
HOUSE BILL 3028

State of Washington 58th Legislature 2004 Regular Session

By Representatives Quall, Morris, Jarrett, Hinkle, Linville, Bailey, McDermott and Simpson, G.

Read first time 01/26/2004. Referred to Committee on Local Government.

1 AN ACT Relating to accessory dwelling units in rural counties; and
2 amending RCW 43.63A.215.

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

4 **Sec. 1.** RCW 43.63A.215 and 1993 c 478 s 7 are each amended to read
5 as follows:

6 (1) The department shall, in consultation with the affordable
7 housing advisory board created in RCW 43.185B.020, report to the
8 legislature on the development and placement of accessory apartments.
9 The department shall produce a written report by December 15, 1993,
10 which:

11 (a) Identifies local governments that allow the siting of accessory
12 apartments in areas zoned for single-family residential use; and

13 (b) Makes recommendations to the legislature designed to encourage
14 the development and placement of accessory apartments in areas zoned
15 for single-family residential use.

16 (2) The recommendations made under subsection (1) of this section
17 shall not take effect before ninety days following adjournment of the
18 1994 regular legislative session.

1 (3) Unless provided otherwise by the legislature, by December 31,
2 1994, local governments shall incorporate in their development
3 regulations, zoning regulations, or official controls the
4 recommendations contained in subsection (1) of this section. The
5 accessory apartment provisions shall be part of the local government's
6 development regulation, zoning regulation, or official control. To
7 allow local flexibility, the recommendations shall be subject to such
8 regulations, conditions, procedures, and limitations as determined by
9 the local legislative authority.

10 (4)(a) Any local government in a rural county may authorize the
11 construction and use of one single-family residence and one accessory
12 dwelling unit for each parcel in designated rural and resource lands.

13 (b) A local government authorizing the construction and use of
14 accessory dwelling units as provided by this section shall adopt
15 additional regulations, conditions, procedures, and other limitations
16 it deems necessary to protect rural character, environmentally
17 sensitive areas, and open space, and to conserve the capacity of
18 resource lands for commercial resource production.

19 (c) An accessory dwelling unit shall not be considered a separate
20 dwelling unit for density calculation purposes.

21 (5) As used in this section(~~(7)~~):

22 (a) "Local government" means:

23 (~~(a)~~) (i) A city or code city with a population that exceeds
24 twenty thousand;

25 (~~(b)~~) (ii) A county that is required to or has elected to plan
26 under the state growth management act; and

27 (~~(c)~~) (iii) A county with a population that exceeds one hundred
28 twenty-five thousand.

29 (b) "Accessory dwelling unit" means a structure or living unit that
30 is accessory to the principal single-family residence and provides the
31 basic requirements of sleeping quarters, kitchen facilities, and
32 sanitation. The accessory dwelling unit can be internal to, attached
33 to, or detached from the principal single-family residence.

34 (c) "Rural county" has the same meaning as provided in RCW
35 43.168.020(7).

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