

Town of Canandaigua

5440 Routes 5 & 20 West • Canandaigua, NY 14424 • (585) 394-1120

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: CANANDAIGUA COUNTRY CLUB INC

PROPERTY ADDRESS: 3280 FALLBROOK PK

TAX MAP NUMBER: 98.00-1-39.111

ZONING DISTRICT: CC / R-1-20

DETERMINATION REFERENCE:

- Application for One Stage Site Plan, dated 02/10/2019. Received for review by Town on 02/11/2019.
- Application for Soil Erosion and Sediment Control Permit, not dated. Received for review by Town on 03/08/2019.
- Application for Area Variance, not dated. Received for review by Town on 03/08/2019.
- Plans titled "Parking Area Reconfiguration" by Venezia Land Surveyors and Civil Engineers, dated 03/15/2019, no revisions noted, received by the town on 03/15/2019.

PROJECT DESCRIPTION:

- Applicant proposes to expand and reconfigure the existing parking area and install drainage features.

DETERMINATION:

- Off-street parking is a permitted accessory use in the Community Commercial District.
- Planning Board shall have the authority to waive provisions of Off-Street Parking regulations where applicant bears the burden of proof, including:
 - o A parking space shall not be less than 10 feet in width and 20 feet in depth.
 - o Any off-street parking area with at least 20 off-street parking spaces shall designate a minimum of 5% of those spaces, up to a maximum of 10 spaces, as reserved only for the handicapped and clearly mark them for such use. Parking spaces designated to serve handicapped individuals shall be at least 14 feet in width and 20 feet in depth.
 - o Off-street parking areas for more than five vehicles shall be effectively screened on the rear and side yards by a fence of acceptable design, unpierced masonry wall, landscaped berm or compact evergreen hedge. Such wall or hedge shall not be less than six feet in height and shall be maintained in good condition.
 - o When a parking area for five or more vehicles is within or abuts a residential district, a planted buffer area shall be provided in addition to the fence or wall specified above. Landscaping utilized to provide this buffer shall not be less than four feet in height at the time of planting and spaced not more than three feet apart. The planted buffer area shall not be less than 10 feet in depth.
 - o All off-street parking areas and appurtenant passageways and driveways (excluding areas serving one- and two-family dwellings and farm dwellings) shall be illuminated adequately during the hours between sunset and sunrise when the use is in operation, and any lights used to illuminate an off-street parking area shall be so arranged as to reflect the light away from all adjoining property.
- Planning Board shall have the authority to waive provisions of Landscaping and Buffering regulations where applicant bears the burden of proof, including:
 - o Where any commercial, industrial, or specially permitted use in any district abuts land in any residential district, a strip of land at least 75 feet in width shall be maintained as an open landscaped area in the front yard, side yards and rear yard which adjoins these other districts. Such dimension may be part of the required minimum yard dimensions and is not in addition to the minimum yard dimensions. In any case, the larger buffer, either the minimum required setback or the fifty-foot strip, shall be required.

- Landscaping required under this section is to be installed and maintained in front, side and rear yards as developed and shall take the form of shade trees, deciduous shrubs, evergreens, well-kept grassed areas and ground cover.
- public and private parking lots or automotive use areas containing more than 10 parking spaces shall have at least one shade tree for each 10 parking spaces or portion thereof. Said trees shall be located within the paved area of the parking lot. Each tree shall be installed within a protected planting island with no less than 100 square feet of soil or permeable surface area per tree or within 10 feet of the pavement area. The trees shall be maintained by the owner and/or lessee of the property and shall not be cut down or otherwise removed when the lot is altered or enlarged. Said trees may be moved to another location on the lot upon approval by the Planning Board. Trees and their associated planting areas shall be located so as to provide visual relief and to assure safe traffic patterns of internal vehicular and pedestrian circulation.
- For parking areas designed for more than 10 cars, a minimum of 5% of the interior of the parking area shall be devoted to landscaping. The arrangement and location of the landscaped area shall be dispensed throughout the parking areas so as to prevent unsightliness and monotony of parking cars.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is required to be reviewed by the Ontario County Planning Board as it relates to Site Plan for a Commercial property within 500 ft. of a municipal border.

REFERRAL TO PLANNING BOARD FOR:

- Planning Board Site Plan approval required for Development which exceeds 1,000 square feet in the CC Zoning District.

CODE SECTIONS: Chapter §1-17; §220-64; §220-73; §220-76; §220-23; §220c Sch.II Off-Street Parking

DATE: 3/26/2019

BY: 
Eric Cooper – Zoning Inspector

CPN- 19-012

NYS Town Law, Section 267-a(5)(b), an appeal may be made to the ZBA within 60 days of the date of this determination.

c: Binder
Property File
Property Owner
Town Clerk

