

ARTICLE VIII
CBD - Central Business District

§ 79-8010 Intent.

The CBD is designed to provide for the concentration of public services (e.g. general retail, service, finance, insurance and real estate) and related uses in the City of Dunkirk. In addition to providing general services to the City of Dunkirk residents, the CBD should complement the C-1 district and include uses that attract tourists. The CBD will act as the retail, financial and administrative center of the City of Dunkirk and surrounding area. The following regulations shall apply in the Central Business District.

§ 79-8020 Permitted Uses and Structures.

The following are permitted uses:

- 1) all uses permitted in the C-1 District, subject to all the restrictions specified for the C-1 District.

§ 79-8030 Accessory Uses.

The following are the accessory uses, building and structures permitted in the CBD District:

- 1) all accessory uses permitted in the C-1 District, subject to all the restrictions specified for the C-1 District.

§ 79-8040 Site Plan Review.

The following uses are permitted subject to site plan review as outlined in Article XVII - Site Plan Review:

- 1) all uses permitted subject to site plan review in the C-1 District, subject to all the restrictions specified for the C-1 District;
- 2) drive-in business including restaurants and banks;
- 3) automatic coin laundry and/or dry cleaning;
- 4) sporting goods, bicycle and toy stores;
- 5) trophy, stamp and coin, jewelry and watch shops;
- 6) gunsmith, locksmith, engraving and taxidermy shops;
- 7) drug stores, pharmacies and optical shops;

- 8) professional offices (e.g. attorneys, engineers, researchers, business management consultants, data processing consultants, decorators, counsellors, psychologists, etc.);
- 9) administrative and executive office buildings, facilities and uses;
- 10) electronic equipment stores;
- 11) medical offices;
- 12) department stores;
- 13) furniture stores;
- 14) appliance stores.

§ 79-8050 Special Permitted Uses.

The following are special permitted uses subject to the conditions outlined in Article XVIII - Special Permits:

- 1) all uses permitted subject to special permits in the C-1 District, subject to all the restrictions specified for the C-1 District.

§ 79-8060 Lot, Area and Yard Requirements.

The following lot requirements apply to the CBD:

Lot Requirements

Residential

All buildings intended for residential use, in whole or in part, shall comply with the lot requirements of the Residential - 3 District (R-3).

Other Uses

Minimum Lot Frontage	40 feet
Minimum Lot Area	4,000 sq. feet
Maximum Building Coverage	50%
Maximum Lot Coverage	80%

Yard Requirements

Residential

All buildings intended for residential use, in whole or in part, shall comply with the yard requirements of the Residential - 3 District (R-3).

Other Uses

Minimum Front Yard Average of the existing buildings within 200 feet or 10 feet, whichever is less

Minimum Side Yard - abutting non-residential district 0 feet

Minimum Rear Yard - abutting non-residential district 10 feet

Minimum Side Yard and Rear Yard - As required in the
abutting residential district abutting residential district

§ 79-8070 Buildings.

The following requirements apply to buildings constructed in the CBD District:

Height

Residential

All buildings intended for residential use, in whole or in part, shall comply with the height requirements of the Residential - 3 District (R-3).

Other Uses

All buildings proposed shall comply with the height requirements of the C-1 District.

Floor Area

Residential

All buildings intended for residential use, in whole or in part, shall comply with the height requirements of the Residential - 3 District (R-3).

Other Uses

All buildings proposed shall comply with the floor area ratio requirements of the C-

1 District.

§ 79-8080 Supplemental Regulations and Exceptions.

See Part III - Regulations Applying to all Districts for additional regulations applying to the CBD District.

§ 79-8090 Incentive.

The Planning Board in the City of Dunkirk is authorized to provide incentives or bonuses to applicants for specified community benefits or amenities provided in the CBD. The exact incentives will be determined in conjunction with the applicant and the City Council.

- 1) incentives shall include, but not be limited to, adjustments to the permissible density, area, height, open space or lot or building coverage.
- 2) community benefits shall include the provision of open space corridors and linkages or the development of retail space on the ground level of the new development.
- 3) The procedures outlined in this zoning law for site plan approval shall be followed in granting the incentives.