

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

ORDINANCE COMMITTEE

Monday, October 24, 2019 at 9:00 AM

Rev. 11/5/2019

MEETING REPORT

MEETING CALLED BY: GARY DAVIS

COMMITTEE MEMBERS: GARY DAVIS ERIC COOPER SARAH REYNOLDS
JOHN CASEY TOM SCHWARTZ

SECRETARY: ERIC COOPER

GUESTS: KEVIN REYNOLDS LINDA DWORACZYK TERRY FENNELLY
DOUG FINCH

PRIVILEGE OF THE FLOOR

COMMITTEE BUSINESS

- Lawn Maintenance
 - o The Committee first agreed that the Local Law should be changed from a Misdemeanor to a Violation.
 - o The question arose again about the Town's ability to enter the property and enforce the code. E.g. If a person grows their lawn long for purposes of promoting lake health, is cutting their lawn a violation of the first amendment? Additionally, if a person flatly refuses to cut their lawn, are we not inviting future disputes and problems entering their property?
 - o Member Fennelly made the point that this local law is a matter of order such as having a number of mowed lawns interrupted by an unmowed lawns.
 - o The Committee discussed the difficulty of interacting with bank owned properties and foreclosures. This led the committee to discuss Zombie Property laws.
 - o The committee mentioned that property owners being brought to court and long proceedings are the exception rather than the rule. Additionally, the committee discussed referring complainants to the Center for Dispute Settlement.
 - o The Committee decided to delay further review of the Lawn Maintenance Local Law until the Committee can review code related to Zombie property.
- Agricultural Enhancement Local Law
 - o The Committee and Board's goal with this local law was to be more Ag friendly and promote Agricultural Uses and Business in the Town. Some Board members felt that the amount and proliferation of rules stood in opposition to that goal.
 - o The Committee first discussed a concern regarding proposed changes to Chapter 220-56.1 Keeping of Horses in R-1-30 and SCR-1 Districts.
 - As the proposed change generally expands the allowable use to include livestock instead of horses, the concern from the Board was that the acreage requirement would not be equitable or appropriate for each type of livestock. For example, this shouldn't include Bees.

- After an initial decision to ok the removal of Chapter 220-56 Subsection C entirely from Code, the Committee instead decided to allow the keeping of livestock and Agricultural Uses within those Zoning Districts as Permitted Principle Uses with appropriate lot size and setbacks. The language would be taken from the existing AR-1 Zoning District.
- Agricultural Uses (minus livestock) should not be subject to minimum lot size where currently it requires 7 acres. However, keeping of livestock, lot size requirements, and required setbacks will be specified throughout the code.
- Regarding the new Code section currently title Small Acreage Agricultural Use, the committee felt this required a definition. Comments received from the public indicated that the intent and impact were not clear.
 - In conformance with other changes, this Chapter will be retitled “Small Acreage Livestock Use”.
 - Provide Definition of such Use
 - Livestock allowed and not regulated will be broken down. It will not regulate Bees.
- Finally, there was general agreement that this Local Law was difficult to follow due to its breadth. The Town Planner will prepare Chapter summaries for changes to each chapter which will provide justification for changes and how code enforcement will change.

Next Meeting: November 4, 2019 @ 9:00 am

- **To discuss:**

- **Ag. Zoning**
- **Zombie Property**

Adjournment @ 11:00 am