

§ 159 Drive In Businesses

Plans for the erection or structural alteration of drive in (drive-thru/drive-through) establishments, as herein defined, shall be submitted to the Town Board for approval. The Town Board may require such changes therein in relation to yards, driveways, driveway entrances and exits and the location and height of buildings and enclosures as it may deem best suited to ensure safety, to minimize traffic hazards or difficulties and to safeguard adjacent properties. The Town Board shall utilize the following criteria when reviewing such facilities and identifying appropriate site/design changes:

- 1) Traffic flow – drive-in aisles shall be separate from internal circulation routes necessary for ingress or egress and shall have an appropriate amount of stacking space to avoid queuing into internal circulation routes, driveways, or any public thoroughfares. Traffic analysis may be requested as necessary.
- 2) Facility siting – side or rear only, no frontage drive-in facilities are permitted to maintain visual aesthetics along public thoroughfares
- 3) Buffering – drive-in areas shall be buffered and screened from adjacent residential or mixed-use uses with landscaping and/or fencing to effectively minimize noise, odors and light from headlights and display boards. Screening materials shall be of an adequate height, density, and type as determined by the Town Board, but shall not block visibility from ingress or egress aisles.
- 4) Noise - Any drive-in speaker system shall emit no more than fifty (50) decibels (dBa) and at no time shall any speaker system be audible above daytime ambient noise levels beyond the property lines of the site. The system shall be designed to compensate for ambient noise levels in the immediate area.

§ 165 Mobile Homes

The following shall apply in addition to all other regulations of the Town. No mobile home shall be parked and/or occupied in any district outside an approved mobile home park for more than forty-eight (48) hours except upon a special permit issued by the Town Board. Such permit shall be issued for a period not to exceed thirty (30) calendar days and shall not be renewable within the same calendar year.

All mobile homes used as offices or referred to as "mobile offices" shall be prohibited in the Town of Dunkirk. This shall not include construction field offices required on site for specific projects completed in the Town of Dunkirk. These field offices, however, shall be removed from the construction site within 7 (seven) days of project completion.

§ 166 Mobile Home Parks

The following shall apply in addition to all other regulations of the Town of Dunkirk regarding mobile home parks:

- 1) Permit - It is unlawful within the Town of Dunkirk for any person or persons to construct or operate a mobile home park without first securing a written permit from the Town of Dunkirk and complying with the regulations of this Chapter.
- 2) Application - Any applicant for a mobile home park license shall state that as agent or owner, shall be responsible for the proper maintenance and upkeep of the proposed park and shall furnish the following information:

Town of Dunkirk Zoning Updates
October 20, 2021

- a) boundaries of plot area;
 - b) entrances, exits and walkways;
 - c) trailer sites or lots;
 - d) method and plan of sewage disposal;
 - e) method and plan of garbage disposal;
 - f) water supply;
 - g) electric lighting;
 - h) owners' and operators' name and address.
- 3) Park Plan -The park plan shall include the following:
- a) in the AR-1 zone, a mobile home park shall have an area of not less than five (5) acres
 - b) in the AR-1 zone, no mobile home lot or office or service building shall be closer to a street, road or other property line than one hundred (100) feet;
 - c) in all other zones where mobile home parks are allowed, no mobile home or trailer lot, office or service building shall be closer to any street or road line than one hundred (100) feet or closer to any other property line than fifty (50) feet.
 - d) Location of on-site office(s) for management of the park.
- 4) Additional Requirements - Wherever located, a mobile home park shall conform to the following additional requirements:
- a) the park shall be located on a well-drained site suitable for the purpose, with an adequate entrance road at least twenty-two (22) feet wide;
 - b) individual mobile home lots shall have an area of not less than three thousand (3000) square feet with a minimum width of forty (40) feet and a minimum depth of seventy-five (75) feet;
 - c) the total number of mobile home lots shall not exceed twelve (12) per gross acre;
 - d) the park shall be adequately buffered with landscaping, as approved by the Town Board but no less than 10 feet in depth, along any property line to provide an adequate level of screening, especially where adjacent to other residential uses to account for the higher density attributed to the park design and layout;
 - e) each mobile home shall have an entrance platform to conform with the overall plan;
 - f) each mobile home park shall provide sanitary services and conveniences including water supply, sewage disposal, lighting, garbage disposal and incinerator, according to the regulations in this Article;
 - g) A dedicated parking space on a durable surface for at least one vehicle for each mobile home shall be provided;
 - h) Each mobile home shall be skirted with a durable material and adequately maintained;
 - i) Within the management office of the park, there shall be a bound book containing the records of the names of all persons accommodated at the park with their home address, vehicle license number, and contact information, said records being made available for inspection by the Code Enforcement Officer or any police officer;
 - j) Additions shall be limited to awnings or other similar weather protective structure(s).
- 5) Water Supply - A sufficient supply of water obtained from the Town of Dunkirk water system shall be provided to each mobile home.
- 6) Sewage and Refuse Disposal - Waste from showers, toilets and laundries shall be connected to the Town of Dunkirk wastewater system in a manner approved by the Highway

Commented [JS1]: 22 feet is a standard dimension for driveways

Commented [JS2]: Original text was:
"Margins alongside the rear property line shall be densely planted with trees and shrubs for a depth of not less than twenty-five (25) feet"

Seems like the anticipation is to provide buffering/screening against adjacent uses? I've recommended something a bit different that (1) doesn't require such an excessive density (25 feet is a bit much) and also provides some flexibility to provide the screening in other areas besides just the rear portion of the site.

Superintendent. All kitchen sinks, washbasins, lavatories, bath and showers in the mobile home located in any mobile home park shall empty into the Town of Dunkirk sanitary sewer system.

§ 170 Shopping Centers

The Town Board may authorize the issuance of a permit or permits for the construction of a shopping center in applicable zones provided the center conforms to the following requirements:

- a. Plan - The proposed development shall be in accordance with a site plan submitted to the Town of Dunkirk and approved by the Town Board. It shall not be required that the entire development be in a single ownership, built or financed by a single party if satisfactory evidence is shown that all parties financially or otherwise concerned in the development are legally bound to conform to the submitted site plan.
- b. Vehicular Access - All vehicular entrances and exits upon public roads shall be approved by the proper highway authority and the Highway Superintendent.
- c. Shopping centers shall utilize the following design standards:
 - i. Retail development shall be arranged in a shopping center layout, with large-scale stores complemented by ancillary small-scale stores.
 - ii. Professional office and office buildings shall be arranged in campus-style layouts.
 - iii. Driveway openings and curb cuts shall be aligned with existing curb cuts where practicable, in order to reduce the potential addition of traffic lights and conflicting turning movements.
 - iv. Continuous sidewalks, off-street transit stops (where routes exist or are planned) and bike racks close to business entrances shall be provided for properties public roadways.
 - v. Signage shall be provided in accordance with this chapter.
 - vi. Buffering and transitions:
 1. Trash/dumpster areas shall be screened by wood fences or landscaping, or a combination thereof.
 - vii. Buffer plantings or opaque fences, preferably wood fences, shall be provided between commercial uses and adjoining residential uses or zones, as well as along frontages with arterial roads. In order to provide shade, parking lots with 21 or more spaces shall have plantings at one tree per 10 off-street spaces. Such trees shall be spread throughout the parking lot, rather than clustered only along the edges.