

SSB 5235 - S AMD 62
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. Additionally, detached
14 accessory dwelling units must be restricted to indoor water use only.

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

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

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

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

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

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

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

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

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

13 (c) Exclude other innovative techniques under RCW
14 36.70A.070(5)(b), 36.70A.090, or 36.70A.177, if consistent with this
15 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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