

## Sec. 144-1.4. Definitions.

For the purpose of this chapter, certain words and terms as used herein are defined as follows:

Words used in the present tense include the future; words in the singular number include the plural, and vice versa; the word "building" includes the word "structure;" the word "shall" is mandatory and not directory; the term "used for" includes the meaning "designed for" or "intended for."

Abut/Abutting means lots, buildings, uses, or other features regulated by this chapter that share a common lot line (contiguous). Lots, buildings, uses, or other features regulated by this chapter that are separated by a street, right-of-way, platted alley, trail, drainage channel, body of water, or railroad track are not abutting.

*Accessory dwelling* means a separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is an attached or detached extension to an existing single-family structure.

*Accessory structure or use* means a subordinate structure or building having a use customarily incident to and located on the lot occupied by the main residential building; or a use customarily incident to the main residential use of the property. This term is not applicable for commercial property, as multiple buildings are allowed on commercial lots where each is considered a main structure and is subject to the restrictions of the zoning district.

*Active/independent senior living facility* means a facility that contains dwelling units, accessory uses, and support services specifically designed for occupancy by persons 55 years of age or older who are fully ambulatory or who require no medical or personal assistance or supervision, as well as accommodations for people who require only limited or intermittent medical or personal assistance.

Adjacent means lots, buildings, uses, or other features regulated by this chapter that are near each other but are separated by an intervening man-made or geographic feature including but not limited to a street, right-of-way, platted alley, trail, drainage channel, body of water, or railroad track, unless otherwise stated herein.

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## Sec. 5.3-4. Additional residential buffering requirements.

(a) Residential setback. Where a property occupied by a non-residential ~~building~~ or ~~a~~-multifamily ~~development~~ use of more than three units abuts a one- or two-family use or zoning district, the setback from the one- or two-family property line shall be at least 20 feet plus one foot for each foot of building height over 20 feet.

~~(b) Where a non-residential building or a multifamily development is adjacent to residential uses or residential zoning outdoor audio or speakers are prohibited unless being used to provide ADA access at fuel pumps.~~

~~(c)~~ (b) Where a property occupied by a non-residential ~~building~~ or ~~a~~-multifamily ~~development is adjacent to~~ use abuts residential ~~uses or~~ residential zoning outside music (live or recorded) is ~~prohibited~~ not allowed. Please see additional noise standards set forth in Chapter 82 of the City's Code of Ordinances.

~~(d)~~ (c) Where a property occupied by a non-residential ~~building~~ or ~~a~~-multifamily ~~development~~ use is adjacent to residential uses or residential zoning an additional 30-foot setback buffer will be required as separation between the residential

property and any fuel pumps or fuel tanks.

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Alternative subsection (b):

(~~eb~~) Where a property occupied by a non-residential ~~building~~ or ~~a~~-multifamily ~~development is~~  
~~adjacent to~~ use abuts residential uses or residential zoning outside music (live or recorded) is  
~~prohibited~~ not allowed. Please see additional noise standards set forth in Chapter 82 of the  
City's Code of Ordinances.