

*Town of Tonawanda, NY
Thursday, March 21, 2024*

Chapter 215. Zoning

Article VII. C General Business District

§ 215-38. Permitted uses.

[Amended 1-30-1984 by L.L. No. 1-1984; 10-20-1997 by L.L. No. 4-1997]

- A. In a C General Business District, no building, structure or lands shall be used, structurally altered or erected which are intended, arranged or designed to be used for other than the permitted uses in a residential district, M-F Multifamily Dwelling District or the C-1 Restricted Business District or for one or more of the following:
- (1) Retail sales of merchandise and services free from dust, fumes, smoke, odor, gas, noise and vibration.
 - (2) Hotel.
 - (3) Motel.
 - (4) Restaurant.
 - (5) Theater.
- B. Special use permit cases shall be permitted as indicated in Article **XIV**.
- C. All activities, except automobile parking, shall be conducted wholly within an enclosed structure erected in conformance with § **215-39** of this chapter. The displaying, storing and selling of seasonal-type merchandise and products which are related to the retail activities carried on in the structure erected in conformance with § **215-39** of this chapter, except as described in Subsection **D** hereof, are permitted outside of an enclosed structure, provided that said merchandise and products are neither subject to harm by exposure to the elements nor hazardous, harmful or injurious to abutting premises.
- D. Seasonal outdoor dining shall be permitted by special annual permit in accordance with Article **XXV**, § **215-164**, of this chapter.
- E. Residential uses in the C General Business District must comply with residential property line setback restrictions and applicable restrictions.

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Article VI. C-1 Restricted Business District

§ 215-32. Permitted uses.

In a C-1 Restricted Business District, no building, structure or lands shall be used, structurally altered or erected which are intended, arranged or designed to be used for other than the permitted uses in a residential district or for one or more of the following permitted uses:

- A. Hospitals or sanitoriums when located at least 50 feet from a side lot line of any residential district but not including any institution primarily for contagious-disease patients, mental patients, epileptics, drug or liquor addicts, the mentally ill or feebleminded or for penal or correctional purposes.
- B. Nonprofit institutions for charitable purposes but not including any institutions primarily for contagious diseases, mental illness, epileptics, drug or liquor addicts or for penal or correctional purposes.
- C. Clubs or lodges or fraternal or religious associations not operated for profit.
- D. Multifamily dwelling. (See the area requirements of § 215-35.)
- E. Bank or brokerage or financial institutions.
- F. Medical building or clinic subject to the restrictions in Subsection A above.
- G. Mortuary.
- H. Convalescent home and nursing home.
- I. General office of any type.
- J. Computer services.
- K. Insurance office.
- L. Real estate office.
- M. Accessory structures are permitted as specified in Article IV hereof, except that such accessory structure shall not occupy the area provided for the parking of vehicles in accordance with the off-street requirements as provided in Article XIII hereof.
[Added 3-15-1993 by L.L. No. 1-1993]