

Tier 3 City Requirement Notes (from Updated Oct. 2024 Model Ordinance, ADU Guide, & Modifications through 5/30/25)

- “Accessory Dwelling Unit (ADU)” means a dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, townhome or other housing unit.
 - Within urban growth areas, cities and counties must allow two ADUs on all lots in zoning districts that allow for single-family homes. The ADUs may be:
 - Two attached ADUs such as unit in a basement, attic, or garage;
 - One attached ADU and one detached ADU; or
 - Two detached ADUs, which may be comprised of either one or two detached structures.
 - A conversion of an existing structure, such as a detached garage.
 - Minimum number of ADUs per lot: Two ADUs per lot must be allowed in all GMA urban growth areas, in addition to the principal unit, for lots that meet the minimum lot size required for the principal housing unit.
- The city shall not require through development regulations any standards for middle housing that are more restrictive than those required for detached single-family residences, but may apply any objective development regulations that are required for detached single-family residences, including, but not limited to, set-back, lot coverage, stormwater, clearing, and tree canopy and retention requirements.
- “Administrative design review” means a development permit process whereby an application is reviewed, approved, or denied by the planning director or the planning director's designee based solely on objective design and development standards without a public predecision hearing, unless such review is otherwise required by state or federal law, or the structure is a designated landmark or historic district established under a local preservation ordinance. A city may utilize public meetings, hearings, or voluntary review boards to consider, recommend, or approve requests for variances from locally established design review standards.
- “Major transit stop” means:
 - (a) a stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;
 - (b) commuter rail stops;
 - (c) stops on rail or fixed guideway systems; or
 - (d) stops on bus rapid transit routes, including those stops that are under construction.
- “Middle housing” means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.
 - “Cottage housing” means residential units on a lot with a common open space that either: (a) Is owned in common; or (b) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space.
 - “Courtyard apartments” means attached dwelling units arranged on two or three sides of a yard or court.”
 - “Stacked flat” means dwelling units in a residential building of no more than three stories on a residential zoned lot in which each floor may be separately rented or owned.
 - “Townhouses” means buildings that contain three or more attached single-family dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides.

- RCW 36.70A.635 requires a Tier 3 city to allow all middle housing types that accommodate two units per lot, meaning duplexes, stacked flats, courtyard apartments, and cottage housing must be permitted by-right on all lots zoned predominantly for residential use, unless zoning permitting higher densities or intensities applies.
- Parking for Middle Housing

B. Off-street parking for middle housing shall be subject to the following:

1. No off-street parking shall be required within one-half mile walking distance of a major transit stop.¹
2. A maximum of one off-street parking space per unit shall be required on lots no greater than 6,000 square feet, before any zero lot line subdivisions or lot splits.²
3. A maximum of two off-street parking spaces per unit shall be required on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.³

- Parking for ADUs

4. Set off-street parking requirements consistent with statute

Many lots in established areas aren't large enough to support both an ADU and off-street parking, effectively prohibiting ADU development. This means that ADUs are often limited to larger lots that can accommodate parking and other site features. Removing off-street parking requirements for ADUs can help to open up possibilities for placing ADUs, especially in urban areas with transportation options.

State law

Parking limits for ADUs are subject to the following:

- Off street parking may not be required as a condition of permitting ADUs within one half mile of a major transit stop.^{26_27}
- On lots smaller than 6,000 square feet, no more than one off-street parking space may be required per ADU before any zero lot line subdivisions or lot splits.²⁸
- On lots greater than 6,000 square feet, no more than two off-street parking spaces per ADU may be required before any zero lot line subdivisions or lot splits.
- Within a mile radius of SeaTac airport, these limits do not apply.²⁹ Jurisdictions may require off street parking within a mile of SeaTac airport, even within one half mile of a major transit stop. However, Commerce suggests that off street parking requirements be limited in areas with walking access to high capacity transit.