

DRAFT:

RLD – Swimming Pools

LAST REVISED 4/6/20202/21/2020

§ 220-21 RLD Residential Lake District.

A. Purpose. The purpose of the RLD Residential Lake District is to allow limited residential uses that protect the quality of Canandaigua Lake and the surrounding natural topography, including the shoreline, ridgelines, and scenic vistas of this unique and environmentally sensitive area.

B. Permitted principal uses.

- (1) One single-family dwelling per lot.
- (2) Public parks.
- (3) Public safety facilities.

C. Permitted accessory uses.

- (1) One detached private garage no taller than 16 feet and one attached private garage may be permitted.
- (2) One accessory building/structure, not to exceed 100 square feet in total area and 10 feet in height above average finished grade may also be permitted. Except as provided in Subsection C(2)(c) and (d) and Subsection D below, setback requirements for accessory buildings/structures are specified in Schedule I,[1] Zoning Schedule, RLD.
 - (a) If the principal building on a lakefront is located on the lakeside portion of the lot, then the accessory building/structure may be permitted in the side yard of the principal building.
 - (b) If a lakefront lot is divided by a street and the principal building is located on the lakeside portion of the lot, then the accessory building/structure may be permitted on the portion of the lot opposite the lakeside. In this instance, the front setback shall not be less than 60 feet, the rear setback shall not be less than 10 feet, and the minimum side yard setback shall be 10 feet.
 - (c) If a lakefront lot is divided by a street and the principal building is not located on the lakeside portion, then the accessory building/structure may be located in the rear yard of the principal building.
 - (d) If a lakefront lot is divided by a street and the principal building is not located on the lakeside portion, then the accessory building/structure may be located on the lakeside portion and may contain a restroom, but only with public water and sewer service.

(e) There shall be no additions to an accessory building/structure, such as, but not limited to, decks, porches and cantilevers.

(3) Seasonal storage, commencing no earlier than October 31 of any year and continuing no later than May 31 of the following year, of docks, hoists and buoys permitted to be used on the premises by the provisions of Chapter 96, Canandaigua Lake Uniform Docking and Mooring.

(4) Swimming Pools

(a) Installation. No swimming pool shall be installed unless a building permit shall have been issued in accordance with the New York State Uniform Fire Prevention and Building Code and the provisions of the Town Code, general requirements. Hot tubs.

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(a) Definitions. As used in this section, the term "hot tub" shall have the meaning set forth in Chapter 1, Article II.

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(b) Installation. No hot tub shall be installed unless a building permit shall have been issued in accordance with the New York State Uniform Fire Prevention and Building Code and the provisions of the Town Code, general requirements. With the exception of Subsection C(5)(a) and (b), every hot tub shall conform to the provisions set forth for swimming pools in this chapter.

(b) No permit shall be issued for such hot tub swimming pool unless it is shown that the proposed drainage for such hot tub swimming pool shall not drain directly to neighboring properties or Canandaigua Lake.

(5c) One in-ground swimming pools:

[1] One in-ground swimming pool may be allowed for each lot. In addition, each in-ground swimming pool in the RLD:

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(a)[2] In-Ground Swimming pools shall only be located in the rear and/or side yard of a lot. Shall be located only within the side yard of a lot or the rear yard of the lot if not adjoining Canandaigua Lake.

(b) Shall not be located in the front yard of a lot or in the rear yard of a lot where said rear yard adjoins Canandaigua Lake.

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[3](e) Shall be included as part of lot coverage as measured by the water surface and all adjoining impervious surfaces.

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[4](d) Shall meet the setback requirements for an accessory building/structure within the RLD.

(d) Above Ground Swimming Pool

[1] One Above Ground Swimming Pool may be allowed for each lot not adjoining Canandaigua Lake.

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[2] Above Ground Swimming pool shall be located only within the rear and/or side yard of a lot.

D. Dimensional requirements. The dimensional requirements for this district are specified in Schedule I, which is made a part of this chapter. However, preexisting nonconforming lots that are less than 20,000 square feet shall be subject to the following setback requirements:

E. Special permit uses.

- (1) Essential services, public utility facilities or communications installations.
- (2) Tourist home.

F. Special provisions subject to all development within the RLD Residential Lake District.

- (1) No accessory buildings or tennis courts shall be constructed within rear yards adjoining Canandaigua Lake.
- (2) Erosion/sedimentation control measures shall be used before, during and after construction until ground cover is reestablished as specified in Chapter 165 of the Town of Canandaigua Code, Soil Erosion and Sedimentation Control.
- (3) All boat docking, mooring and other related improvements in or on the waters of Canandaigua Lake are governed by Chapter 96 of the Town Code.
- (4) Rear setbacks shall be measured from the mean high-water mark.