

**AMENDMENT SHEET NO. 2**

**ORDINANCE NO. 21-018**

**Amendment Name:** Limited Modification to 100' ADU Siting Criteria from Primary Dwelling in Rural Areas

**Brief Description:** Amendment would authorize the director to approve an ADU that is over 100' from a primary dwelling unit upon a showing that physical characteristics exist that would limit an ADU from being constructed within 100' of a primary dwelling unit. Physical characteristics include, but are not limited to: critical areas, sewage and septic systems, water systems, topographical features, and related setbacks or buffers.

**Affected Ordinance Sections:** Section 13

**Affected Code Section:** 30.28.010(3)(b)

**Existing Ordinance Recitals, Findings, Conclusions or Sections to Delete or Modify:**

On page 73, beginning at line 27,

**REPLACE:**

(b) Unless the accessory dwelling unit is proposed to be located in an existing structure that was legally constructed prior to [the effective date of this ordinance], the distance between the nearest walls of the primary dwelling and a proposed detached accessory dwelling unit shall not exceed 100 feet.

**WITH:**

(b) The distance between the nearest walls of the primary dwelling and a proposed detached accessory dwelling unit shall not exceed 100 feet except when:

(i) The accessory dwelling unit is proposed to be located in an existing structure that was legally constructed before [the effective date of this ordinance]; or

(ii) The applicant demonstrates that the physical characteristics of the property, including, but not limited to, critical areas, topography, sewage, septic, and water systems, and their associated buffers or setbacks, limit the siting of an accessory dwelling unit within 100 feet of the primary dwelling. In these circumstances the accessory dwelling unit shall be located as close as reasonably possible to the primary dwelling unit.

**Council Disposition:** \_\_\_\_\_ **Date:** \_\_\_\_\_