

SSB 5235 - S AMD 54  
By Senator Gildon

PULLED 02/27/2023

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

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

4 "NEW SECTION. **Sec. 8.** A new section is added to chapter 36.70A  
5 RCW to read as follows:

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

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

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

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

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

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

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

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

1 (h) A parcel may not be subdivided for the purposes of avoiding  
2 the limits on development regulations described in this subsection.  
3 (2) Subsection (1) of this section is cumulative to other county  
4 authority enumerated in this chapter and does not:  
5 (a) Affect or modify the validity of any county ordinance  
6 authorizing accessory dwelling units adopted prior to the effective  
7 date of this section;  
8 (b) Exclude other means of authorizing accessory dwelling units  
9 in urban or rural areas, if consistent with this act; or  
10 (c) Exclude other innovative techniques under RCW  
11 36.70A.070(5)(b), 36.70A.090, or 36.70A.177, if consistent with this  
12 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.

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