

P-1 district and wherein residential structures have been erected having a front yard of greater than twenty (20) feet in depth, or wherein the erection of residential structures on such premises is controlled by private restrictions requiring a front yard of more than twenty (20) feet in depth, such wall shall be located a distance from the front lot lines of the parking area equal to the minimum distance of any residential structure so located, or to the minimum distance required by such restrictions, except in cases where residential structures have been erected at the rear of lots. In such cases, the wall shall be located so as to provide a front yard of not less than twenty (20) feet in depth or equal to the minimum required by the private restrictions.

Where the P-1 district lies across a street and opposite a residentially zoned district wherein the lots front upon such street, the wall on the side of the parking area adjacent to such street shall be located so as to provide a yard of not less than twenty (20) feet in depth.

#### (C) LANDSCAPING.

Wherever such wall is required, all the land between said wall and the boundaries of the P-1 district shall be kept free from refuse or debris and shall be landscaped, the landscaped area adjacent to the wall shall be planted with deciduous shrubs, evergreens and ornamental trees. Fruit trees shall not be used. Ornamental trees shall be planted at thirty (30) foot intervals, six (6) feet from the wall. Where the arrangement of the planting materials will result in exposure of the wall, the wall shall be covered with Boston Ivy. The remainder of the landscaped area which is not planted with deciduous shrubs, evergreens and ornamental trees shall be well kept lawn. All such landscaping shall be maintained in a healthy, growing condition, neat and orderly in appearance.

All planting plans shall be submitted to the Department of Parks and Recreation for approval as to suitability of planting materials and arrangement thereof, in accordance with the provisions of the preceding paragraph, prior to the issuance of a building permit.

#### (D) MODIFICATIONS.

The Commission, upon application by the property owner of the parking area, may modify the yard and wall and ingress and egress requirements where, in unusual circumstances, undue hardship would be suffered or no good purpose would be served by compliance with the requirements of this section.

In all cases where such a protective wall on the street side of the parking area extends to an alley which is means of ingress or egress to a parking area, it shall be permissible to end the wall not more than ten (10) feet from such alley line in order to permit a wider means of access to the parking area. (Ord. 564-E, effective June 28, 1951; amended by Ord. 746-E, effective May 28, 1953.)

#### SEC. A-9.5. SURFACE OF PARKING AREA

The parking area shall be provided with pavement having an asphaltic or Portland cement binder so as to provide a permanent, durable, and dustless surface and shall be so graded and drained as to dispose of all surface water accumulation within the area.

#### SEC. A-9.6. LIGHTING

Where lighting facilities are provided they shall be so arranged as to reflect the light away from R1, R2, RM, RM4 or RMU districts which are adjacent to the P1 district.

### SECTION A-9A. B1A DISTRICTS

The following regulations shall apply in all B1A Districts:

#### SEC. A-9A.1. USES PERMITTED

No building, structure or part thereof shall be erected, altered or used or premises used in whole or in part for other than one or more of the following specified uses:

1. Uses permitted in Section 6.1, paragraphs (1) and (2); Section 7.1, paragraphs (2), (6), and (7), medical and dental offices, business and professional offices, barber shops and beauty shops: Provided, All non-residential uses, buildings and structures shall be subject to the approval of the Commission on the site plan to assure a satisfactory integration of the building, structure and/or use into the adjacent or contiguous area.

2. Uses accessory to any of the above permitted uses.

#### SEC. A-9A.2. SIGNS

No signs shall be permitted on a lot other than one (1) non-illuminated real estate sign, not exceeding six (6) square feet in area advertising the sale or rental of the premises upon which it is maintained except in the case of lots containing permitted non-residential uses or structures other than accessory buildings,

whereon one (1) flat sign not exceeding thirty-two (32) square feet in area may be maintained.

#### SEC. A-9A.3. HEIGHT

No building or structure, or part thereof, shall be erected or altered to a height exceeding two and one-half (2½) stories or thirty-five (35) feet except that buildings permitted in this district under this Ordinance for non-dwelling purposes other than accessory buildings, may be erected or altered to a height not exceeding fifty (50) feet, if approved by the Commission as being not injurious to contiguous property and as not being contrary to the spirit and purpose of this Ordinance. (Ord. 263-F, effective February 13, 1958.)

### SECTION B-9. B-1 DISTRICTS

The following regulations shall apply in all B-1 Districts:

#### SEC. B-9.1. USES PERMITTED

No building, structure or part thereof shall be erected, altered or used or premises used in whole or in part for other than one or more of the following specified uses:

1. Uses permitted in RMU districts.

2. Bakeries, provided the service of not more than a total of five (5) persons are utilized in all operations;

Banks;  
Dry cleaning and laundry pickup stores;  
Interior decorators;  
Laundries, provided the services of not more than a total of five (5) persons are utilized therein in all operations;

Laundromats where washing, drying and/or ironing machines are provided on the premises for hire by customers for processing home type washing;

Offices;  
Parking lots for private passenger vehicles;  
Personal service shops for direct service to the customer such as barber shops, beauty parlors, shoe repair and tailor shops;  
Photographic studios;

Radio and household appliance repair shops;  
Restaurants, other than "drive-in" or open-air type as defined in Section 2.8B of this Ordinance, provided there is no dancing, personal appearance entertainment, nor sale of alcoholic beverages by the glass;

Signs, accessory to and on same premises to uses permitted in this Section;

Stores of a generally recognized retail nature whose primary business is the sale of new merchandise;

Uses accessory to any of the above permitted uses;

The temporary use of land for sale of Christmas trees under a permit expiring on December 26th of the year of issue provided, that the applicant deposits the sum of Fifty (\$50.00) Dollars with the Department of Buildings and Safety Engineering to guarantee the cleaning of the lot and any abutting private or public property and disposal of the remaining trees by an approved method on or before December 31st of the year of issue. (Ord. 371-F, effective April 9, 1959; Ord. 490-F, effective June 2, 1960; Ord. 703-F; effective May 31, 1962.)

#### SEC. B-9.2. HEIGHT

No building, structure, or part thereof shall be erected or altered to a height exceeding thirty-five (35) feet. (Ord. 885-E, effective August 12, 1954.)

### SECTION 10. B2 DISTRICTS

The following regulations shall apply in all B2 Districts:

#### SEC. 10.1. USES PERMITTED

No building, structure or part thereof shall be erected, altered or used or premises used in whole or in part for other than one or more of the following specified uses:

SEC. 10.1-A. Uses Permitted in B1 Districts.

SEC. 10.1-B. Advertising signs, bill boards and advertising displays.

Armories;  
Assembly halls;  
Blue print shops;  
Cat and dog hospitals;  
College (business);  
Dance halls;  
Dry cleaning shops employing not more than twenty-five (25) employees in the dry cleaning process and related activities such as spotters, pressers, sorters, taggers, markers, menders, and inspectors;

#### SEC. 10.1-C:

Garages;  
Greenhouses or nurseries with retail sales of nursery stock, including outdoor display and sale of merchandise when all soil materials are enclosed or are in containers;

Mortuaries;  
Motor vehicle body or fender bumping or painting shops;  
Motor vehicle filling and service stations;  
Motor vehicle major motor repairing;  
Motor vehicle salesroom;  
Motor vehicle washing and steam cleaning, where a conveyor is not used;

Newspaper distributing stations;  
Open air sales and display of motor vehicles but not including display or sale of used parts for motor vehicles;

Parking lots;  
Public utility buildings;  
Publicly owned buildings;  
Radio and television stations;  
Recreation buildings;  
Research and testing laboratories;  
Restaurants, excluding "drive-in" type. (Ord 661, effective

March 8, 1962; Ord. 668-F, effective February 22, 1962; Ord. 703-F, effective May 31, 1962.)

#### SEC. 10.1-D

Schools (trade);  
Shops for making or repairing merchandise to be sold at retail on the premises, provided that the services of not more than five (5) persons are utilized in the making of such merchandise;

Stores of a generally recognized retail nature;

Pool and billiard rooms, pawnshops, shoeshine parlors, second-hand stores, taxi dance halls, and establishments used for the sale of beer and/or intoxicating liquors for consumption on the premises, provided that any of these uses established after the effective date of this Amendment shall be so located that there is not in existence more than one (1) lodging house, hotel, other pool or billiard room, pawnshop, shoeshine parlor, second-hand store, taxi-dance halls, or establishment used for the sale of beer and/or intoxicating liquors for consumption on the premises within one thousand (1,000) feet of the boundaries of the site of the proposed said use. This location limitation may be waived by the Common Council after report and recommendation from the City Plan Commission and upon finding that such use (1) will not be injurious to the contiguous or surrounding neighborhood, (2) will not be conducive to the spread of blight by creating a more unfavorable environment in which to rear children or by creating a less wholesome community, and (3) will not be contrary to the public interest, so that the spirit of the Ordinance shall be observed, public safety secured, and substantial justice done. The Common Council may impose other conditions and limitations to carry out such purposes;

Telephone exchanges;  
Theatres;  
Trailer camps or parks;  
Transformer stations and substations with service yards but without storage yards;

Other uses similar in character to those specified heretofore in the above sections. (Ord. 577-F, effective June 30, 1961 and nance. (Ord. 463-F, effective February 18, 1960.) (Ord. 755-F, effective December 28, 1962.)

#### SEC. 10.1-E

Circuses, carnivals, automobile races, and rides, miniature golf courses or any similar amusement enterprises to be operated outdoors, or in tents and either permanent or transient in character, subject to the approval of the Commission that such use or uses are not injurious to the contiguous or surrounding neighborhood and not contrary to the spirit and purpose of this Ordinance. The Commission may specify the hours of operation and the period of time the permit for such use is to remain effective—or such other regulations in granting approvals as may in its judgment be necessary to fulfill the spirit and purpose of this ordinance. (Ord. 463-F, effective February 18, 1960.)

#### SEC. 10.F

On and after the effective date of this amendment (Ord. 97-E, effective July 25, 1946), a new building or structure may be erected and such new building or structure may be used in this district for the following uses or others similar thereto, subject to the approval of the Commission that such use or uses are not

injurious to the contiguous or surrounding B2 District and not within areas needed to serve the surrounding neighborhood and not contrary to the spirit and purpose of this Ordinance:

A. Wholesale stores, storage building or warehouses;  
B. Shops for making merchandise to be sold at retail on the premises employing more than five (5) but not more than fifteen (15) employees in the manufacturing operations;

C. The following uses when employing not more than fifteen (15) employees in the manufacturing operations: Wearing apparel manufacturing such as gloves, hosiery, dresses, including handbags and small leather goods articles. Printing and engraving shops. Dental products, surgical and optical goods manufacturing. Jewelry manufacturing. Toiletries and cosmetics manufacturing.

D. Shops for manufacturing special small tools, dies and gauges employing not more than 15 employees in the manufacturing operations; Provided, that a written report of the Commission's decision shall be filed with the Common Council which shall become final thirty (30) days after the filing thereof, unless within that time a protest against such decision is filed with the Common Council signed by the applicant or by an owner or owners of property within 300 feet of the premises in question. The Common Council shall in such event, by resolution, approve or disapprove such use.

#### SEC. 10.1G

Any building or structure existing in this District at the effective date of this amendment (Ord. 97-E, effective July 25, 1946) may be used for: Shops for making merchandise to be sold on the premises, confection manufacturing, catering establishments, wearing apparel manufacturing such as gloves, hosiery, dresses and including handbags and small leather goods articles, small tool, die or gauge manufacturing; jewelry manufacturing; dental, surgical or optical goods manufacturing; printing and engraving shops; sale and display of machine tools and parts; toiletries and cosmetics manufacturing; wholesale stores and storage buildings or warehouses. Provided, That the Board after public hearing finds such use will not be injurious to the contiguous or surrounding neighborhood and not contrary to the public interest, so that the spirit of this Ordinance shall be observed, public safety secured and substantial justice done. Board may impose other conditions and limitations to carry out such purposes.

#### SEC. 10.1-H

Open air display for rental or sale of householder's pneumatic tired two and four wheel utility trailers, pneumatic tired cement mixers having a capacity of not more than 3½ cubic feet capable of being towed by a passenger automobile, and wheelbarrows, the area to be so used shall have an area of not less than 6,000 square feet, shall be used exclusively for the foregoing purposes and shall be maintained with a stable surface that will not retain water treated so as to prevent the raising of dust or loose particles. Such surfacing may be constructed of crushed stone, slag, gravel, cinders or any type of permanent surfacing drained away from all adjacent lots and streets. The owner or operator of an area so used shall erect and maintain on such an area a permanent type building at least 400 square feet in area, for the purpose of servicing such equipment and shall erect and maintain a barrier type fence not less than eighteen inches in height, on the boundaries of such an area, with only such openings therein as may be necessary for ingress or egress. Provided, in all cases where the use of such premises involves the open air display of pneumatic tired cement mixers, having a capacity of not more than 3½ cubic feet, as more fully heretofore described in this section, the Commission after hearing finds such use to be not injurious to the contiguous or surrounding neighborhood, essential to the public convenience and not contrary to the spirit and purpose of this ordinance, the Commission in making its findings may increase or modify such requirements in specific cases, or may impose additional requirements and conditions where necessary to protect the surrounding neighborhood.

(Effective Aug. 25, 1949, Ord. No. 353-E; Oct. 4, 1951, Ord. No. 587-E; Mar. 18, 1953, Ord. No. 720-E; Ord. 885-E, effective Aug. 12, 1954; Ord. 3-F, effective March 17, 1955.)

SEC. 10.1-I. REPEALED. (Ord. 668-F, effective Feb 22, 1962.)

#### SEC. 10.1J

Motor vehicle laundries or wash racks where a conveyor is used to move the automobiles through any part of the washing operation provided that a hard-surfaced driveway of either one or more lanes shall be constructed on the site in such a manner as to