

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1133 HB

Title: Detached ADUs

Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities:
 Counties:
 Special Districts:
 Specific jurisdictions only:
 Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
 Expenditures represent one-time costs:
 Legislation provides local option: Counties could adopt detached accessory dwelling unit development regulations that allow for development outside of its urban growth areas.
 Key variables cannot be estimated with certainty at this time:

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

None

Part III: Preparation and Approval

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Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 01/25/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 01/25/2023

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

This legislation would establish limitations on detached accessory dwelling units outside urban growth areas.

The act authorizes counties planning under the Growth Management Act to allow detached accessory dwelling units outside of urban growth areas so long as certain limitations in development regulations are followed. Detached accessory dwelling units would be required to meet the development regulations of Sec. 1.

Sec. 1 would be a new section added to 36.70A RCW

(1) Counties may allow detached accessory dwelling units outside of urban growth areas if it meets the following development regulations:

(a) Only one detached accessory dwelling unit per parcel.

(b) The unit meets the water supply requirements 19.27.097 RCW

(c) An applicant must submit documentation that the unit has an existing sewage or septic system capable of handling additional demand of the unit.

(d) Floor area cannot be greater than 1,296 square feet but may not exceed the floor that could be authorized by the county as an expansion of the primary dwelling to create an attached accessory dwelling unit.

(e) The detached accessory dwelling unit must be constructed such that certain design standards must approximate to the primary dwelling, except if the detached accessory dwelling unit is a mobile or manufactured home.

(f) The detached accessory dwelling unit must use the same driveway as the primary dwelling.

(2) Subsection 1 of this section is cumulative to any other county ordinance authorizing accessory dwelling units adopted prior to the effective date of this act.

Sec. 2 would amend 36.70A.696 RCW

Amends this statute such that the definitions in this section apply to Sec. 1 of this act.

The bill takes effect 90 days after adjournment of the session in which the bill is passed.

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

This legislation would be a local option for counties planning under the Growth Management Act that choose to adopt new development regulations for detached accessory dwelling units. This act would have no impact for counties that choose not to take action.

For counties that take the local option, there would be costs to incorporate these development regulations into local code. The number of counties planning under the Growth Management Act that would adopt this legislation is currently unknown, as is the timing of when the ordinance adoption expenses would be incurred.

POTENTIAL COSTS FOR COUNTIES CHOOSING THE LOCAL OPTION:

A recent survey of county planning departments, prepared by the Washington State Association of Counties, and follow-up review by the Local Government Fiscal Note program indicate that 33 counties currently allow for accessory dwelling units within their local code. Seven of these counties allow for attached and/or detached accessory dwelling units in rural areas.

If the requirements of this bill are similar to other recent bills authorizing new accessory dwelling unit development regulations, such as HB 1660 (2022) these ordinance may be moderately complex to complex and have hearings of the same complexity. The Local Government Fiscal Program Unit Cost Model estimates that the typical cost per county to adopt a moderately complex to complex ordinance with a hearing of the same complexity would range from \$1,976 to

\$9,400 per county (average: \$5,688 (((\$1,976 + \$9,400)/2)) These costs include costs for draft ordinances, advisory commission meeting and recommendation, finalized ordinance, publication of ordinance, and general public information.

Note: These cost estimates are for only one meeting or staff report, more complex ordinances would likely require more meetings and potentially more staff reports. There would be further costs associated with enforcing or executing the ordinance.

Illustrative Example of Potential Costs:

For illustrative purposes, LGFN assumes half of all counties that allow for accessory dwelling units, including all of the counties that allow for attached and/or detached accessory dwelling units in rural areas, would amend existing code. Using this assumption, the following costs may be estimated, however the timing of the implementation of these adopted ordinances cannot be known in advance:

16 counties x \$5,688 ordinance adoption costs with a hearing of the same complexity = \$91,008

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

This legislation is not anticipated to impact local government revenues.

SOURCES:

- Local Government Fiscal Note Program, FN HB 1660 (2022)
- Local Government Fiscal Note Program, Unit Cost Model (2023)
- Washington State Association of Counties