

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
[HTTPS://DOS.NY.GOV](https://dos.ny.gov)

KATHY HOCHUL
GOVERNOR
ROBERT J. RODRIGUEZ
SECRETARY OF STATE

March 19, 2024

Town of Canandaigua
5440 Routes 5 & 20 West
Canandaigua, NY 14424

RE: Town of Canandaigua, Local Law 3 2024, filed on 3/11/2024

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492

Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

(585) 394-1120

Fax: (585) 394-9476

Established 1791

March 7, 2024

NYS Department of State
Division of Corporations, State Records and
Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, New York 12231

RE: Filing of Local Law 3 of 2024

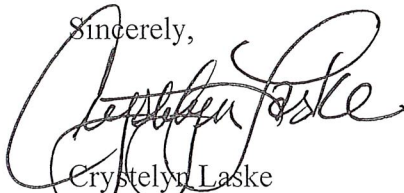
To Whom It May Concern:

Enclosed is a certified original of Local Law 3 of 2024 that was adopted by the Canandaigua Town Board on Monday, February 26, 2024:

- LL 3 of 2024: To re-designate and re-zone real property located at 2625 CR 22 from AR-1 to MUO and amending the official zoning map of the Town of Canandaigua to reflect such change.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Crystelyn Laske
Town Clerk

Encs.

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one:)

of CANANDAIGUA _____

Local Law No. 3 of the year 2024

A local law TO RE-DESIGNATE AND RE-ZONE REAL PROPERTY LOCATED AT 2625 CR 22
(Insert Title)
FROM AR-1 TO MUO AND AMENDING THE OFFICIAL ZONING MAP OF THE
TOWN OF CANANDAIGUA TO REFLECT SUCH CHANGE

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of CANANDAIGUA _____ as follows:

SEE ATTACHED EXHIBITS A AND B

(If additional space is needed, attach pages the same size as this sheet, and number each.)

TOWN OF CANANDAIGUA

LOCAL LAW # 3 OF 2024

Exhibit A

Be it enacted by the Town Board of the Town of Canandaigua, as follows:

SECTION ONE. Intent. The intent of this Local Law is to re-designate the real property located at 2625 County Road 22 in the Town of Canandaigua, County of Ontario, and State of New York from AR-1 the zoning district to the Mixed Use Overlay zoning district and to amend the official zoning map of the Town of Canandaigua.

SECTION TWO. Identification of Property to be Re-Zoned. The property to be re-zoned is located at 2625 County Road 22 in the Town of Canandaigua, County of Ontario, and State of New York, and bears Tax ID # 71.00-1-21.141, and consists of approximately 4.913 acres, as more specifically shown on the attached plans entitled Commercial Site Plan for 2625 Hanna Road, LLC showing land in 2625 County Road 22 Town of Canandaigua, prepared by Marks Engineering. Said plan is on record at the Town's Development Office, and is attached hereto and made a part herein as EXHIBIT B.

SECTION THREE. Zoning District Change from AR-1 Agricultural Rural Residential to MUO Mixed Use Overlay. The parcel of land described in the above Section Two shall be, and the same hereby is, transferred from the AR-1 Agricultural Rural Residential Zoning District to the MUO Mixed Use Overlay District as said zoning districts are defined and regulated by Town Code Chapter 220, as amended from time to time, and as specifically amended by this Local Law.

SECTION FOUR. Setback and Area Requirements. Based on the project description and other materials submitted to the Town of Canandaigua as of the date this Local Law is passed by the Town Board, the Town Board of the Town of Canandaigua hereby establishes the following setback, dimensional, and other area requirements for the land rezoned herein:

A. Setbacks

1. Minimum Front Setback to County Road 22: 61.0'
2. Minimum Side Setbacks: 33.0'
3. Minimum Rear Setback: 150.0'

B. Maximum Building Height: 35.0'

C. Minimum Distance Between Buildings: 40.0'

D. Maximum Building Coverage: 13.0%

E. Minimum Parking Stall Size: 19'x9'

F. Minimum Parking Spaces Required for Proposed Indoor Sports Facility: 63

G. Minimum Lot Size: 4.9 Acres

The requirements established herein are specific to the project descriptions and plans submitted to the Town. If, in the opinion of the Town Board, the project changes significantly, or if the applicant fails to receive approvals from the Town of Canandaigua Planning Board for the above-described project, these requirements shall be void and all bulk and area requirements established herein shall revert back to those set for the AR-1 Zoning District in Town Code Chapter 220.

SECTION FIVE. Amendment of the Official Zoning Map of the Town of Canandaigua. The Town Clerk of the Town of Canandaigua is hereby directed to amend the Official Zoning Map of the Town of Canandaigua to reflect the change in zoning district classification accomplished by this Local Law.

SECTION SIX. Authority and Supersession Effect. This Local Law is enacted pursuant to authority conferred by the New York State Municipal Home Rule Law and Town of Canandaigua Town Code § 220-33. To the extent that the items specifically addressed in this Local Law, or the manner of its adoption, is inconsistent with New York State Town Law, the Town Code of the Town of Canandaigua, or any other statute or local law, this Local Law shall prevail.

SECTION SEVEN. Effective Date. This Local Law shall take effect upon filing with the New York State Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ 3 _____ of 20²⁴ of the (County)(City)(Town)(Village) of CANANDAIGUA was duly passed by the TOWN BOARD on February 26, 20²⁴, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20^{□□}, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: March 7, 2024

(Seal)