

## 17.24 - Fremont Commercial District (B-1).

- (1) GENERAL. The Fremont Commercial District is distinguished in the present Zoning Code by virtue of its being a long-existing and developed commercial district, where yard setback and other similar requirements are in many cases not met by buildings and structures which have existed in this district for many years, and the change in which would not now be reasonably feasible.
- (2) SPECIFIC USES PERMITTED. Land shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the following purposes:
  - (a) All uses permitted in the Multiple Residential (R-3) District, except those uses permitted in the R-3 District which are also permitted in the R-2 District.
  - (b) Stores and shops for the conducting of any retail business.
  - (c) Banks, offices, studios, theaters, restaurants, taverns, bowling alleys, hotels, motels and similar community services.
  - (d) Railway or bus passenger stations, telegraph or express offices.
  - (e) Garages, filling stations and convenience stores.
  - (f) Funeral parlors and mortuaries.
  - (g) Newspapers offices and printing plants.
  - (h) Plumbers and plumbing shops.
  - (i) Public utility buildings, telephone exchange buildings, electric transformer stations and substations, water and sewage pumping stations.
  - (j) Meeting places of lodges, clubs and organizations.
  - (k) Buildings and uses accessory to the specific uses permitted shall also be permitted.
- (3) CONDITIONAL USES PERMITTED. The following uses are permitted after review of the City Plan Commission and approval of the Common Council following written notification of the owners of all abutting and fronting properties and providing there is compliance with the area and height regulations of the B-1 District indicated below. In acting upon any application for a permitted use hereunder, the Plan Commission and Council shall consider whether the requested use is reasonably necessary for the convenience and welfare of the public, is in harmony with the character of the surrounding area, and will have a minimal or no effect on surrounding property values. The Common Council may attach conditions to a special permit granted hereunder in order to assure that the requested use will remain in conformity with these standards. The uses for which a special permit in this district may be issued are:
  - (a) Automobile showrooms and outdoor sales lots, after approval of the site plan by the Plan Commission.
  - (b)

Light industrial assembly operations, with said operations only to be permitted on a temporary basis by conditional use permit for a limited term to be determined by the City Council on a case-by-case basis after reviewing a recommendation thereon from the Plan Commission. Factors to be taken into account by the Plan Commission and the City Council in approving or disapproving each light industrial assembly operation permit shall include the following:

1. The length of time for which the assembly operations are proposed to be conducted on the property in the B-1 district;
2. The probable effects of the proposed assembly operations upon neighboring properties, including estimated effect on property values;
3. The numbers of people proposed to be employed in the assembly operations and the probable extent of traffic created by said operations; and
4. The industrial wastes or noise produced in the assembly operations and the probable effect upon the environment of said assembly operations.

(c) Child day care centers.

- (4) HEIGHT. No building or structure shall be erected or structurally altered to exceed a height of two stories or 30'.
- (5) YARDS. No front or side yards shall be required, except that when a building or group of buildings abuts a residential district, a side yard shall be provided on the side of the lot abutting the residential district, and such yard shall have a width of not less than 25'. There shall be a rear yard with a depth of not less than 25% of the depth of the lot, except that the depth of the rear yard need not be greater than 25'. The rear yard may be used for off street parking and unloading as provided by Section 17.31.