

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1345

Chapter 231, Laws of 2026

69th Legislature
2026 Regular Session

GROWTH MANAGEMENT ACT—DETACHED ACCESSORY DWELLING UNITS OUTSIDE OF
URBAN GROWTH AREAS

EFFECTIVE DATE: June 11, 2026

Passed by the House January 22, 2026
Yeas 86 Nays 5

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 3, 2026
Yeas 33 Nays 15

DENNY HECK

President of the Senate

Approved March 27, 2026 11:20 AM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1345** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 31, 2026

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1345

Passed Legislature - 2026 Regular Session

State of Washington **69th Legislature** **2025 Regular Session**

By Representatives Low, Peterson, Tharinger, Nance, and Gregerson

Read first time 01/16/25. Referred to Committee on Housing.

1 AN ACT Relating to establishing limitations on detached accessory
2 dwelling units outside of urban growth areas; amending RCW
3 36.70A.696; and adding a new section to chapter 36.70A RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A
6 RCW to read as follows:

7 (1) Counties that are required or choose to plan under this
8 chapter may allow detached accessory dwelling units outside of urban
9 growth areas if the county meets the requirements in subsections (2)
10 and (3) of this section, and such detached accessory dwelling units
11 are subject to development regulations that include the following
12 limitations:

13 (a) No parcel may have more than one accessory dwelling unit,
14 whether attached or detached;

15 (b) The detached accessory dwelling unit must be subject to the
16 water supply requirements of RCW 19.27.097 and any groundwater
17 mitigation requirements adopted by the county or department of
18 ecology;

19 (c) The combined water withdrawal for the detached accessory
20 dwelling unit, the principal unit, and any other domestic uses on the

1 parcel may not exceed the use limitations in RCW 90.44.050 for
2 domestic use;

3 (d) Withdrawals of water by each dwelling unit on the parcel must
4 be metered;

5 (e) The applicant must provide documentation that the existing or
6 proposed sewage or septic system is capable of handling the
7 additional demand placed upon it by the detached accessory dwelling
8 unit;

9 (f) The gross floor area of the detached accessory dwelling unit
10 may not exceed the gross floor area of what could be authorized by
11 the county as an expansion of the principal unit to create an
12 attached accessory dwelling unit; however, in no case may the gross
13 floor area be greater than 1,296 square feet. Floor areas exclude
14 garages, porches, and unfinished basements;

15 (g) The detached accessory dwelling unit must utilize the same
16 driveway or other means of ingress and egress as the principal unit;

17 (h) The detached accessory dwelling unit must be sited within 150
18 feet of the principal unit;

19 (i) The detached accessory dwelling unit may be the existing
20 principal unit if the existing principal unit meets the requirements
21 of this subsection, is a single-family dwelling unit, and a new
22 principal unit that is a single-family dwelling unit is constructed
23 on the same parcel;

24 (j) The detached accessory dwelling unit must not be allowed on
25 nonconforming lots under one acre; and

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

28 (2) In addition to the requirements in subsections (1) and (3) of
29 this section, counties that allow detached accessory dwelling units
30 outside of urban growth areas must have the following code
31 enforcement measures in place:

32 (a) A voluntary county code compliance process through which the
33 owner of an unpermitted detached accessory dwelling unit may bring
34 the unpermitted detached accessory dwelling unit into compliance with
35 applicable regulations. In such a case, a permit penalty of at least
36 double the normal permit fee must be applied;

37 (b) Owners who do not seek voluntary compliance and are found to
38 have constructed or placed a detached accessory dwelling unit without
39 all required permits must be subject to a civil infraction of at
40 least \$1,000 and must be required to remove the detached accessory

1 dwelling unit or ensure that it meets all existing development
2 regulations, if applicable. A penalty of at least triple the normal
3 permit fee must be applied if the accessory dwelling unit remains and
4 meets all existing development regulations; and

5 (c) Any owner who does not seek voluntary compliance and has
6 received a civil infraction for constructing or placing an accessory
7 dwelling unit without all required permits must be prohibited from
8 receiving any permits for the placement or construction of new
9 accessory dwelling units for a period of at least three years.

10 (3) In addition to the requirements in subsections (1) and (2) of
11 this section, counties that allow detached accessory dwelling units
12 outside of urban growth areas must take the following actions to
13 account for detached accessory dwelling unit development:

14 (a) The county must track and annually report to the department
15 the number of detached accessory dwelling unit permits completed;

16 (b) Utilizing the data collected and reported in (a) of this
17 subsection, the county must update its comprehensive land use plan
18 during its next required review and all subsequent reviews required
19 under RCW 36.70A.130(5) to properly account for the number of
20 detached accessory dwelling units completed since the effective date
21 of this section and the projected development over the next 20-year
22 planning period so that the housing units will not exceed the
23 underlying densities for the comprehensive plan designations and
24 zones outside of urban growth areas;

25 (c) The county must limit future amendments to its comprehensive
26 land use plan under (b) of this subsection such that these amendments
27 may not occur more than once every five years; and

28 (d) The county must include the following limits on population
29 growth targets in its comprehensive plan:

30 (i) If the county is a rural county as defined in RCW 43.160.020,
31 the county may allocate no more than 10 percent of its rural
32 population target to detached accessory dwelling units; and

33 (ii) If the county is not a rural county as defined in RCW
34 43.160.020, the county may allocate no more than seven percent of its
35 rural population target to detached accessory dwelling units.

36 (4) Subsection (1) of this section is in addition to other county
37 authority enumerated in this chapter and does not:

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

1 (b) Exclude other means of authorizing accessory dwelling units
2 in urban or rural areas, if consistent with this section; or
3 (c) Exclude other innovative techniques under RCW
4 36.70A.070(5)(b), 36.70A.090, or 36.70A.177, if consistent with this
5 section.

6 **Sec. 2.** RCW 36.70A.696 and 2023 c 334 s 2 are each amended to
7 read as follows:

8 The definitions in this section apply throughout RCW 36.70A.697,
9 36.70A.698, 36.70A.680, (~~and~~) 36.70A.681, and section 1 of this act
10 unless the context clearly requires otherwise.

11 (1) "Accessory dwelling unit" means a dwelling unit located on
12 the same lot as a single-family housing unit, duplex, triplex,
13 townhome, or other housing unit.

14 (2) "Attached accessory dwelling unit" means an accessory
15 dwelling unit located within or attached to a single-family housing
16 unit, duplex, triplex, townhome, or other housing unit.

17 (3) "City" means any city, code city, and town located in a
18 county planning under RCW 36.70A.040.

19 (4) "County" means any county planning under RCW 36.70A.040.

20 (5) "Detached accessory dwelling unit" means an accessory
21 dwelling unit that consists partly or entirely of a building that is
22 separate and detached from a single-family housing unit, duplex,
23 triplex, townhome, or other housing unit and is on the same property.

24 (6) "Dwelling unit" means a residential living unit that provides
25 complete independent living facilities for one or more persons and
26 that includes permanent provisions for living, sleeping, eating,
27 cooking, and sanitation.

28 (7) "Gross floor area" means the interior habitable area of a
29 dwelling unit including basements and attics but not including a
30 garage or accessory structure.

31 (8) "Major transit stop" means:

32 (a) A stop on a high capacity transportation system funded or
33 expanded under the provisions of chapter 81.104 RCW;

34 (b) Commuter rail stops;

35 (c) Stops on rail or fixed guideway systems, including
36 transitways;

37 (d) Stops on bus rapid transit routes or routes that run on high
38 occupancy vehicle lanes; or

1 (e) Stops for a bus or other transit mode providing actual fixed
2 route service at intervals of at least fifteen minutes for at least
3 five hours during the peak hours of operation on weekdays.

4 (9) "Owner" means any person who has at least 50 percent
5 ownership in a property on which an accessory dwelling unit is
6 located.

7 (10) "Principal unit" means the single-family housing unit,
8 duplex, triplex, townhome, or other housing unit located on the same
9 lot as an accessory dwelling unit.

10 (11) "Short-term rental" means a lodging use, that is not a hotel
11 or motel or bed and breakfast, in which a dwelling unit, or portion
12 thereof, is offered or provided to a guest by a short-term rental
13 operator for a fee for fewer than 30 consecutive nights.

Passed by the House January 22, 2026.
Passed by the Senate March 3, 2026.
Approved by the Governor March 27, 2026.
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