

# City of Buckley

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## Planning Commission Meeting – Agenda

**Monday, March 3, 2025, 7 p.m.**  
**Hearing Room at 811 Main Street**

### Agenda Items

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1. Call to order
2. Opening remarks by the Chair
3. Draft ADU Code
4. Public Comment
5. Adjourn

### Future Meeting Dates (bold)

April					
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	14	15	16	17	
	21	22	23	24	
	28	29	30		
May					
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June					
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TO: Mayor and City Councilmembers  
FROM: Courtney Brunell, City Administrator  
DATE: March 4, 2025  
SUBJECT: Proposed Amendments to Accessory Dwelling Unit (ADU) Code

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**Background:** As part of our ongoing efforts to align Buckley’s municipal code with recently adopted state laws and our comprehensive plan, we are introducing amendments to the Accessory Dwelling Unit (ADU) code to comply with HB 1337. This is the first of many code updates that Council will review in the coming year, particularly as we address new state requirements related to density regulations.

We are working with Framework Consulting to ensure our code is in compliance. Currently, our existing regulations do not meet state law, requiring staff to rely on state law rather than our local code when evaluating some development applications. While we must adopt certain changes mandated by the state, there are areas where the City has flexibility in shaping our regulations.

**Key Changes Required by HB 1337:**

- **Increased ADU Allowance:** Two ADUs must be allowed on any lot that permits a single-family residence, meaning a total of three units per lot. However, the City has discretion on whether to extend this allowance to lots permitting duplexes or triplexes.
- **Occupancy Requirements:** Property owners are no longer required to reside in the primary dwelling unit.
- **Size Limitations:** ADU size restrictions have been modified to provide more flexibility.
- **Condominium Conversion:** Cities can no longer prohibit property owners from converting ADUs into condominiums.

- **Impact Fees Reduction:** Impact fees for ADUs cannot exceed 50% of the fees imposed on the principal dwelling unit.
- **Parking Requirements Adjustments:**
  - For lots smaller than 6,000 square feet, no more than one off-street parking space per unit can be required; for larger lots, the limit is two spaces per unit.
- **Design and Development Standards:** Cities cannot impose design standards or restrictions on ADUs that are more stringent than those applicable to the principal dwelling unit.
- **Conversion of Existing Structures:** Property owners may convert existing structures, such as detached garages, into ADUs, even if they do not meet current setback or lot coverage requirements.
- **Public Street Improvements:** Cities cannot require public street improvements as a condition for permitting ADUs.

**Policy Considerations for Council Discussion:**

1. **Density Management:** Should ADUs be restricted on duplex or triplex lots to manage density, or should we allow ADUs in all zones that permit duplexes and triplexes to distribute density throughout the City?
2. **Single-Family Home Design Standards:** While ADU design cannot be more restrictive than single-family residences, we currently have no design requirements for single-family homes. Would Council like to explore development criteria such as requiring pitched roofs, porches, or front steps to establish basic design consistency? If so, we will work with the Planning Commission to develop recommendations for future Council consideration.

**Attachments:**

1. Draft Code Revisions

**19.22.130 Accessory dwelling units.**

Accessory dwelling units are permitted outright in all residential zoning districts that permit single-family homes, and may be developed with new or existing single-family homes on any lot that meets the minimum lot size required for the principal unit. The development standards of the underlying zoning district and the following siting and performance standards shall apply to all accessory dwelling units as defined by BMC 19.12.025:

- ~~(1) The primary residence or accessory dwelling unit shall be the principal place of residence for the homeowner.~~
- ~~(2) Only one Two accessory dwelling unit is units are permitted per single-family residence.~~

Accessory dwelling units can be sited in any of the following configurations:

- (i) One attached accessory dwelling unit and one detached accessory dwelling unit;
  - (ii) Two attached accessory dwelling units; or
  - (iii) Two detached accessory dwelling units, which may be comprised of either one or two detached structures
- (3) Accessory dwelling units may be developed on lots of any size; provided, that all other applicable zoning requirements are met.
- (4.) Setback Exception.

For lots that have a rear lot line that abuts an alley, a detached accessory dwelling unit may be sited up to the lot line that abuts the alley. The accessory dwelling unit shall comply with the required side yard setbacks.

(5) Existing Accessory Structures.

Lot coverage and setbacks for existing accessory structures shall be exempted to permit conversion to accessory dwelling units.

~~(3) An accessory dwelling unit shall not be larger than 50 percent of the square footage of the single-family home, with garage space not being included in the calculation. In no case shall the accessory dwelling unit be more than 800 square feet, nor less than 300 square feet, nor have more than two bedrooms.~~

~~(6) An accessory dwelling unit shall not have a gross floor area larger than 1,000 square fit with garage space not included in the calculation.~~

~~(4) Exterior Appearance/Modifications:~~

~~(a) Any alterations shall not change the appearance from that of a single-family residence, as determined by the planning director.~~

~~(b) Only one exterior entrance is allowed to the accessory dwelling unit and it can be located no closer than 10 feet to an adjoining property line.~~

~~(c) Any exterior stairs shall be placed in the rear or side yard and are no closer than 10 feet to an adjoining property line.~~

~~(d) Where garage space is converted to living space, the garage door shall be replaced with materials that match the exterior of the house.~~

~~(e) There shall be only one front door facing the street from the two residences (primary and accessory residences).~~

~~(6) Compliance with applicable codes.~~

(a) The accessory dwelling unit shall comply with all standards for health and life safety as set forth in the International Building Code, International Residential Code, Uniform Plumbing Code, National Electrical Code, International Mechanical Code, International Fire Code, and Washington State Energy Code as each code is adopted by the city; and any other applicable codes or regulations, except as provided in this chapter. The accessory dwelling unit shall comply with all zoning code provisions for single-family residences, including setbacks, accessory buildings and lot coverage, except as provided in this chapter.

~~(7) Parking Requirements.~~

~~(a) The parking required for the existing single-family home must meet all requirements of the zoning code including amount, size and setback requirements in order for an accessory dwelling unit to be allowed.~~

**Commented [SL1]:** Question: Would you like to allow a single ADU/DADU on lots with a duplex to reach the same lot density as single family? Not required.

**Commented [SL2]:** "The city or county may not require the owner of a lot on which there is an accessory dwelling unit to reside in or occupy the accessory dwelling unit or another housing unit on the same lot" [36.70A.681](#)

**Commented [SL3]:** "...(i) A city or county must allow detached accessory dwelling units to be sited at a lot line if the lot line abuts a public alley, unless the city or county routinely plows snow on the public alley; "

**Commented [SL4]:** ... (j) A city or county must allow accessory dwelling units to be converted from existing structures, including but not limited to detached garages, even if they violate current code requirements for setbacks or lot coverage;

**Commented [SL5]:** The minimum maximum you can require is 1000 sq ft. gross floor area - [RCW 36.70A.681\(1\)\(f\)](#)

**Commented [SL6]:** Enumclaw's code which appears to meet compliance regulates appearance this way:

**Architectural design.**

The design of the accessory dwelling unit shall be consistent with the design of the principal dwelling unit and shall maintain the style, appearance and character of the main building, and shall use matching materials, colors, window style, and comparable roof appearance.

**Commented [SL7]:** 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\(1\)\(h\)](#) - I believe all of these are more restrictive.

**Commented [SL8]:** Not required - excerpted from Enumclaw municipal code. <https://www.codepublishing.com/WA/Enumclaw/html/Enumclaw19/Enumclaw1934.html#19.34.050>

**Commented [SL9]:** I think this is okay - but a little bit of a gray area if ADUs are a permitted use and this puts a condition on their permitting.

(b) One additional parking space, beyond those required for the primary single-family home, is required for an accessory dwelling unit unless within one-half-mile walking distance of a major transit stop. The additional parking space must also meet all requirements of the zoning code.

(c) Newly created parking shall make use of existing curb cuts, when possible.

~~(6) An accessory dwelling unit may not be sold as a separate piece of property, or as a condominium unit, unless allowed by the existing zoning on the property.~~

~~(87) Any homeowner seeking to establish an accessory dwelling unit shall apply for approval in accordance with the following procedures:~~

~~(a) The homeowner shall apply for an accessory dwelling unit permit with the building division. A complete application shall include a properly completed application form, floor and structural plans, fees and an affidavit of owner residency. The affidavit of owner residency must be signed before a notary public affirming that the owner meets the requirements of subsections (1) through (5) of this section.~~

(b) Before issuance of the accessory dwelling unit permit, the homeowner must provide a copy of a statement recorded with the county records and elections office. The statement must read:

A permit for an accessory dwelling unit has been issued, by the city of Buckley, to the owner of this property. Future owners are advised that the owner of the property must comply with all requirements of section 19.22.130 of the Buckley Zoning Code, as amended, if the accessory dwelling unit is to be occupied or rented.

~~(98) If an accessory dwelling unit is to be removed, appropriate permits and inspections must first be received from the Buckley building official. If a homeowner wants to remove the statement as required by subsection (7)(b) of this section from the property's title, then the city shall issue an appropriate release upon evidence that the accessory dwelling unit has been removed. The release shall be recorded, by the homeowner, with the county records office and a copy of the recorded release shall be provided to the Buckley building official. (Ord. 22-08 § 1 (Exh. A), 2008).~~

**Commented [SL10]:** Buckley does not currently have any "major transit stops" - we can include now or it can be added later if transit is added.

**Commented [SL11]:** (k) A city or county may not prohibit the sale or other conveyance of a condominium unit independently of a principal unit solely on the grounds that the condominium unit was originally built as an accessory dwelling unit

**Commented [SL12]:** Owner occupancy cannot be required.