



Code Amendments for Middle Housing in 2024-2025

July 2024

What is Middle Housing?

Washington State defines¹ middle housing, in the Growth Management Act (GMA), as, “...buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.” The GMA also defines certain housing types such as Courtyard Apartments and Cottage Housing.

What is Happening Now?

In order to address new legislation passed in 2023 and 2024, all cities planning under the GMA, including Olympia, must make certain changes to codes and development regulations to allow middle housing and multiple units on most lots. While Olympia has already made some of these changes in earlier years, more must be done to implement the new state requirements. Additionally, the City can consider taking action that goes beyond the minimum requirements. Examples of the required changes include:

Number of Units Allowed per Lot:

- Allow two units per lot on all lots zoned predominantly for residential use;
- Allow at least four units per lot on all lots zoned predominantly for residential use within one-quarter mile walking distance of a “major transit stop”²; and
- Allow at least four units per lot on all lots zoned predominantly for residential use, if at least one unit is affordable housing for 50 years or more. (*Note: The affordable units must be in a range of sizes comparable to other units in the development. Additional provisions apply.*)

Types of Middle Housing

- The City must allow at least six of the nine types of middle housing.
- A city may allow accessory dwelling units to count toward achieving the unit density.

Design Review and Permitting

- If applying design review for middle housing, only administrative design review can be required.
- The City cannot require any standards for middle housing that are more restrictive than those required for detached single-family residences.
- The City may apply development regulations that are required for detached single-family residences including, but not limited to, setbacks, lot coverages, stormwater, clearing, and tree canopy and retention requirements to ensure compliance with existing ordinances intended to protect critical areas and public health and safety;
- The City must apply the same development permit and environmental review processes that apply to detached single-family residences to middle housing, unless otherwise required by state law including, but not limited to, shoreline regulations under, building codes, energy codes, or electrical codes.

¹ See [RCW 36.70A.030](#)

² A “Major Transit Stop” is defined as (a) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW; (b) Commuter rail stops; (c) Stops on rail or fixed guideway systems; or (d) Stops on bus rapid transit routes. There are currently no transit stops in the City of Olympia or its urban growth area that meet this definition.

- The City cannot require off-street parking as a condition of permitting middle housing within one-half mile walking distance of a major transit stop;
- The City cannot require more than one off-street parking space per unit as a condition of permitting middle housing on lots smaller than 6,000 sq. ft. before any zero lot line subdivisions or lot splits;
- The City cannot require more than two off-street parking spaces per unit as a condition of permitting middle housing on lots greater than 6,000 sq. ft. before any zero lot line subdivisions or lot splits;
- The City is not required to achieve the per unit density under RCW 36.70A.635 on lots after subdivision below 1,000 square feet unless the city chooses to enact smaller allowable lot sizes.

Precluding Middle Housing

- New Condominium and Homeowner Associations may not preclude middle housing.

Additional Actions can be Considered

Nothing in the amended laws prevents the City from taking additional actions. For example, the City may propose to allow more units per lot than is required for a city of our population, to allow a wider variety of middle housing unit types, or to adopt standards to incentivize more housing units in certain areas.