

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. 20 of the year 2017

A local law Amendment to Official Zoning Map Rezoning 3311 State Route 364 TM# 98.08-1-16.000)
(Insert Title)
from R-1-20 to Mixed Use Overly (MUO)

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

County City Town Village
(Select one:)

of Cananadaigua as follows:

see attached

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

TOWN OF CANANDAIGUA
LOCAL LAW # 20 OF 2017

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 re-designate the real property located at 3311 State Route 364 in the Town of Canandaigua from the R-1-20 Residential zoning district to the Mixed Use Overlay zoning district by amending the official zoning map of the Town of Canandaigua.

SECTION TWO. Identification of Property to be Re-Zoned. The property to be re-zoned is located at 3311 State Route 364 in the Town of Canandaigua, as more specifically shown on the attached plan entitled "Sketch Plan Prepared for: Cory Westbrook Showing Land At 3311 NYS Route 364 Town of Canandaigua," which plan was received by the Town of Canandaigua Development Office on July 26, 2016. Said plan is attached hereto and made a part herein as Attachment "B". The tax map identification number of the parcel to be re-zoned is 98.08-1-15.000.

SECTION THREE. Zone District Classification Change from R-1-20 Residential to MUO Mixed Use Overlay. The parcel of land described in Section Two shall be, and the same hereby is, transferred from the R-1-20 zoning district to the MUO Mixed Use Overlay zoning district as said zoning districts are defined and regulated by Town Code Chapter 220, as amended from time to time, and as specifically amended by this Local Law.

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 and Town of Canandaigua Town Code § 220-33. 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.

Deed Reference:
Focal Point Federal Credit Union to Cory Westbrook & Michael Miller by Deed filed August 12, 2013 in Liber 1301 of Deeds at Page 888.

Abstract Reference:
This survey is subject to any facts an updated abstract of title may reveal.

Map Reference:
Ontario County filed map No. 2522

Site Details:
Existing Zoning is Residential 20,000 Sq. Ft. (R-1-20) (Mixed Use Overlay District)
Minimum Lot Size: 20,000 SQ. FT.
Front Setback: 60 FT.
Rear Setback: 40 FT.
Side Setback: 25 FT.
Maximum Building Height = 35 FT.
Maximum Building Coverage on Lot = 20%

Lot Coverage Calculations: Sq.Ft
Building.....1,328.0
Gravel Parking Lot.....4,000.0
Porch.....60.0
Ramp.....49.0
Deck.....80.0
Concrete Sidewalk.....71.0
Total Coverage.....5,588.0
Total Site Area.....32,973.0
Building Coverage.....4.0%
Lot Coverage.....16.9%

* Unauthorized alteration or addition to a map bearing a Licensed Professional Engineer's or Professional Land Surveyor's seal in any way is a Violation of Section 7209*

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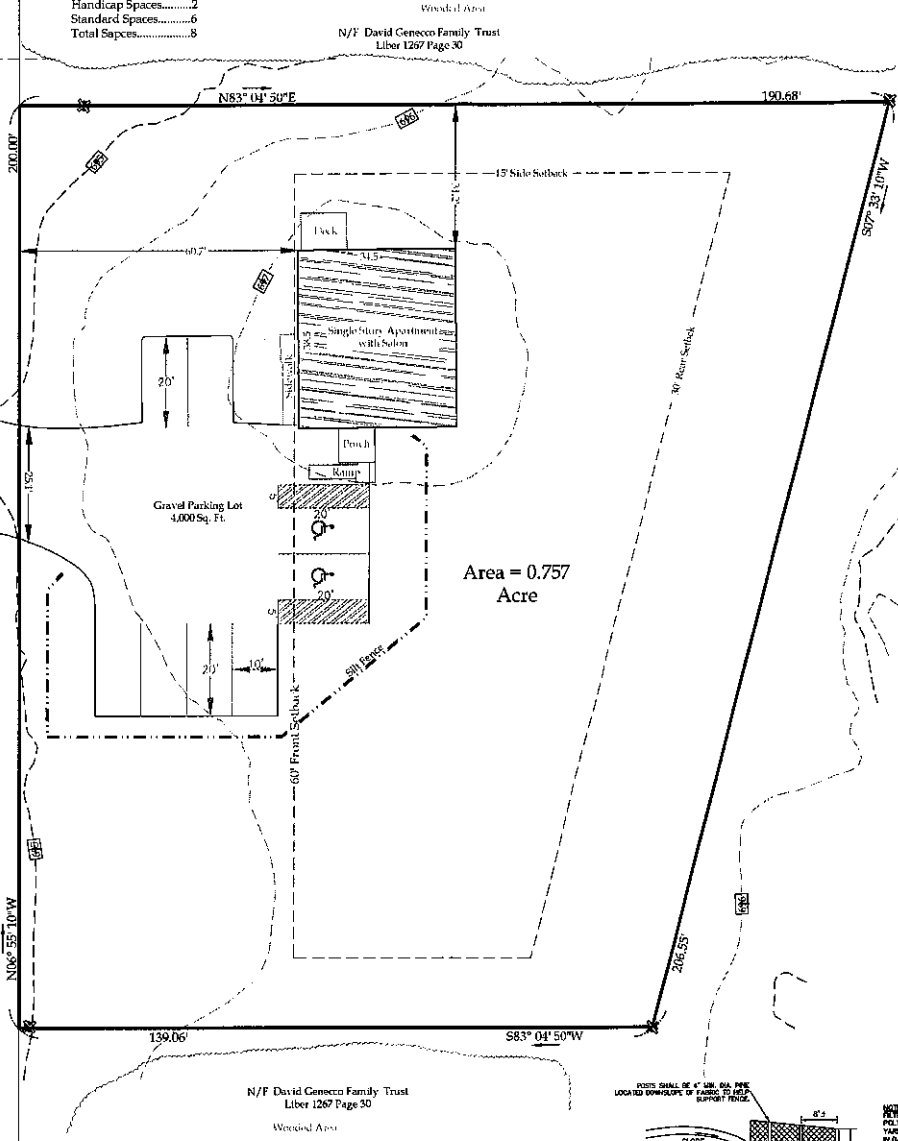
Proposed Site Details:
Zoning is Residential 20,000 Sq. Ft. (R-1-20) (Mixed Use Overlay District)
Minimum Lot Size: 20,000 SQ. FT.
Front Setback: 60 FT.
Rear Setback: 30 FT.
Side Setback: 15 FT.
Maximum Building Height = 35 FT.
Maximum Building Coverage = 20%
Maximum Lot Coverage = 40%

Contours derived from NAVD88 Datum
Flood Zones X Per Community Panel No. 360598 0020 C Last Dated March 3, 1997.

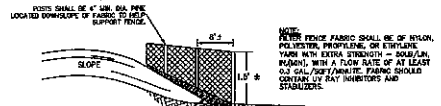
Parking Space Totals:
Handicap Spaces.....2
Standard Spaces.....6
Total Spaces.....8



New York State Route 364
(R.O.W. With Varies)
(40' Pavement Width)



Area = 0.757 Acre



SILT FENCE DETAIL

- Legend
- ⊗ Iron pin or pipe found
 - ⊙ Iron pin set
 - ⊕ Drill hole
 - ~ Utility pole
 - E/T
 - E/T
 - R.O.W. line
 - Property lines
 - Contourline
 - ▲ P.K. nail found
 - ▲ P.K. nail set
 - Concrete Monument
 - ⊕ Benchmark
 - Utility lines
 - E/T
 - R.O.W. line
 - Property lines
 - Contourline

This is to certify that I am a Licensed Land Surveyor and that this plan was completed on 09/18/2017 from notes of an instrument survey performed on 09/18/2017



Anthony A. Venezia
signed
License No. 050861

Site Plat Prepared for:

Cory Westbrook & Michael Miller
Showing Land At
3311 NYS Route 364
Town of Canandaigua
County of Ontario State of New York

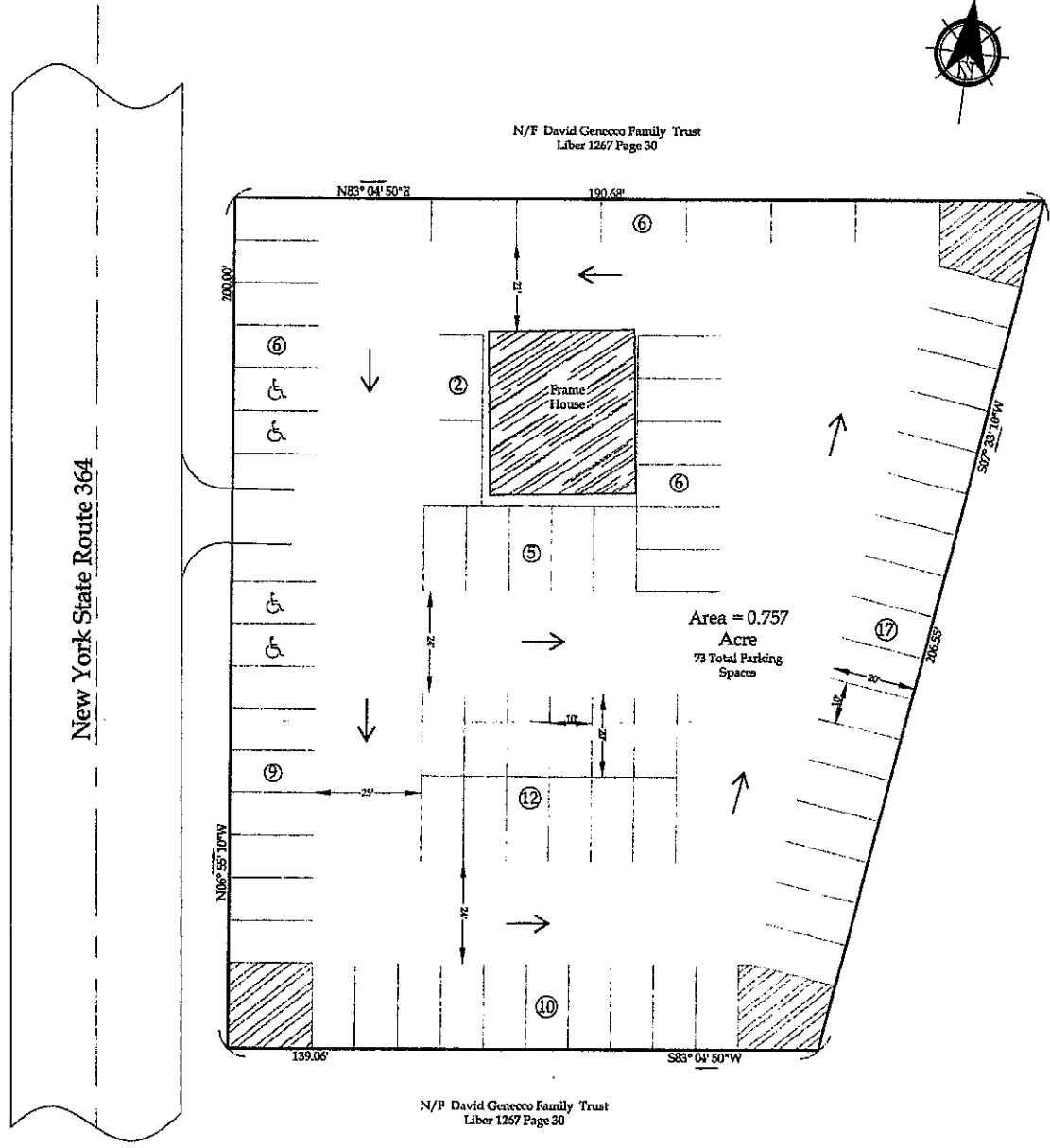
Tax Map# 98.08-1-15.0
Scale: 1" = 20'
Job # 17182



www.veneziasurvey.com E-mail rocco@veneziasurvey.com Fax No. (585) 396-0131 (585) 396-3267 Canandaigua New York, 14424 5120 Laura Lane

* Unauthorized alteration or addition to a map bearing a Licensed Professional Engineer's or Professional Land Surveyor's seal in any way is a Violation of Section 7229*

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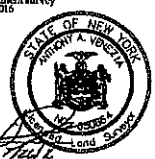


Area = 0.757
Acre
73 Total Parking
Spaces

- Legend**
- ⊕ Iron pin or pipe found
 - ⊗ Iron pin set
 - ⊙ Drill hole
 - ⊕ Utility pole
 - E/T — E/T
 - R.O.W. line
 - Property lines
 - Centerline
 - ▲ P.K. nail found
 - ▲ P.K. nail set
 - Concrete Monument
 - ⊕ Benchmark
 - Utility lines
 - R.O.W. line
 - Property lines
 - Centerline

TOWN OF CANANDAIGUA
DEVELOPMENT OFFICE
JUL 26 2016
RECEIVED FOR REVIEW

This is to certify that I am a Licensed Land Surveyor and that this plan was completed on 07/14/2016 from notes of an instrument survey performed on 07/14/2016



Anthony A. Venezia
signed
License No. 050864

Sketch Plan Prepared for:

Cory Westbrook

Showing Land
At
3311 NYS Route 364
Town of Canandaigua

County of Ontario State of New York

Tax Map# 98.08-1-15.0
Scale: 1" = 20'
Job # 16153



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(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. 20 _____ of 20¹⁷ of the (County)(City)(Town)(Village) of Canandaigua was duly passed by the Town Board on November 20 20¹⁷, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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.

* 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.)

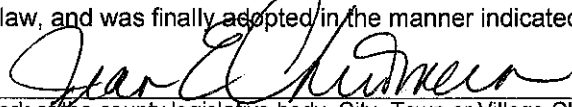
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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: 11/30/2017

(Seal)