

ACCESSORY DWELLING UNIT CHECKLIST

This checklist provides the framework Commerce regional planners and local jurisdictions will use to review periodic update submissions. **This checklist is NOT required to be completed by each jurisdiction;** it is an additional tool to help meet the intent of the statute.

Allow two ADUs per lot within urban growth areas (UGAs) with the next periodic update due date.

If a city or county does not amend its rules to be consistent with the law, the statute will "supersede, preempt and invalidate any conflicting local development regulations. HB 1337, passed in 2023.

See Commerce's [Guidance for Accessory Dwelling Units](#). **Questions?** Contact Lilith Vespier at Lilith.Vespier@commerce.wa.gov 360-890-5100.

Accessory dwelling units (ADU)s		
Code requirements	Consistent? Yes/No	Comment
a. ADU means <i>a dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, townhome or other housing unit.</i> RCW 36.70A.696(6)	Yes	Revised CMC definitions and ADU code are consistent with this definition.
b. Dwelling unit means <i>a residential living unit that provides complete independent living facilities for one or more persons and that includes permanent provisions for living, sleeping, eating, cooking and sanitation.</i> RCW 36.70A.696(1)	Yes	Revised CMC definitions and ADU code are consistent with this definition.
c. [WITHIN UGAs] Allows at least two ADUs on all lots that meet the minimum lot size in zoning districts that allow for single-family homes. RCW 36.70A.681(1)(c)	Yes	Draft Section 18.27.040(A) allows two ADUs on all residential lots with no lot size requirement.
d. Allows ADUs in the following configurations and conditions:	Yes	Draft Section 18.27.030

<ul style="list-style-type: none"> • Two attached ADUs such as unit in a basement, attic, or garage; or • One attached ADU and one detached ADU; or • Two detached ADUs, which may be comprised of either one or two detached structures <p>Exception: cities and counties may impose a limit of two accessory dwelling units, in addition to the principal unit, on a residential lot of 2,000 square feet or less. RCW 36.70A.681(3)</p>		
e. Allows conversion of an existing structure, such as a detached garage. RCW 36.70A.681(1)(j)	Yes	Draft Section 18.27.030
f. Does not allow ADUs in locations where development is restricted under other laws, rules, or ordinances due to physical proximity to on-site sewage system infrastructure, critical areas or other unsuitable physical characteristics of a property. RCW 36.70A.680(4&5) and RCW 36.70A.681	Yes	ADUs are subject to all requirements or restrictions of the CMC applicable to all other development types.
g. [WITHIN UGAs] Allows a gross floor area of at least 1,000 square feet. RCW 36.70A.681(1)(f)	Yes	Draft Section 18.27.040(F)
h. Roof height limits on an ADU are greater than or equal to 24 feet. Exception: when the height limitation on the principal unit is less than 24 feet. In this case, a city or county may not require the roof height limitation for an ADU to be less than the height limit for the principal unit. RCW 36.70A.681(1)(g)	Yes	Draft Section 18.27.040(D)
i. Requirements for setbacks, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or requirements for design review are not more restrictive for ADUs than those for principal units. RCW 36.70A.681(1)(h)	Yes	Draft Section 18.27.040(E) includes setbacks that are less restrictive than those for principal units. Draft Section 18.27.050 includes design standards that are no more restrictive than those that apply to principal units.
j. Allows detached ADUs to be sited at a lot line if the lot line abuts a public alley.	Yes	Draft Section 18.27.040(E)

Exception: if the city or county routinely plows snow on the public alley. RCW 36.70A.681(1)(i)		
<p>k. [WITHIN UGAs] Does not require owner occupancy, unless used for short term rentals. RCW 36.70A.680(5)(a)</p> <p><i>Note: RCW 36.70A.696(9) defines owner as any person who has at least 50% ownership in a property on which an ADU is located.</i></p>	Yes	Draft Chapter 18.27 includes no owner occupancy requirements.
l. Allows sale by condominium. RCW 36.70A.681(1)(k)	Yes	Draft Section 18.27.030(E) allows for sale as condominiums or as unit lots.
<p>m. Parking limits:</p> <p>Does not require off street parking within one-half mile of a major transit stop. RCW 36.70A.681(2)(a)(i)</p> <p>Exceptions:</p> <ul style="list-style-type: none"> • If an empirical parking study showing that meeting these requirements would be significantly less safe to pedestrians, drivers etc. is certified by Commerce. RCW 36.70A.681(2)(b)(i) • Areas within a one-mile radius of Seattle-Tacoma International Airport. RCW 36.70A.681(2)(b)(ii) 	Yes	Draft Section 18.27.040(G)
<p>n. Parking based on lot size:</p> <p>Does not require more than one off-street parking space per ADU on lots equal to or smaller than 6,000 square feet before any zero lot line subdivisions or lot splits. RCW 36.70A.681(2)(a)(ii)</p> <p>o. Does not require more than two off-street parking spaces per ADU on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits. RCW 36.70A.681(2)(a)(iii)</p> <p>Exceptions:</p>	Yes	Draft Section 18.27.040(G) requires only one parking space per ADU regardless of lot size.

<ul style="list-style-type: none"> • If an empirical parking study showing that meeting these requirements would be significantly less safe to pedestrians, drivers etc. is certified by Commerce. RCW 36.70A.681(2)(b)(i) • Areas within a one-mile radius of Seattle-Tacoma International Airport. RCW 36.70A.681(2)(b)(ii) 		
<p>p. Impact fees on the construction of accessory dwelling units are less than or equal to 50 percent of the impact fees that would be imposed on the principal unit. RCW 36.70A.681(1)(a)</p>	Yes	CMC Chapter 3.88 will be amended to include this language.