
SENATE BILL 6029

State of Washington

68th Legislature

2024 Regular Session

By Senators Braun and Cleveland

Prefiled 01/05/24.

1 AN ACT Relating to establishing limitations on detached accessory
2 dwelling units outside urban growth areas; amending RCW 36.70A.696;
3 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) All counties must allow detached accessory dwelling units
8 outside of urban growth areas if such detached accessory dwelling
9 units are subject to development regulations that include the
10 following limitations:

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

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

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 may
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

1 accessory dwelling unit, and may not be greater than 1,296 square
2 feet. Floor areas are exclusive of garages, porches, and unfinished
3 basements.

4 (e) The detached accessory dwelling unit must be located within
5 the same acre as the primary dwelling unit and must utilize the same
6 driveway as the primary dwelling.

7 (f) The detached accessory dwelling unit must be sited to prevent
8 loss of land that is defined as "agricultural land" or "forestland"
9 under this chapter.

10 (g) A parcel may not be subdivided for the purposes of avoiding
11 the limits on development regulations described in this subsection.

12 (2) In addition to the authority provided in subsection (1) of
13 this section, counties may allow detached accessory dwelling units by
14 adopting development regulations that are substantially similar to
15 those in effect as of January 1, 2024, in a county with a population
16 exceeding 2,000,000.

17 (3) Subsection (1) of this section is cumulative to other county
18 authority enumerated in this chapter and does not:

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

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

24 (c) Exclude other innovative techniques under RCW
25 36.70A.070(5)(b), 36.70A.090, or 36.70A.177, if consistent with this
26 act.

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

29 The definitions in this section apply throughout RCW 36.70A.697,
30 36.70A.698, 36.70A.680, ~~((and))~~ 36.70A.681, and section 1 of this act
31 unless the context clearly requires otherwise.

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

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

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

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

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

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

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

13 (8) "Major transit stop" means:

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

16 (b) Commuter rail stops;

17 (c) Stops on rail or fixed guideway systems, including
18 transitways;

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

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

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

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

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

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