

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

DRAFT

Local Law No. _____ of the year 20²¹

A local law TO AMEND THE FRONT SETBACK REQUIREMENTS FOR THOSE PORTIONS OF

(Insert Title)

THE CENTERPOINTE PLANNED UNIT DEVELOPMENT THAT FRONT ON

ROUTE 332 OR THOMAS 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 ATTACHMENT "A"

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

TOWN OF CANANDAIGUA

LOCAL LAW # ____ OF 2021

DRAFT

ATTACHMENT "A"

SECTION ONE. It is the intent of this local law to amend the Planned Unit Development ("PUD") standards set forth by the Town Board for the Centerpointe Project PUD in 1986, 2005, and 2012 so as to allow the construction of a Motor Vehicle Service Station in accordance with the Town's Comprehensive Plan and Uptown Study.

SECTION TWO. The Town Board's Resolution of PUD Approval for the Centerpointe Project, adopted on October 28, 1986, shall be amended as follows:

1. Section II(C)(2)(a) shall be replaced in its entirety with the following:

From Rout 332 – 35 feet from the right-of-way line in accordance with the Town's Uptown Study, dated March, 2019, provided that any development be in compliance with the design and other guidelines set forth in said Uptown Study as determined by the Planning Board.

2. A new Section II(C)(2)(c)(iv) shall be added as follows:

Except that from the right-of-way line of Thomas Road the minimum front setback shall be 35 feet from the right-of-way line in accordance with the Town's Uptown Study, dated March, 2019, provided that any development be in compliance with the design and other guidelines set forth in said Uptown Study as determined by the Planning Board.

SECTION THREE. Invalidation. If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

SECTION FOUR. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

(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. _____ of 2021 of the (County)(City)(Town)(Village) of CANANDAIGUA was duly passed by the TOWN BOARD on 12/15/20, in accordance with the applicable 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) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 2021, 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) (repassed after disapproval) by the _____ on _____ 20____.

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) (repassed after disapproval) by the _____ on _____ 20____. Such local 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.

* 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

(Seal)

Date: _____

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