

# *Town of Canandaigua*

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

*Established 1789*

## **ZONING LAW DETERMINATION**

**PROPERTY OWNER:** HANFORD, GEOFFREY T

**PROPERTY ADDRESS:** 5291 KEPNER RD

**TAX MAP NUMBER:** 56.00-2-24.300

**ZONING DISTRICT:** CC

### **DETERMINATION REFERENCE:**

- Application for One Stage Site Plan Approval, dated 01/07/2019. Received for review by Town on 01/07/2019.
- Application for Soil Erosion and Sediment Control Permit, dated 01/05/2019. Received for review by Town on 01/07/2019.
- Sketch Plans titled "*untitled*" by *unknown*, dated 12/28/2018, no revisions noted, received by the town on 01/08/2018.

### **PROJECT DESCRIPTION:**

- Owner proposes to construct a gravel parking area to serve auto repair business on adjacent parcel.

### **DETERMINATION:**

- Applicant proposes development of 12,000 sq. ft. within the CC Zoning District.
- Planning Board shall have the authority to waive provisions of Off-Street Parking regulations where applicant bears the burden of proof, including:
  - 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 fence shall be erected and maintained in accordance with § 220-9K of these regulations. Such wall or hedge shall not be less than six feet in height and shall be maintained in good condition.
- Planning Board shall have the authority to waive provisions of Landscaping and Buffering regulations where applicant bears the burden of proof, including:
  - o In addition, in all nonresidential zones, automotive uses shall be separated from the streetside property line by a vegetated, landscape buffer strip of 20 ft. in width.
  - o In all districts, 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.
  - o 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 Use within 500 ft. of a state highway.

**REFERRAL TO PLANNING BOARD FOR:**

- Site Plan approval required for all development which exceeds 1,000 sq. ft. in the CC zoning district.

**CODE SECTIONS:** Chapter §1-17; §220-64; §220-23; §220-73; §220-76

DATE: 3/26/2019

BY:   
Eric Cooper – Zoning Inspector

**CPN- 19-001**

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

