

PART 1. City Code Section 25-2-774 (*Two-Family Residential Use*) is amended to read as follows:

§ 25-2-774 TWO-FAMILY RESIDENTIAL USE.

- (A) For a two-family residential use, the base zoning district regulations are superseded by the requirements of this section.
- (B) For a two-family residential use the minimum lot area is ~~[7,000]~~ **5,750** square feet.
- (C) The second dwelling unit:
 - (1) must be contained in a structure other than the principal structure;
 - (2) must be located:
 - (a) at least ~~[15]~~ **10** feet to the rear or side of the principal structure; or
 - (b) above a detached garage;
 - (3) may be connected to the principal structure by a covered walkway;
 - ~~[(4)—may not have an entrance within 10 feet of a lot line;]~~
 - ~~[(5)—unless the second dwelling unit has vehicular access from a rear alley, it must be served by a paved driveway, and the portion of the driveway that crosses the front yard must be at least 9 feet and not more than 12 feet wide;]~~
 - ~~[(6)]~~**(4)** may not exceed a height of 30 feet, and is limited to two stories; ~~[and]~~
 - ~~[(7)]~~**(5)** **may not exceed the floor area restrictions in Subsection (D) of this section; and** ~~[may not exceed a gross floor area of:~~
 - ~~(a)—850 total square feet; or~~
 - ~~(b)—550 square feet on the second story, if any.]~~
 - (6)** may not be used as a Type 2 short term rental **unless the license for the short-term rental use:**
 - (a) was issued before January 1, 2016;**
 - (b) is not suspended on or after January 1, 2016; and**

(c) is renewed timely.

(D) The size of the second dwelling unit may not exceed the limitations described in this subsection.

(1) Except as provided in Subsection (D)(2), the second unit may not exceed:

(a) 850 total square feet of gross floor area; and

(b) 550 square feet of gross floor area on the second story, if any.

(2) The second unit is limited to a total floor-to-area ratio of 0.15 if:

(a) the principal structure was built at least 50 years before construction of the second dwelling unit; and

(b) the applicant signs a document, on a form approved by the director, acknowledging the additional restrictions on development of the property applicable under Subsection (D)(3).

(3) If the second unit utilizes the 0.15 floor-to-area ratio allowed under Subsection (D)(2), no changes to the principal structure may be made for 50 years from the date the second unit is constructed, except that:

(a) construction may approved as necessary to provide reasonable accommodation for one or more disabled individuals in a manner consistent with the Americans with Disabilities Act;

(b) a structure that is partially or totally destroyed by a natural disaster or act of god, such as a fire, may be repaired or reconstructed if a completed building permit application is submitted within one year from the date of the partial or total destruction;

(c) an interior remodel that does not increase floor-to-area ratio or alter the exterior of the structure is allowed;

(d) an addition to the rear of the principal structure may be added if, in addition meeting all other applicable regulations, the rear addition is:

(i) no larger than 25 percent of the legally existing gross floor area of the principal structure;

(ii) no closer to the side property lines than the existing structure; and

(iii) does not exceed one story; and

(e) the property may be redeveloped in compliance with applicable regulations, provided that no second unit may be constructed utilizing the 0.15 floor-to-area ratio allowed under Subsection (D)(2).

(E) Impervious cover for the site may not exceed 45 percent.

(F)~~(E)~~ Building cover for the site may not exceed 40 percent.

~~[(F) Other than in a driveway, parking is prohibited in the front yard.]~~