
HOUSE BILL 1711

State of Washington

67th Legislature

2022 Regular Session

By Representatives Pollet, Shewmake, Ryu, Taylor, Bateman, Duerr, Wicks, Valdez, Goodman, Ramel, Bergquist, and Kloba

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1 AN ACT Relating to accessory dwelling units; amending RCW
2 36.70A.696; adding a new section to chapter 36.70A RCW; and creating
3 a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that there is a
6 shortage of affordable housing units available for home ownership or
7 long-term rental for very low, low, and moderate-income residents
8 within most urban growth areas of the state. This lack of affordable
9 housing forces many residents to spend more than 30 percent of their
10 household income on housing, greatly increasing housing insecurity
11 and contributing to the state's crisis of unacceptable numbers of
12 persons experiencing homelessness. Increasing the availability of
13 accessory dwelling units, also referred to as "ADUs," may increase
14 opportunities for people to age in their own home and increase
15 multigenerational family ties along with offering opportunities to
16 reduce intergenerational poverty by increasing home ownership. The
17 legislature finds that accessory dwelling units can be one way to add
18 affordable long-term housing and to provide a needed increase in
19 housing density within urban growth areas with benefits to reducing
20 fossil fuel use and other contributions to climate change due to
21 housing and transportation patterns. However, the legislature finds

1 that research from several cities shows that when accessory dwelling
2 units are built and offered for short-term rental for tourists and
3 business visitors, they may not improve housing affordability.
4 Therefore, it is the intent of the legislature to meet these
5 important policy goals by authorizing local governments to adopt
6 programs to incentivize or reduce local government-imposed cost or
7 time related obstacles to the development of accessory dwelling units
8 when the local government adopts policies ensuring such incentives
9 are only available for accessory dwelling units which will be
10 utilized for long-term housing.

11 **Sec. 2.** RCW 36.70A.696 and 2021 c 306 s 2 are each amended to
12 read as follows:

13 The definitions in this section apply throughout RCW 36.70A.697
14 and 36.70A.698 unless the context clearly requires otherwise.

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

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

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

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

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

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

32 (7) "Major transit stop" means:

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

35 (b) Commuter rail stops;

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

38 (d) Stops on bus rapid transit routes or routes that run on high
39 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))~~ no greater than 15
3 minutes for at least five hours during the peak hours of operation on
4 weekdays.

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

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

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70A
13 RCW to read as follows:

14 To encourage the use of accessory dwelling units for long-term
15 housing, cities and counties may adopt ordinances, development
16 regulations, and other official controls which waive or defer fees,
17 including impact fees; defer the payment of taxes; or waive specific
18 regulations. Cities and counties may only offer such reduced or
19 deferred fees, deferred taxes, waivers, or other incentives for the
20 development or construction of accessory dwelling units if such units
21 are subject to effective binding commitments or covenants that the
22 units will not be regularly offered for short-term rental and the
23 city or county has a program to audit compliance with such
24 commitments or covenants.

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