-processes_-issue-brief_-v-4.pdf

BIAW. “Cost of Permitting Delays in Select Jurisdictions in Washington State.” November 2022. <https://housingstudies.biaw.com/reports/cost-of-permitting-delays-in-select-jurisdictions-in-washington-state>

Department of Commerce. “SB 5290 (2023) Local Project — Key Requirements.” October 2024. <https://deptofcommerce.app.box.com/s/x2vdi0iopqifzqtqsdtsn8ev7ek8g>

Department of Commerce. “2SSB 5290 Frequently Asked Questions.” <https://deptofcommerce.app.box.com/s/w1zc09v6y6q47ebnypnyka0sermihhu1>

MRSC. “The Importance of Streamlining Your Development Review Process.” August 19, 2026. <https://mrsc.org/stay-informed/mrsc-insight/august-2026/development-review-process>

Provide required timeline data

MBAKS. “Streamlining Local Permitting Processes.” May 2024. https://www.mbaks.com/docs/default-source/documents/advocacy/issue-briefs/2024-5-14-streamlining-local-permitting-processes_-issue-brief_-v-4.pdf

MRSC. “The Importance of Streamlining Your Development Review Process.” August 19, 2026. <https://mrsc.org/stay-informed/mrsc-insight/august-2026/development-review-process>

MRSC. “2023 Legislative Updates to Modernize and Streamline Local Project Review.” September 5, 2023. <https://mrsc.org/stay-informed/mrsc-insight/september-2023/2023-updates-to-local-project-review>

Department of Commerce. “2SSB 5290 Frequently Asked Questions.” <https://deptofcommerce.app.box.com/s/w1zc09v6y6q47ebnypnyka0sermihhu1>

Department of Commerce. “Chapter 36.70B RCW: Local Project Review.” June 2025. <https://deptofcommerce.app.box.com/s/xwwih8uf4lm6t9vqapto34gqr8080h35>

Department of Commerce. “Annual Permitting Performance Report — 2024.” July 2025. <https://deptofcommerce.app.box.com/s/33gl0o9rp2j5y3dmjlhdr3fhv5onbyli>

Department of Commerce. “Annual Permitting Performance Report — 2025.” July 2026. <https://deptofcommerce.app.box.com/s/cwnxwnxdjyhzdrxu6jxpuwb000x252>

MBAKS. “New Report Highlights Permitting Data, Opportunities for Improvement.” July 2, 2026. <https://www.mbaks.com/news/buildersblog/2026/07/02/new-report-highlights-permitting-data-opportunities-for-improvement>

Provide online permitting and real-time tracking

eCityGov Alliance. “MyBuildingPermit.” <https://mybuildingpermit.com/>

City of Kent. “Electronic Permit Applications.” <https://www.kentwa.gov/pay-and-apply/apply-for-a-permit/electronic-permit-applications>

Avoid development moratoria

MBAKS. “Responding to Development Moratoria: Legal and Policy Considerations for Navigating a Moratorium.” May 2026. <https://mbaks.box.com/s/n3dpqok5jy6sq888pap0rc6o5jhb83n>

National Association of Home Builders (NAHB). “Moratoria on Residential Development Permits: A Toolkit Report.” February 2026. <https://www.nahb.org/-/media/NAHB/advocacy/docs/industry-issues/land-use-101/state-local-affordability/moratoria-toolkit-report.pdf>

SEPA Planning Tools

Adopt an exemption for infill development

MBAKS. “SEPA Reform: Infill Issue Brief.” November 2022. <https://www.mbaks.com/docs/default-source/documents/advocacy/issue-briefs/sepa-reform-issue-brief.pdf>

City of Seattle. Ordinance 127391. <https://seattle.legistar.com/View.ashx?M=F&ID=15325232&GUID=F3589ABB-010E-416C-A1E7-768C6546785C>

Snohomish County, Ordinance No. 22-037. <https://snohomish.county.codes/enactments/Ord22-037>

Washington State Legislature. 3SHB 1491, Final Bill Report (2025). <https://lawfilesexet.leg.wa.gov/biennium/2025-26/Pdf/Bill%20Reports/House/1491-S3%20HBR%20FBR%2025.pdf>

Conduct subarea planning for transit-oriented development

City of Lynnwood. “City Center + Alderwood Subarea Plan.” <https://www.lynnwoodwa.gov/Services/Apply-for-a-Permit/Planning-Zoning/Ongoing-Planning-Projects/City-Center-Alderwood-Plan>

City of Bothell. “Downtown Subarea Plan and Regulations.” <https://www.bothellwa.gov/323/Downtown-Subarea-Plan-Regulations>

City of Shoreline. “Light Rail Stations Subarea Plans Update.” <https://www.shorelinewa.gov/government/departments/planning-community-development/long-range-planning/light-rail-stations-subarea-plans-update>

City of Mill Creek. “South Town Center Subarea Plan.” <https://millcreekwa.gov/projects/stc>

Use planned actions

MRSC. “Planned Action Resources.” <https://mrsc.org/explore-topics/environment/regulations/planned-action>

Puget Sound Regional Council. “Planned Action EIS.” <https://www.psrc.org/media/2056>

Land Division

Allow administrative approval of long subdivisions

MRSC. “Subdivisions.” <https://mrsc.org/explore-topics/planning/subdivisions/subdivisions>

Implement administrative lot splitting

MBAKS. “Creating More Housing Through Lot Splitting.” November 2025. <https://mbaks.app.box.com/s/t1l5fs6fc1x58sl4inbqswjxdpnwup07>

Washington State Department of Commerce. “Residential Lot Splitting Fact Sheet.” May 2026. <https://deptofcommerce.box.com/s/plmsfnkmt79zwucxq8w0fftzzznjnn8v>

City of Des Moines, DMMC 17.52. <https://ecode360.com/49356392>

Permit Efficiencies and Process Improvements

Allow concurrent review of preliminary plat and civil plans

City of Auburn.

City of Bellevue.

City of Kent.

Eliminate discretionary design review

MBAKS. “Legal Requirements for Objective Development Regulations.” <https://mbaks.app.box.com/s/c4eucpkg2my0262rzs6q2boy1tbh4tc2>

MRSC. “Design Review.” <https://mrsc.org/explore-topics/planning/zoning/design-review>

Seattle Daily Journal of Commerce. “Recently Signed Bill Takes Aim at Design Review.” May 15, 2023. <https://www.djc.com/news/ae/12156622.html>

Allow construction of model homes before final plat approval

City of Lake Stevens Model Homes code 14.44.025. <https://ecode360.com/48505050>

City of Marysville Model Homes code 22C.010.070 (30) <https://ecode360.com/49267293>

City of Monroe Model Homes code 22.68.050. <https://monroe.municipal.codes/MMC/22.68.050>

Snohomish County, SCC 30.41A.500–30.41A.550. <https://snohomish.county.codes/SCC/30.41A.500>

Allow virtual inspections

City of Seattle, Seattle Department of Construction & Inspections (SDCI). “Guide to Video Inspections.” April 3, 2020. <https://buildingconnections.seattle.gov/2020/04/03/sdci-guide-to-video-inspections/>

Flexibility in Site Planning and Design

Ensure tree policies are balanced and predictable

City of Kirkland, KZC 95.30.6 (tree code provision re “no net loss”).

MBAKS. “Tree Codes and Housing.” November 2024. https://www.mbaks.com/docs/default-source/documents/publications/11-14-24_-tree-code-and-housing_-issue-brief.pdf

MBAKS. “Legal Brief — Tree Regulations Part 1.” March 2024. <https://mbaks.box.com/s/du5yp2u6c234p78s25yi6uwurqwg4foa>

MBAKS. “Legal Brief — Tree Regulations Part 2.” March 2025. <https://mbaks.box.com/s/zrsx8niwmmou3sjygoss1290ehkfp95c>

The Urbanist. “Op-Ed: Building Toward a Greener, Housing-Abundant Seattle.” September 13, 2026. <https://www.theurbanist.org/op-ed-building-toward-a-greener-housing-abundant-seattle/>

King County Department of Natural Resources and Parks. “Guide to Developing Effective Urban Tree Regulations on Private Property.” 2024. <https://your.kingcounty.gov/dnrp/library/2024/kcr3648/kcr3648.pdf>

City of Seattle, Seattle Department of Construction & Inspections (SDCI). “Trees and Codes.” [https://www.seattle.gov/construction-and-inspections/codes/codes-we-enforce-\(a-z\)/trees-and-codes](https://www.seattle.gov/construction-and-inspections/codes/codes-we-enforce-(a-z)/trees-and-codes)

Snohomish County: example of tree canopy approach.

Snohomish County. “2025 Tree Canopy Monitoring Report.” 2025. <https://snohomishcountywa.gov/DocumentCenter/View/141870/>

Arbor Day Foundation. “Right Tree, Right Place.” <https://www.arborday.org/tree-resources/right-tree-right-place>

City of Newcastle, NMC 18.16. <https://ecode360.com/48729362>

Bellevue: Exemplary public/municipal tree retention and replanting program, as well as tree prioritization location.

King County, Local Services. “Clearing and Grading — Land Use Permit Process.” <https://kingcounty.gov/en/dept/local-services/certificates-permits-licenses/permits/permits-inspections-codes-buildings-land-use/permit-forms-application-materials/land-use/clearing-grading>

Adopt flexible form-based codes

Smart Growth America. “What Is a Form-Based Code?” <https://www.smartgrowthamerica.org/knowledge-hub/resources/what-is-a-form-based-code/>

Opticos Design. “Form-Based Coding.” <https://missingmiddlehousing.com/form-based-codes/>

City of Bothell. “Downtown Subarea Plan and Regulations.” <https://www.bothellwa.gov/323/Downtown-Subarea-Plan-Regulations>

Clark County. “Highway 99 Subarea Plan — Design Standards and Zoning.” <https://clark.wa.gov/community-planning/highway-99-subarea-plan-design-standards-and-zoning>

City of Shoreline, SMC 20.50.020. <https://ecode360.com/49767881>

City of North Bend. “Downtown Form-Based Code.” <https://northbendwa.gov/301/Downtown-Form-Based-Code>

City of Marysville, MMC 22C.080. <https://ecode360.com/MA4529>

Arlington County, Virginia. “Form Based Code Applications.” <https://www.arlingtonva.us/Government/Programs/Building/Permits/Form-Based-Code>

City of Miami, Florida. “Miami 21.” <https://www.miami.gov/Planning-Zoning-Land-Use/View-City-of-Miami-Zoning-Code-Miami-21>

Provide road and access flexibility

Snohomish County Access and road network requirements, 30.34A.080. <https://snohomish.county.codes/SCC/30.34A.080>

Department of Commerce. “Guidance for Neighborhood Infill Development.” August 2024. <https://deptofcommerce.app.box.com/s/u2094vptcax1zi942dy6v9y35t0entsh>

City of Bothell. “Design and Construction Standards, Chapter 1 — General Conditions.” <https://www.bothellwa.gov/DocumentCenter/View/18692/Chapter-1--General-Conditions>

City of Seattle, Seattle Fire Code (2021 ed.), Appendix D (allowing internal private roads with a 10-foot minimum unobstructed width for developments with a single access point serving 30 or fewer one- or two-family dwelling units). <https://www.seattle.gov/documents/Departments/SDCI/Codes/SeattleFireCode/2021SFCAppendixD.pdf>

Provide flexibility for narrower residential streets

Marysville’s planned residential development (PRD) street width/standard detail

- Code <https://www.codepublishing.com/WA/Marysville/>
- Engineering Standards (Ch. 3, pp. 48–49, Standard Details 3-218-001 and 3-218-002)
- Snohomish County Townhouse Code (Chapter 30.31E)

Allow flexibility to meet parking requirements

Washington State Department of Commerce. “What Residential Parking Laws Apply to My Jurisdiction?” <https://deptofcommerce.app.box.com/s/tllhkk1x0d5ie9bec8rxybyns7mp9gm>

Institute for Transportation and Development Policy (ITDP). “The Opportunity of Reforming Parking: A Taming Traffic Deep Dive Report.” 2024. <https://itdp.org/publication/the-opportunity-of-reforming-parking/>

Sightline Institute. “Washington State’s Parking Reform Is Already Working.” May 7, 2026. <https://www.sightline.org/2026/05/07/washington-states-parking-reform-is-already-working/>

Reduce minimum building setback requirements

City of Lake Stevens, LSMC 14.18.300. <https://ecode360.com/48504383>

City of Oak Harbor, OHMC 19.31. <https://www.codepublishing.com/WA/OakHarbor/html/OakHarbor19/OakHarbor1931.html>

City of Marysville, MMC 22C.010.450. <https://ecode360.com/49267191>

OTHER TOOLS AND CONSIDERATIONS

Funding for Affordable Housing

Adopt affordable housing levies

City of Seattle. “2023 Seattle Housing Levy.” <https://www.seattle.gov/housing/levy>

City of Bellingham. “Home Fund.” <https://cob.org/services/housing/funding-opportunities>

MBAKS. “The Decline of Seattle Townhomes Under MHA.” 2025. <https://mbaks.app.box.com/s/3k6wkdc1u0kozi8jr4qxwr2si3q4iwsr>

ECONorthwest. “Mandatory Affordable Housing Fees Carry Unintended Consequences.” July 2025. <https://mbaks.app.box.com/s/pih62dgw0d9a0hldzpw0koiujkxc3kbj>

ECONorthwest. “How Nexus Studies Misunderstand the Affordable Housing Challenge.” July 2025. <https://mbaks.app.box.com/s/i2ybuy2jqofgpjouvfhbfhxz2d9sfzrt>

MBAKS. “MBAKS Legal Memorandum: Constitutional Risks of Mandatory Housing Affordability Programs Post-Sheetz.” August 2025. <https://mbaks.app.box.com/s/h1363n1x01b1uwnal00wc0wfk7aiqqcz>

Adopt or expand the Multifamily Tax Exemption (MFTE) program

City of Bellevue. “Multifamily Tax Exemption (MFTE) Program Fact Sheet.” 2021. https://bellevuewa.gov/sites/default/files/media/pdf_document/2021/MFTE_factsheet_Bellevue.pdf

City of Everett MFTE code. <https://everett.municipal.codes/EMC/3.78>

City of Marysville MFTE code. <https://www.codepublishing.com/WA/Marysville/>

Impact Fees

Keep impact fees proportional and housing feasible

Chapter 82.02 RCW; RCW 82.02.020 and RCW 82.02.050 through .110. <https://app.leg.wa.gov/rcw/default.aspx?cite=82.02>

MBAKS. "Impact Fees: FAQ." September 2026. <https://mbaks.box.com/s/n39hn8kcsk03o5i6uljro1hwchnjhmm7>

MRSC. "Impact Fees." <https://mrsc.org/explore-topics/planning/administration/impact-fees>

Washington State Department of Commerce. "2025 Impact Fee Deferral Report." November 7, 2025. https://app.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=2025%20Impact%20Fee%20Deferral%20Report_FINAL_3374da84-dafe-442d-a370-2c3c5d8b02a5.pdf

MBAKS. "Impact Mitigation Fees for King and Snohomish Counties." <https://mbaks.box.com/s/aapumec6exaht6qw3nkm8aloq8jw1x8b>

Other Resources

Housing Supply Accelerator Playbook: authored by the American Planning Association (APA) and the National League of Cities (NLC) and produced in collaboration with the Mortgage Bankers Association, the National Association of Home Builders and the National Association of REALTORS. <https://www.nahb.org/advocacy/state-and-local/advocacy-resources/housing-supply-accelerator-playbook>

Washington Center for Housing Studies (Building Industry Association of Washington). <https://housingstudies.biaw.com/>

National Association of Home Builders (NAHB). "Creating Housing for All — Creative Solutions to the Affordability Crisis." January 2019. <https://bestinamericanliving.com/features/2019/01/creating-housing-for-all/>

National Association of Home Builders (NAHB). "Creating Housing for All — Creative Solutions to the Affordability Crisis." January 2019. <https://www.nahb.org/-/media/NAHB/advocacy/docs/top-priorities/housing-affordability/nahb-2019-small-homes-research-report.pdf>

Washington Center for Housing Studies (Building Industry Association of Washington). "Washington Housing Affordability Index." <https://housingstudies.biaw.com/reports/washington-states-housing-affordability-index>

Up for Growth. "Housing Underproduction" in the U.S." <https://upforgrowth.org/apply-the-vision/housing-underproduction-reports/>

Built Green Resources

Built Green. "Green Building Incentives Resources." <https://builtgreen.net/resources/>

Built Green. "Green Building Incentives Handout." <https://mbaks.app.box.com/s/9upmn380cf6w8ub4b3urgf55b77go04>

City of Seattle, Seattle Department of Construction & Inspections (SDCI). "Priority Green Permitting and Zoning Incentives." <https://www.seattle.gov/construction-and-inspections/permits/green-building>

City of Shoreline. "Deep Green Incentive Program (DGIP)." <https://www.shorelinewa.gov/government/departments/planning-community-development/long-range-planning/deep-green-incentive-program-dgip>

City of Kirkland. "High Performing Green Building Program." <https://www.kirklandwa.gov/Government/Departments/Development-Services-Center/High-Performing-Green-Building-Program>

City of Redmond. "Green Building Incentive Program." <https://www.redmond.gov/1921/Green-Building>

City of Bellevue. "Green Building Incentives — Parking Minimum Reductions and FAR Bonuses." <https://bellevuewa.gov/city-government/departments/development/zoning-and-land-use/environment-and-critical-areas/green-building-incentives>

City of Tacoma. "Planned Residential Development Density Bonus." <https://www.tacomapermits.org/tip-sheet-index/density-and-height-bonuses>

City of Tacoma. "Priority Permitting." <https://tacoma.gov/government/departments/planning-and-development-services/permits-and-development-services/>

Puget Sound Energy. "Multifamily Construction Rebates." <https://www.pse.com/en/business-incentives/commercial-new-construction-programs/multifamily-projects>

Snohomish County Public Utility District (SnoPUD). "Green Home Rewards." <https://snopudnewhomes.com/builders/builder-incentives/>

Seattle City Light. "Multifamily Construction and Retrofit Rebates." <https://www.seattle.gov/city-light/construction-services/building-for-energy-efficiency/energy-efficiency-program-tools-and-resources>

City of Marysville. Built Green incentives. <https://ecode360.com/49270305>

Shift Zero. "Net Carbon Incentive Policy Toolkit." <https://shiftzero.org/toolkit/>

Internal Revenue Service (IRS). "Credit for Builders of Energy-Efficient Homes." <https://www.irs.gov/credits-deductions/credit-for-builders-of-energy-efficient-homes>

City of Issaquah. Sustainable Building Design Standards. <https://issaquah.municipal.codes/LUC>

Energy Smart Eastside. "Heat Pump Incentive Program." <https://www.energysmarteastside.org/>

Willdan Energy Solutions. "Energy Design Assistance Program." <https://www.willdan.com/solutions/energy-design-assistance>

City of Bothell, BMC 20.02.155 (green building permit fee rebate). City of Bothell, BMC 12.30.060 (Green Planned Unit Developments). <https://bothell.municipal.codes/BMC/20.02.155>

City of Edmonds, ECDC 16.60.050. <https://edmonds.municipal.codes/ECDC/16.60.050>

City of Lynnwood, LMC 8.30.0420 (City Center subarea). <https://lynnwood.municipal.codes/LMC/8.30.0420>

King County, Department of Natural Resources and Parks (DNRP). "Transfer of Development Rights." <https://kingcounty.gov/en/dept/dnrp/buildings-property/green-sustainable-building/transfer-of-development-rights>

STATUTES AND REGULATIONS CITED

Statutes and regulations referenced in the text by section number, listed by the tool they apply to.

Housing Types and Innovation

Adopt unit lot subdivision (ULS) code provisions. RCW 58.17.060(2).

Facilitate co-living homes. RCW 36.70A.535.

Increase Housing Capacity Near Transit and Jobs

Plan for transit-oriented development. RCW 36.70A.840 (TOD); RCW 36.70A.635(1) (middle housing).

Reduce or eliminate mandatory minimum parking requirements near transit. RCW 36.70A.817 (parking reform); RCW 36.70A.698 (ADUs near transit).

Periodically review underutilized land for potential redesignation and possible rezoning. RCW 36.70A.816.

Application Submittal and Review

Ensure completeness determinations are made timely without substantive review. RCW 36.70.070.

Establish local vesting of regulations and impact fees. RCW 19.27.095(1) (vesting of building permit applications); RCW 58.17.033(1) (vesting of preliminary plat applications).

Meet or exceed established permit review timelines. RCW 36.70B.080.

Avoid development moratoria. RCW 36.70A.590.

SEPA Planning Tools

Adopt an exemption for infill development. RCW 43.21C.229.

Use planned actions. RCW 43.21C.440; WAC 197-11-164 through -172.

Land Division

Raise short plat thresholds to statutory maximum. RCW 58.17.020(16).

Allow administrative approval of final plats. RCW 58.17.100.

Implement administrative lot splitting. RCW 58.17.145.

Permit Efficiencies and Process Improvements

Eliminate discretionary design review. RCW 36.70A.630; RCW 58.17.060(3); RCW 58.17.020(13).

Flexibility in Site Planning and Design

Ensure tree policies are balanced and predictable. RCW 36.70A.630(2); RCW 58.17.020(13).

Allow flexibility to meet parking requirements. RCW 36.70A.622 (residential parking restrictions).

Funding for Affordable Housing

Adopt or expand the Multifamily Tax Exemption (MFTE) program. RCW 84.14.020.

Numbered Legal Notes

Every numbered legal note from the body text, in order. Most are self-contained statute or case citations; where a note cites an online source, its full URL is spelled out below.

- [1] See National Association of Home Builders (“NAHB”) priced-out data (2026). <https://www.nahb.org/-/media/NAHB/news-and-economics/docs/housing-economics/priced-out/msa-2026.pdf>
- [2] One caveat to this is that a jurisdiction’s code may limit interim changes, with some distinguishing between “major” and “minor” amendments. Overly restrictive limitations on considering amendments can prevent a local jurisdiction from acting in “real time.”
- [3] Ch. 36.70B RCW.
- [4] RCW 36.70B.070.
- [5] Amending RCW 36.70B.070.
- [6] RCW 19.27.095(1).
- [7] RCW 58.17.033(1).
- [8] 183 Wn. App. 191 (2014).
- [9] Washington appellate courts have also held that impact fees imposed under RCW 82.02 and storm drainage regulations are not “land use controls” and therefore do not vest upon submittal of a complete building permit or subdivision application. See *New Castle Investments v. City of LaCenter*, 98 Wn. App. 226, 237-38 (1999)(impact fees); *Snohomish Cy. v. Pollution Control Hearings Bd.*, 192 Wn. App. 316 (2016)(stormwater regulations).
- [10] 123 Wn.2d 864, 873 (1994).
- [11] 167 Wn.2d 242, 252 (2009).
- [12] Second Substitute Senate Bill 5290.
- [13] In 2026 the Legislature amended the definition of a “project permit application” in RCW 36.70B.020(5) to exclude building permit applications.
- [14] RCW 36.70B.080(1)(b).
- [15] RCW 36.70B.080(1) & (g).
- [16] RCW 36.70B.080(l).
- [17] SB 5290 did not include short plats. Due to constraints on land availability in many jurisdictions more lots are being created now through short plats than through “long” subdivisions. Accordingly, even though not required under SB 5290, local jurisdictions should track data regarding their performance with review of short plat applications.
- [18] See RCW 43.21C.240; WAC 197-11-210 through -238. <https://app.leg.wa.gov/rcw/default.aspx?cite=43.21C.240>
- [19] Ch. 197-11 WAC (SEPA Rules). <https://app.leg.wa.gov/WAC/default.aspx?dispo=true&cite=197>
- [20] See WAC 197-11-800(1). <https://app.leg.wa.gov/Wac/default.aspx?dispo=true&cite=197-11>
- [21] The following are some of the jurisdictions that have increased the thresholds for minor new construction above the minimum levels required by WAC 197-11-800(1): Des Moines; Everett; Federal Way; Kent; Kirkland; Lake Stevens; Lynnwood; Marysville; Mountlake Terrace; Mukilteo; North Bend; Redmond; Seattle (uses SEPA threshold exemption in five urban centers and villages and in Downtown); Shoreline; Snohomish County (adopted maximum allowed for multifamily projects but not for single-family development); City of Snohomish; and Woodinville.
- [22] See WAC 197-11-800(1).
- [23] See RCW 43.21C.229.
- [24] 2ESSB 6406
- [25] Kent’s infill categorical exemption is codified at Kent Municipal Code § 11.03.215 and was enacted through Ordinance No. 4097 approved on December 10, 2013.
- [26] See SHB 2673, Laws of Washington 1st sp.s. c 1 § 304.
- [27] See Snohomish County Council Ordinance No. 22-037 codified in part at Snohomish County Code § 30.61.035 (exemption thresholds for minor new construction and infill development).
- [28] 2SSB 5412; Laws of Washington 2023 c 368 s 1.
- [29] Ch. 58.17 RCW.
- [30] Land can also be segregated into additional units through creation of a condominium pursuant to the Washington Uniform Common Interest Ownership Act (ch. 64.90 RCW).
- [31] RCW 58.17.020(6).
- [32] RCW 58.17.060(1).
- [33] RCW 58.17.200.
- [34] E2SHB 1096 (“HB 1096”)
- [35] ESHB 1293 now codified as RCW 36.70A.630.
- [36] In 2025, the Legislature enacted SB 5559 and codified in RCW 58.17.060(3), requiring cities and towns in counties planning under the GMA to enact provisions for “unit lot subdivisions” (“ULS”) and providing that in reviewing a ULS application the city or town may only apply “clear and objective design and development standards” (as now defined in RCW 58.17.020(13).
- [37] RCW 36.70A.630(2)(a) & (b).
- [38] Which include but are not limited to: setbacks; critical areas regulations; drainage codes; imperious surface and maximum lot coverage limitations; road design standards; landscaping requirements, and tree codes.
- [39] RCW 36.70A.020(4).
- [40] In 2025, the Growth Management Hearings Board issued a decision that held cities must do more than just “plan” for their housing needs. To comply with HB 1220 and the GMA, cities must now prove they have concrete, realistic zoning to accommodate all economic segments. See *Futurewise, et al. v. City of Mercer Island* (GMHB Case No. 25-3-0003).
- [41] See RCW 82.02.050 through .110.

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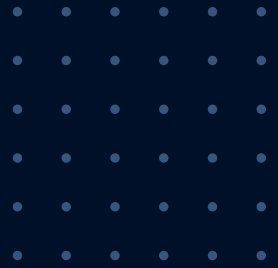
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