

# 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. 6 of the year 20<sup>19</sup>

A local law Amend Official Zoning Map To Expand The Mixed Use Overlay District to Include Portions

(Insert Title)

of Canandaigua-Farmington Townline Road, Mobile Road, Thomas Road, Brickyard Road

and Airport Road

Be it enacted by the Town Board of the  
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village

(Select one:)

of Canandaigua as follows:

See Attachments A-E

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

TOWN OF CANANDAIGUA  
LOCAL LAW # 6 OF 2019

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ATTACHMENT “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 designate the real property located within the Town of Canandaigua, as specifically described below, as part of the MUO Mixed Use Overlay District by amending the official zoning map of the Town of Canandaigua.

**SECTION TWO.** Identification of Property to be Designated. The parcels to be designated as part of the MUO Mixed Use Overlay District are as follows and as highlighted in Attachment B, C, D and E:

- A. 0000 CDGA-FARM TL RD [# 55.02-3-119.100]
- B. 5791 CDGA-FARM TL RD [# 55.02-3-115.000]
- C. 5795 CDGA-FARM TL RD [# 55.02-3-114.000]
- D. Western Portion of 1835 ST RT 332 [# 56.00-1-1.100]
- E. 0000 CDGA-FARM TL RD [# 56.00-1-44.120]
- F. 1880 ST RT 332 [# 55.02-1-7.100]
- G. 5550 MOBILE RD [# 55.02-1-1.000]
- H. 5546 MOBILE RD [# 55.02-1-2.000]
- I. 5542 MOBILE RD [# 55.02-1-3.000]
- J. 5538 MOBILE RD [# 55.02-1-4.000]
- K. 5534 MOBILE RD [# 55.02-1-5.000]
- L. 5530 MOBILE RD [# 55.02-1-6.000]
- M. 0000 THOMAS RD [# 70.06-1-68.100]
- N. 5435 THOMAS RD [# 70.06-1-65.000]
- O. 0000 THOMAS RD [# 70.06-1-68.200]
- P. 5443 THOMAS RD [# 70.06-1-66.000]
- Q. 5447 THOMAS RD [# 70.06-1-67.000]
- R. 5501 THOMAS RD [# 70.06-1-69.000]
- S. 5505 THOMAS RD [# 70.06-1-70.000]
- T. 5509 THOMAS RD [# 70.06-1-71.000]

- U. 5513 THOMAS RD [# 70.06-1-72.000]
- V. 5521 THOMAS RD [# 70.06-1-73.000]
- W. 5525 THOMAS RD [# 70.06-1-74.000]
- X. 5529 THOMAS RD [# 70.06-1-75.000]
- Y. 0000 THOMAS RD [# 70.00-1-2.111]
- Z. 2361 BRICKYARD RD [#70.00-1-67.111]
- AA. 5500 AIRPORT RD [# 70.00-1-67.120]
- BB. 0000 BRICKYARD RD [# 70.00-1-67.130]
- CC. 2491 BRICKYARD RD [# 70.00-1-4.200]
- DD. Currently Undesignated Portion of 2440 ST RT 332 [# 70.00-1-66.121]
- EE. Currently Undesignated Portion of 0000 AIRPORT RD [# 70.00-1-66.110]
- FF. 5560 AIRPORT RD [# 70.00-1-70.100]
- GG. 2495 BRICKYARD RD [# 70.00-1-10.111]
- HH. Currently Undesignated Portion of 2480 SOMMERS DR [# 70.00-1-68.100]
- II. 0000 BRICKYARD RD [# 70.00-1-68.200]
- JJ. Currently Undesignated Portion of 0000 BRICKYARD RD [# 70.00-1-12.200]
- KK. Currently Undesignated Portion of 5250 NORTH ST [# 70.00-1-39.000]

**SECTION THREE.** Designation as Part of MUO Mixed Use Overlay District. The parcels of land described in Section Two shall be, and the same hereby are, designated as part of the MUO Mixed Use Overlay District. This designation shall serve only to establish eligibility of these parcels for consideration of a designation of MUO Mixed Use Overlay Zoning. They shall remain in their current, base Zoning District until such time as the Town Board re-zones such parcel or parcels pursuant to Town Code § 220-33.

**SECTION FOUR.** Amendment of 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 FIVE.** Authority and Supersession Effect. This Local Law is enacted pursuant to authority conferred by the New York State Municipal Home Rule Law. To the extent that 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 SIX.** Savings Clause. The provisions of this Local Law shall not affect or impair any action done, offense committed, or right accruing, accrued, or acquired, or liability or

penalty, forfeiture or punishment incurred prior to the time this Local Law takes effect but the same may be enjoyed, asserted, enforced, prosecuted, or inflicted as fully and to the same extent as if such Local Law had not been enacted.

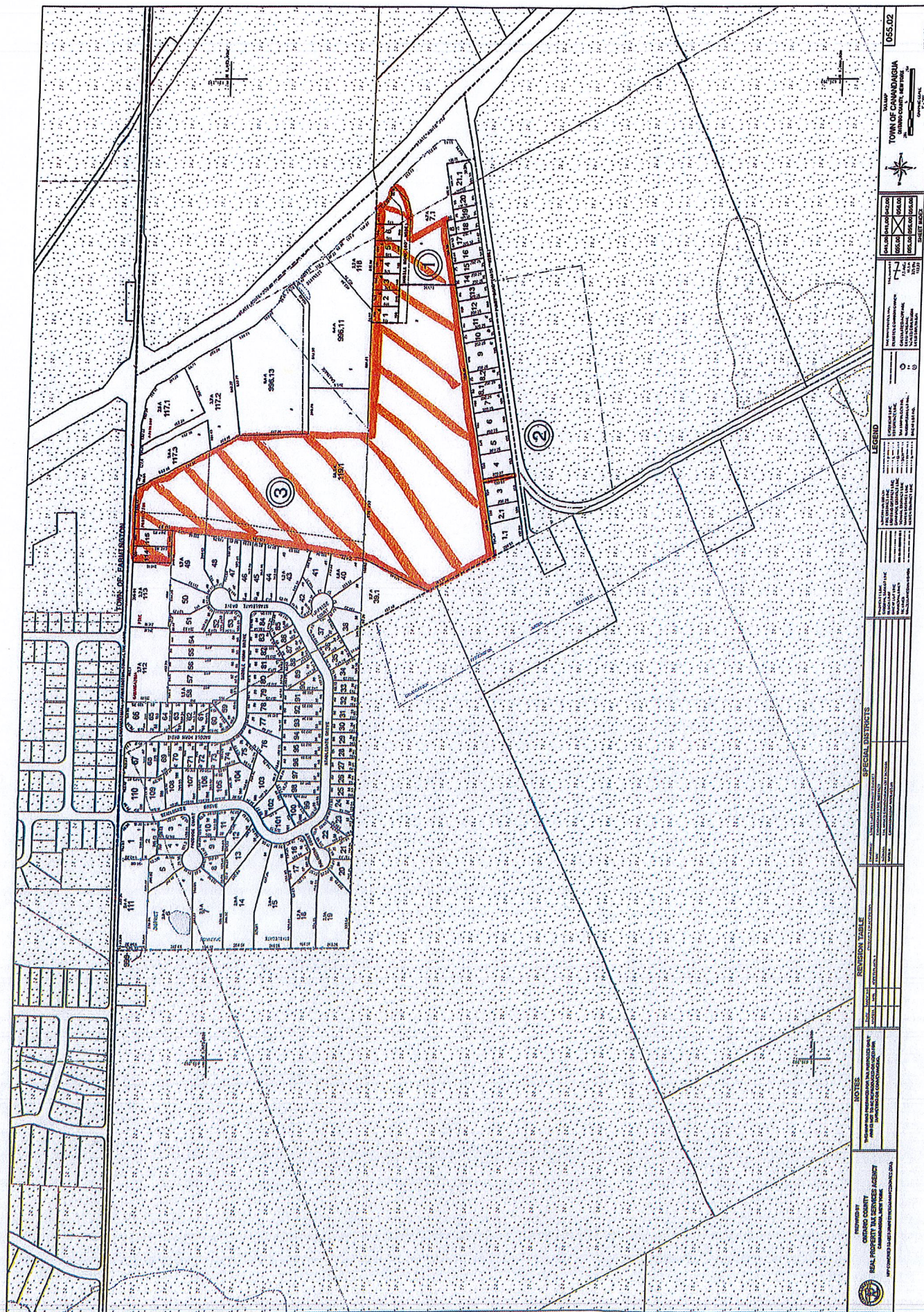
**SECTION SEVEN.** Partial Invalidity. If any provision of this Local Law or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the provision, person, or circumstance directly involved in the controversy in which said judgment shall have been rendered.

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



## **ATTACHMENT B**

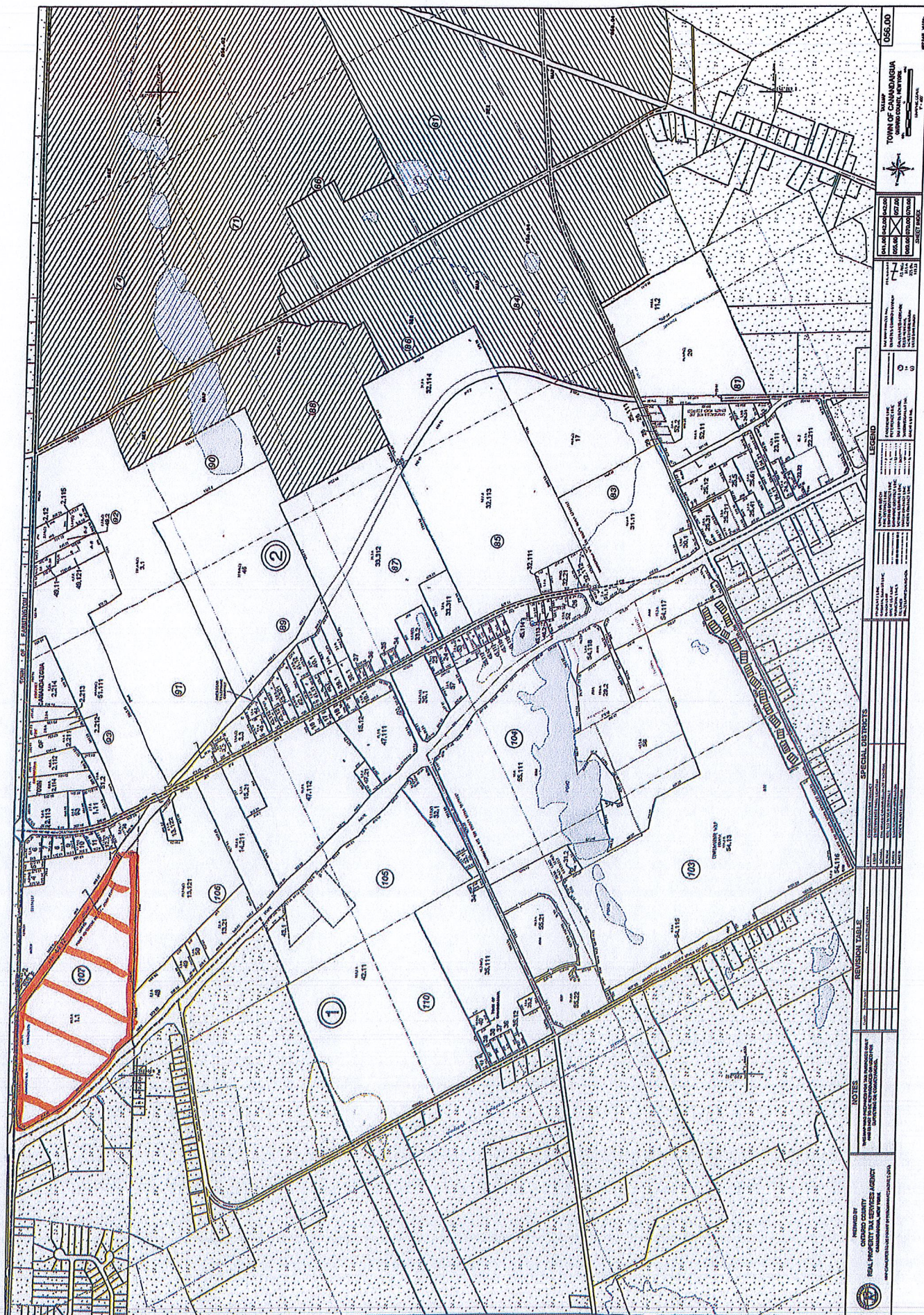






## **ATTACHMENT C**

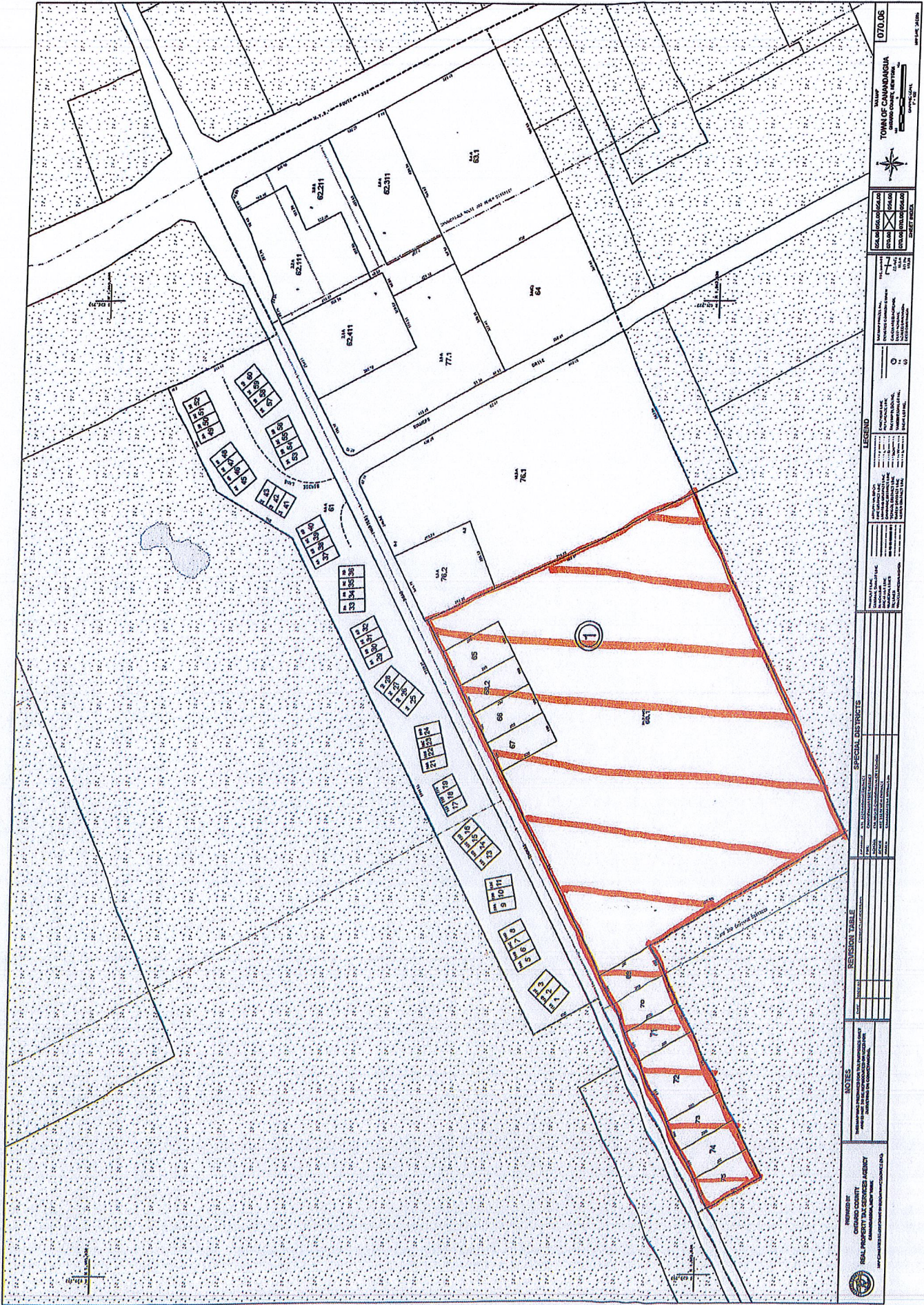







## **ATTACHMENT D**







**TOWN OF CANANDAIGUA**  
NEW YORK  
070.05

**NOTES**

1. THE MAP IS A PRELIMINARY MAP AND IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED.

2. THE MAP IS A PRELIMINARY MAP AND IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED.

**REVISION TABLE**

NO.	DATE	DESCRIPTION
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**SPECIAL DISTRICTS**

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**LEGEND**

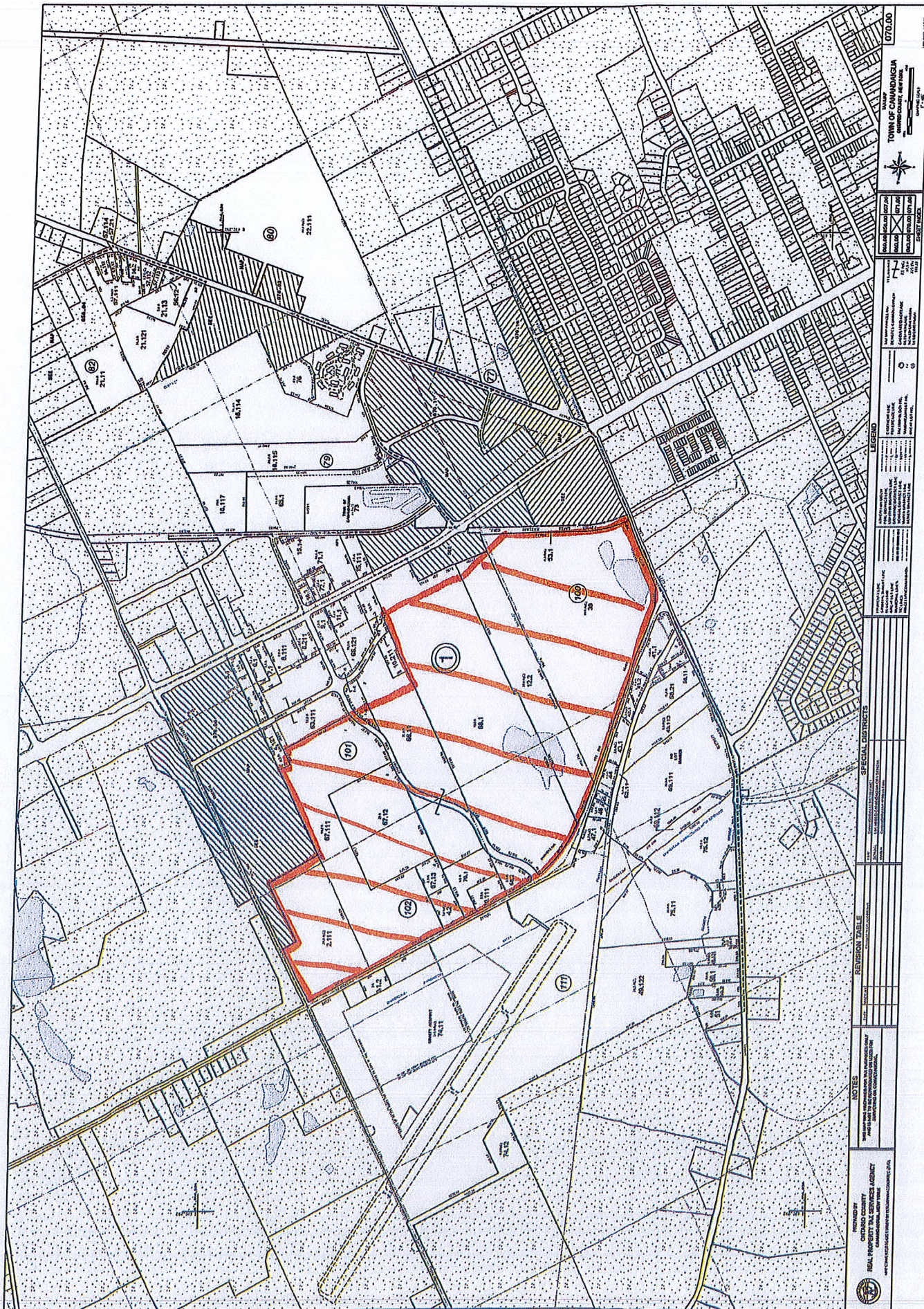
SYMBOL	DESCRIPTION
[Symbol]	1. LOT
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**070.05**



## **ATTACHMENT E**





REGIONAL PLANNING AND DEVELOPMENT AGENCY  
1400 CHAMBERS STREET, SUITE 200  
ANN ARBOR, MI 48106-1500  
TEL: 734/769-1234 FAX: 734/769-1235  
WWW.RPA-ANNARBOR.ORG

NOTES

1. THIS MAP IS A PRELIMINARY MAP AND IS NOT TO BE USED FOR CONVEYANCE OF INTERESTS IN REAL ESTATE.

REVISION TABLE

NO.	DATE	DESCRIPTION
1	07/01/00	INITIAL RELEASE

SPECIAL DISTRICTS

DISTRICT	DESCRIPTION
1	UNINCORPORATED

LEGEND

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100	UNINCORPORATED

TOWN OF CHANNAHUA

070.00



**(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. 6 of 2019 of  
the (County)(City)(Town)(Village) of Canandaigua was duly passed by the  
Town Board \_\_\_\_\_ on September 16, 2019, in accordance with the applicable  
(Name of Legislative Body)  
provisions of law.

**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.

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\* 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: 9/24/19

(Seal)