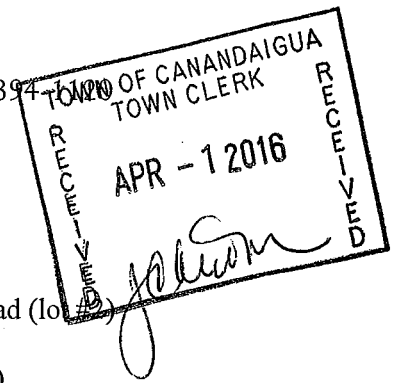


Town of Canandaigua

5440 Routes 5 & 20 West • Canandaigua, NY 14424 • (585) 394-1000

Established 1789

ZONING LAW DETERMINATION



PROPERTY OWNER: Sarah M. Genecco

PROPERTY ADDRESS: 1880 State Route 332 (lot #1) & 5516 Purdy Road (lot #2)

TAX MAP NUMBER: 55.02-1-7.100 (lot #1) & 55.02-2-21.100 (lot #2)

ZONING DISTRICT: CC – Community Commercial

PROJECT DESCRIPTION: Proposed modification to existing site plan approvals – alteration of structure & associated elevations.

REFERENCE: Project Plans/elevations titled “Genecco Rt 332 Bldg B” by Hanlon Architects, dated March 25, 2016.

ISSUE:

- The owner wishes to construct a 33’ tall commercial/retail structure, in the shape of an ice cream cone.
- Per Town Code a ‘Sign’ is defined as: Any material, structure or part thereof, or any device attached to a building or structure or painted or represented thereon, composed of lettered or pictorial matter, or upon which lettered or pictorial matter is placed and is intended for display of an advertisement, notice, directional matter or name, and includes sign frames, billboards, sign boards, illuminated signs, pennants, fluttering devices, projecting signs, or ground signs.
- Per Town Code a ‘Business Sign’ is defined as: A sign which directs attention to a business, profession or industry conducted upon the premises or to a commodity or service sold or offered by such business, profession or industry upon the premises where such sign is located.

DETERMINATION:

- Commercial uses such as gift shops, tourist shops, clothing stores, furniture stores, craft shops, sporting goods, shoe stores, grocery stores, restaurants and liquor stores are permitted principal uses within the Community Commercial zoning district.
- The entire proposed building is a ‘STRUCTURE’ which is representative of the products to be sold within. The intent of the proposed structure is to direct attention to the business and the commodity sold by such business. The entire proposed structure is therefore a ‘business sign’ under Town Code.
- Aesthetic impact to be reviewed.
- Sign/Structure is within a proposed Multi-Use Development.
- Each individual business or use within a multiuse development which has an exterior entrance may have a tenant identification sign mounted on the building.
- Tenant identification signs shall be uniform in design, style and, to the extent practicable, location on the building when compared to other such signs within the same multiuse development and shall only consist of a building-mounted sign which does not exceed one square foot of sign area for each linear foot of building frontage occupied by the use or tenant or 350 square feet of sign area, whichever area is less, and is not more than 10 feet in vertical height.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is required to be reviewed by the Ontario County Planning Board due to proximity to State Route 332.

REFERRAL TO ZBA FOR:

- Area variance applications shall be submitted to the ZBA.
- Sign/Structure is more than 10 feet in vertical height. Proposed Structure/Sign is proposed at 33'-0"AGL. A 23ft. height area variance is required.
- Sign/Structure area exceeds maximum allowed area. The plans provided do not provide sufficient information/dimensions to determine the extent of the area variance required.

REFERRAL TO PLANNING BOARD FOR:

- An official request for updated site plan approval shall be submitted to the Town's Planning Board.
- An application requesting Special Use Permit for a Commercial Sign in the CC Zoning District shall be submitted.
- When reviewing applications that include signs, the Planning Board shall also consider the type of sign(s) and their suitability to the particular neighborhood, including the sign's aesthetic design, form, proportion, color, material, surface treatment and position. In addition to any other requirements prescribed within the Town Zoning Law, plans shall only be approved which reflect a reasonable conformity of design, lettering, lighting and material for all signs on a parcel and do not have an unnecessarily negative aesthetic impact.

CODE SECTION: Chapter §1-17, §220-78, §220-78, §220-80, §220-81, & §220-83

DATE:

CPN-037-15

BY:

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