

MOTION SHEET #2 FOR ITEM 1

I move to amend lines 126-139 and to re-letter lines 140 and 144 in Part 8 of the ordinance to read:

PART 8. City Code Section 25-2-773 (*Duplex Residential Use*) is repealed and replaced to read as follows:

§ 25-2-773 DUPLEX, TWO-UNIT, AND THREE-UNIT RESIDENTIAL USES.

(E) This subsection applies to the area established in Subsection 1.2.1 of Chapter 25-2, Subchapter F (*Residential Design and Compatibility Standards*).

(1) In this subsection,

- (a) EXISTING DWELLING UNIT means a dwelling unit that is:
 - (i) legally permitted and occupied before December 7, 2023; or
 - (ii) described in an application for a residential permit that was submitted on or before December 7, 2023.
- (b) GROSS FLOOR AREA means the total enclosed area of all floors in a building with a clear height of more than six feet, measured to the outside surface of the exterior walls, except as provided in this subsection.

(2) Gross Floor Area Exclusions.

- ~~(a) A parking structure is excluded from gross floor area when the parking structure is 450 square feet or less and is:~~
 - ~~(i) detached and is separated by at least 10 feet from each residential structure; or~~
 - ~~(ii) attached to a residential structure by covered breezeway that is completely open on all sides and is separated by at least 10 feet from each residential structure.~~
- ~~(b) A parking structure is excluded from gross floor area when the parking structure is 200 square feet or less and is:~~

- ~~(i) attached;~~
 - ~~(ii) detached and is separated by at least 10 feet from the rear of each residential structure; or~~
 - ~~(iii) attached by a covered breezeway that is completely open on all sides and is separated by at least 10 feet from the rear of each structure.~~
- (ae) For a property that includes an existing dwelling unit that was constructed on or before December 31, 1960, the property owner may exclude the preserved square footage from the gross floor area if the requirements in Subsection (F) are met.
- (bd) For a property that includes an existing dwelling unit that was constructed on or after January 1, 1961, and is at least 20 years old, the property owner may exclude the preserved square footage from the gross floor area if the requirements in Subsection (F) are met.