**5235-S AMS GILD S1742.1 - NOT FOR FLOOR USE**

**SSB 5235** - S AMD **54**

By Senator Gildon

**PULLED 02/27/2023**

On page 11, at the beginning of line 21, strike "and 36.70A.698" and insert "((~~and~~)), 36.70A.698, and section 8 of this act"

On page 15, after line 18, insert the following:

"NEW SECTION. **Sec.**  A new section is added to chapter 36.70A RCW to read as follows:

(1) Counties may allow detached accessory dwelling units outside of urban growth areas if such detached accessory dwelling units are subject to development regulations that include the following limitations:

(a) No parcel shall have more than one attached or detached accessory dwelling unit.

(b) The detached accessory dwelling unit is subject to the water supply requirements of RCW 19.27.097.

(c) The applicant must provide documentation that the existing or proposed sewage or septic system is capable of handling the additional demand placed upon it by the detached accessory dwelling unit.

(d) The floor area of the detached accessory dwelling unit does not exceed the floor area of what could be authorized by the county as an expansion of the primary dwelling to create an attached accessory dwelling unit, but not greater than 1,296 square feet. Floor areas shall be exclusive of garages, porches, and unfinished basements.

(e) The detached accessory dwelling unit shall be constructed such that exterior materials, roof form, window spacing, and proportions approximate those of the primary dwelling, except if the detached accessory dwelling unit is a mobile or manufactured home.

(f) The detached accessory dwelling unit shall utilize the same driveway as the primary dwelling.

(g) The detached accessory dwelling unit shall be sited to prevent loss of land that is defined as "agricultural land" or "forestland" under this chapter.

(h) A parcel may not be subdivided for the purposes of avoiding the limits on development regulations described in this subsection.

(2) Subsection (1) of this section is cumulative to other county authority enumerated in this chapter and does not:

(a) Affect or modify the validity of any county ordinance authorizing accessory dwelling units adopted prior to the effective date of this section;

(b) Exclude other means of authorizing accessory dwelling units in urban or rural areas, if consistent with this act; or

(c) Exclude other innovative techniques under RCW 36.70A.070(5)(b), 36.70A.090, or 36.70A.177, if consistent with this act."

EFFECT: Authorizes counties planning under the growth management act to allow detached accessory dwelling units (ADUs) outside of urban growth areas if the ADU is subject to development regulations that include certain limits.