S-3414.1

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**SENATE BILL 5648**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Senators Liias, Gildon, Das, Kuderer, Nguyen, Saldaña, and Stanford

AN ACT Relating to accessory dwelling units; and amending RCW 36.70A.697 and 36.70A.698.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 36.70A.697 and 2020 c 217 s 3 are each amended to read as follows:

(1)(a) Cities must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls the requirements of RCW 36.70A.698(1) to take effect by July 1, 2021.

((~~(2)~~)) (b) Beginning July 1, 2021, the requirements of RCW 36.70A.698(1):

((~~(a)~~)) (i) Apply and take effect in any city that has not adopted or amended ordinances, regulations, or other official controls as required under this section; and

((~~(b)~~)) (ii) Supersede, preempt, and invalidate any local development regulations that conflict with RCW 36.70A.698(1).

(2)(a) Cities and counties must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls the requirements of RCW 36.70A.698(2) by July 1, 2024, unless a city or county has amended its development regulations, zoning regulations, and other official controls relating to accessory dwelling units after July 1, 2021, in which case the city or county must instead adopt the requirements of RCW 36.70A.698(2) by the time of its next comprehensive plan update required under RCW 36.70A.130.

(b) After the applicable deadline for adoption of the requirements of RCW 36.70A.698(2), these requirements apply and take effect in any city or county that has not adopted or amended ordinances, regulations, or other official controls as required under this section.

**Sec.**  RCW 36.70A.698 and 2020 c 217 s 4 are each amended to read as follows:

(1)(a) Except as provided in ((~~subsection[s] (2) and (3) of this section~~)) (b) and (c) of this subsection, through ordinances, development regulations, zoning regulations, and other official controls as required under RCW 36.70A.697(1)(a), cities may not require the provision of off-street parking for accessory dwelling units within one-quarter mile of a major transit stop.

((~~(2)~~)) (b) A city may require the provision of off-street parking for an accessory dwelling unit located within one-quarter mile of a major transit stop if the city has determined that the accessory dwelling unit is in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the accessory dwelling unit.

((~~(3)~~)) (c) A city that has adopted or substantively amended accessory dwelling unit regulations within the four years previous to June 11, 2020, is not subject to the requirements of this ((~~section~~)) subsection.

(2) Through ordinances, development regulations, and other official controls adopted or amended as required under RCW 36.70A.697(2), cities and counties may not impose or enforce an owner occupancy requirement on any housing or dwelling unit on a lot containing an accessory dwelling unit, unless an accessory dwelling unit on the lot is being offered or used for short-term rental.

**--- END ---**