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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

Prefiled 01/05/22. Read first time 01/10/22. Referred to Committee on Housing & Local Government.

1 AN ACT Relating to accessory dwelling units; and amending RCW  
2 36.70A.697 and 36.70A.698.

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

4 **Sec. 1.** RCW 36.70A.697 and 2020 c 217 s 3 are each amended to  
5 read as follows:

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

10 ~~((2))~~ (b) Beginning July 1, 2021, the requirements of RCW  
11 36.70A.698(1):

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

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

17 (2) (a) Cities and counties must adopt or amend by ordinance, and  
18 incorporate into their development regulations, zoning regulations,  
19 and other official controls the requirements of RCW 36.70A.698(2) by  
20 July 1, 2024, unless a city or county has amended its development  
21 regulations, zoning regulations, and other official controls relating

1 to accessory dwelling units after July 1, 2021, in which case the  
2 city or county must instead adopt the requirements of RCW  
3 36.70A.698(2) by the time of its next comprehensive plan update  
4 required under RCW 36.70A.130.

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

10 **Sec. 2.** RCW 36.70A.698 and 2020 c 217 s 4 are each amended to  
11 read as follows:

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

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

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

29 (2) Through ordinances, development regulations, and other  
30 official controls adopted or amended as required under RCW  
31 36.70A.697(2), cities and counties may not impose or enforce an owner  
32 occupancy requirement on any housing or dwelling unit on a lot  
33 containing an accessory dwelling unit, unless an accessory dwelling  
34 unit on the lot is being offered or used for short-term rental.

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