

**PETITION TO AMEND THE OFFICIAL ZONING MAP**  
**To the Town Board of the Town of Canandaigua, Ontario County, New York**

1. **Name, Address, and Telephone Number of the Applicant:** \_\_\_\_\_  
\_\_\_\_\_
2. **Name and Address of Applicant's Attorney (if applicable):** \_\_\_\_\_  
\_\_\_\_\_
3. **Interest of Applicant in Property:** \_\_\_\_\_
4. **Name and Address of Property Owner, if different:** \_\_\_\_\_  
\_\_\_\_\_
5. **Subject Property Address and Tax Map Number:** \_\_\_\_\_  
\_\_\_\_\_
6. **Current Zoning Classification:** \_\_\_\_\_
7. **Requested Amended Zoning Classification:** \_\_\_\_\_
8. **Existing Land Use and/or Buildings:** \_\_\_\_\_
9. **Proposed Land Use and/or Buildings:** \_\_\_\_\_  
\_\_\_\_\_
10. **Applicant must attach a plot plan of the site indicating the following:**
  - Existing and proposed property lines
  - Existing and proposed primary and accessory buildings
  - Heights of existing and proposed buildings
  - Existing and proposed front, side, rear, and buffering setbacks
  - Existing and proposed off street parking and means of ingress and egress
  - Land uses of all abutting and adjacent properties
  - Short Environmental Assessment Form (SEQR)
11. **Submit the application fee of \$50 with this application.**
12. **An additional \$250 will be required to be submitted at the time the Town Board decides to consider your petition and adopts a resolution to forward your application to the Town Planning Board and the Ontario County Planning Board for their comments/recommendation.**
13. **See the attached Canandaigua Town Board "Rules of Procedures for Rezoning Process."**

**Signature of Applicant / Date:** \_\_\_\_\_

## Appendix C

## State Environmental Quality Review

**SHORT ENVIRONMENTAL ASSESSMENT FORM**

For UNLISTED ACTIONS Only

**PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)**

1. APPLICANT/SPONSOR	2. PROJECT NAME
3. PROJECT LOCATION: Municipality _____ County _____	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY:	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres    Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**

**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

**A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4?** If yes, coordinate the review process and use the FULL EAF.  
 Yes  No

**B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6?** If No, a negative declaration may be superseded by another involved agency.  
 Yes  No

**C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING:** (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

**D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?**  
 Yes  No If Yes, explain briefly:

**E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?**  
 Yes  No If Yes, explain briefly:

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (If different from responsible officer)

## **Canandaigua Town Board Rules of Procedures for Rezoning Process**

1. Petitioner meets with P&Z regarding the process to rezone a parcel of land. The P&Z provides the petitioner a copy of the Petition to Amend the Official Zoning Map application form.
2. Petitioner submits application to P&Z with the \$50 application fee.
3. P&Z reviews application for completeness and submits request to rezone property to the TC to place on the TB meeting agenda.
4. At the next meeting, the TB formally receives from the TC the request for rezoning and adopts a resolution (prepared by P&Z) to either forward or not to forward the request to the PB for its recommendation. TC forwards the resolution along with any documentation to the PB. Legal basis is that all zoning must be in conformance with the adopted Comprehensive Plan. Prior to the application being forwarded to the PB, the applicant shall submit the Formal Rezoning Process fee of \$250.
5. PB reviews application and PB chairperson submits a report to the TC to forward to the TB. This recommendation should not be site specific (i.e. not based upon a detailed site plan). Instead, it should be based upon the recommendations contained in the adopted Comprehensive Plan. The pattern of land use adjacent to the site, the respective zoning dimension criteria in the TZC, a review of all permitted and special permitted uses in the requested zoning district and identification of specific site concerns (i.e. traffic, drainage, noise, etc.).
6. The TB with the PB chairperson present reviews the PB recommendation and decides whether to consider (or not) the request to rezone the land. If it is decided to consider the rezoning, the TB by resolution (prepared by P&Z) directs the TA to prepare the local law amending the zoning map and to prepare a draft legal notice to be published in the ON.
7. The TA submits the draft local law to P&Z who prepares the necessary SEQR forms for TB acceptance. P&Z submits all documentation to the TC. The TC submits all documentation to the TB for review at their next meeting.
8. The TB adopts a resolution prepared by P&Z directing the submission of the draft Local Law and EAF documents to the OCPB for its review. At this meeting, the TB also passes a resolution setting the date for a public hearing and directs the TC to submit a legal notice of the public hearing. P&Z completes the necessary OCPB referral form and submits all documentation to the OCPB as soon as possible.
9. Depending upon where the subject rezoning site is located, the TC may need to provide written notice of a rezoning action to the Clerk of an adjacent municipality (same packet as given to OCPB). Notice is given in addition to the publishing of a public notice in the ON.
10. Nine (9) copies of any additional information must be received by the TC on/before 12 noon on the Wednesday preceding the next TB meeting. This information shall be submitted to the TB as part of their packet of information. (Copies to: TC, TB, TA, PB Chair, and P&Z)

11. At the public hearing, the TB reviews the requested rezoning, identifies the availability of the EAF and the OCPB referral comments.
12. Any documentation to be addressed at the Public Hearing should be available for the general public to review prior to the public hearing. If there is additional information submitted at the public hearing, then the public should be given additional time to review the entire record.
13. Once the public hearing is closed, the TB must make a determination of significance under the SEQR provisions before taking action upon the requested rezoning. P&Z to prepare SEQR resolution to be included in the TB packets.
14. The TB, as part of its resolution to rezone as prepared by P&Z to TC, may impose conditions that it deems to be in the best interests of the health, safety and general welfare of the community.
15. After the TB adopts the local law, the TC certifies the adoption of the local law and forwards the text to the TA for signature. The TA returns the local law to TC for filing with the Secretary of State. Then the TC directs the appropriate staff person (assessors, MRB, P&Z) to amend the Official Zoning Map accordingly. The TC sends written notice to the applicant and the PB Chairperson of the rezoning. The applicant may now proceed with their development proposal.
16. The Secretary of State notifies the TC of the filing of the local law.

Note:

In the event that the OCPB recommends modification/denial of a rezoning request and the TB decides to override the recommendation, then JMR will prepare a separate TB resolution. Prior to submission of said resolution, JMR will coordinate with TA.

TB = Town Board

P&Z = Jean Chrisman, Mike Boesel, Ron Brand

TC = Town Clerk

TA = Town Attorney

OCPB = Ontario County Planning Board

PB = Planning Board

Comprehensive Plan = Town of Canandaigua Comprehensive Plan 2002

TZC = Town Zoning Code (Chapter 105)

ON = Official Newspaper

SEQR = State Environmental Quality Review

EAF = Environmental Assessment Form

2/21/03; 5/17/07

file: m:\...\current\Town Board Rezoning Process.doc