

Memo

To: Town Board

From: Sarah Reynolds and Mike Murphy

cc: Planning Board and Zoning Board of Appeals

Re: Minimum Area of Dwelling Units

There have been many discussions surrounding the minimum required size dwelling units in the Town of Canandaigua. The proposed changes to Town code would allow for greater flexibility for property owners when considering building a new home and for developers when proposing both single family and multifamily developments. It may also help provide more affordable housing in the Town.

There are two versions of proposed changes:

1. One version proposes to reduce the minimum size of single-family units to 720 sf. This version also reduces the minimum size of multi family units (including apartments) to 720 sf for any required to be greater than 720 (3- and 4-bedroom apartments are currently required to be larger than 720 sf and 2- and 3-bedroom townhomes are required to be larger than 720 sf).
2. The other version of the draft law eliminates the minimum area requirement for both single-family and multifamily dwelling units. Those portions of town code that dictate size requirements for dwelling units are removed.

For all dwelling units, applicants would still be required to meet all applicable state and/or federal code requirements as dictated by the Code Enforcement Officer in order to be approved and granted a building permit.

REDUCE MINIMUM SQUARE FOOTAGE TO 720 SF

§ 220-9. Regulations applicable to all districts. [Amended 2-13-2012 by L.L. No. 1-2012; 4-8-2013 by L.L. No. 2-2013; 2-10-2014 by L.L. No. 1-2014; 10-17-2016 by L.L. No. 9-2016]

S. Placement of manufactured housing within the Town of Canandaigua.

~~(1) The siting of single-wide manufactured homes shall be permitted only in manufactured home parks within the Town of Canandaigua.~~

~~(2)~~(1) A single-wide manufactured home sited under the provisions of this section shall offer no less than 720 square feet of living area, excluding decks, porches and other structures which are either attached or placed immediately adjacent to the single-wide manufactured home.

~~(3)~~(2) ~~Double-wide~~M-manufactured homes are permitted in all residential zoning districts, except the Residential Lake District, provided that the ~~double-wide~~ manufactured home shall offer no less than ~~1,100~~720 square feet of living space, excluding decks, porches and other structures which are either attached or placed immediately adjacent to the ~~double-wide~~ manufactured home, and further provided that the ~~double-wide~~ home shall be no less than 20 feet wide.

~~(4)~~(3) All ~~double-wide~~ manufactured homes located outside of a manufactured home park shall be sited on a full perimeter foundation with concrete or concrete block foundation walls extended below the frost line and must be affixed to the foundation in accordance with the manufacturer's specifications.

~~(5)~~(4) All manufactured homes to be sited within the Town of Canandaigua shall comply with all applicable federal, state and/or local laws at the time of application.

~~(6)~~(5) A permit must be obtained from the Code Enforcement Officer of the Town of Canandaigua prior to the siting of any manufactured home within the Town of Canandaigua.

T. All single-family dwelling units, except senior living facilities ~~and single-wide manufactured homes~~, constructed and/or located within the Town of Canandaigua shall offer no less than ~~1,100~~720 square feet of living area excluding decks, porches, and other structures which are either attached or placed immediately adjacent to the dwelling unit, ~~and provided further that the dwelling unit shall be no less than 20 feet wide~~. This shall not apply to multiple-family dwellings.

§ 220-20. MR Multiple-Residence District. [Amended 3-16-2015 by L.L. No. 3-2015]

D. Dimensional requirements and design standards. The dimensional requirements for this district are specified in Schedule I of this chapter. In addition to the dimensional requirements set forth in Schedule I, the following site design standards shall be applicable to all townhouse dwelling unit and multiple-family dwelling unit developments:

(1) Townhouse development site design standards.

(a) The minimum area lot size for a townhouse development shall not be less than three acres.

(b) Density. Overall site density shall not exceed eight dwelling units per gross acre, and not more than eight dwelling units shall be allowed on any one acre of land.

(c) Individual dwelling unit lot criteria.

[1] The minimum lot area for each townhouse dwelling unit shall be 3,500 square feet.

[2] The minimum front setback shall be 25 feet.

[3] The minimum lot width at the front building line shall be 25 feet for a two-story townhouse unit.

[4] The minimum lot width at the front building line shall be 35 feet for a single-story townhouse unit.

[5] The minimum rear setback shall be 25 feet.

[6] The maximum lot coverage shall be 65%.

[7] The minimum lot depth shall be 140 feet.

[8] There shall be no accessory structures allowed.

[9] Common off-street parking areas may be allowed. **[Amended 11-16-2020 by L.L. No. 3-2020]**

[10] (Reserved)¹

[11] Where garages are accessed from the rear portion of the structure, the front building line shall continue to be the portion facing the street. In these instances, the minimum front setback shall be 10 feet.

[12] (Reserved)²

[13] There shall be an adequately sized bulk storage area provided for each townhouse unit. The minimum size for such bulk storage area shall be determined by the Planning Board as part of site plan approval. In the event a bulk storage area is not found to be adequately sized, the landowner or homeowners association shall be responsible for providing additional area to meet need.

- (d) Minimum habitable floor area per dwelling unit shall be 720 square feet. :
- ~~[1]—Townhouse unit, three bedrooms: 1,000 square feet.~~
- ~~[2]—Townhouse unit, two bedrooms: 850 square feet.~~
- (e) No exterior wall shall exceed 50 feet in length unless there is a lateral offset of at least four feet in its alignment not less frequently than along each 50 feet of length of such exterior wall.
- (f) Each townhouse building shall contain not more than eight dwelling units.
- (g) Parking requirements. Requirements for off-street parking as provided in Article VIII of this chapter shall be met, except that the location of off-street parking lots may be modified to conform with the approved site plan, provided that such lots shall not be located within the front yard or the required side yard setback. Paved pedestrian walkways, with appropriate lighting, shall be provided from off-street parking areas to all dwelling units each parking area is intended to serve. In addition to the standards required in Article VIII, the following standards shall be met:
- [1] (Reserved)³
- [2] Appropriate screening shall be provided as to prevent glare from headlights.
- (h) Each townhouse development shall have adequate pedestrian-separated facilities (sidewalks) connecting all townhouse dwelling units in the development.
- (i) Each townhouse dwelling unit lot shall have a minimum of two trees to be planted prior to the issuance of a certificate of occupancy, or due to seasonal conditions, said trees are to be planted within six months of the issuance of a temporary certificate of occupancy.
- (j) Each on-site stormwater facility shall be adequately landscaped.
- (k) Each townhouse development shall either have mailboxes attached to the front of each structure, or a common mailbox area with adequate pull-off for both postal delivery vehicles and private vehicles. There shall otherwise be no mailboxes allowed along the side of a street.
- (l) Each townhouse development shall contain streetlighting spaced at each intersection, at any cul-de-sac or dead-end street and any common parking area. Streetlighting shall be dark sky compliant as further regulated in § 220-77 of the Town Code.
- (m) Each townhouse development street name shall be in compliance with the Ontario County 911 Street Naming Regulations.
- (n) Where a townhouse development does not have public streets serving the townhouse dwelling units, then provisions shall be made with the local school district for the use of an acceptable off-street area to be used for the loading and unloading of school children. Each such area shall have a well-designed all-weather structure for use by students awaiting pickup or dropoff. Each such area shall be adequately illuminated in accordance with Town lighting standards.

(2) Apartments and condominium site design standards.

- (a) The minimum lot size for apartment building developments shall not be less than three acres.
- (b) Density. Density shall not exceed eight dwelling units per gross acre.
- (c) Floor areas. Minimum floor areas, exclusive of common areas such as halls, foyers and basement utility areas, shall be as follows:
 - [1] Apartment unit, efficiency: 450 square feet
 - [2] Apartment unit, one-bedroom: 550 square feet.
 - [3] Apartment unit, two-bedroom: 700 square feet.
 - [4] Apartment unit, three-bedroom: ~~800~~720 square feet.
 - [5] Apartment unit, four-bedroom: ~~900~~720 square feet.
- (d) Open space. There shall be at least 400 square feet of common open space exclusive of the required setback areas, buffer strips and parking areas which shall be designated for recreation, active and/or passive, for each apartment building.
- (e) Unit distribution.
 - [1] No more than 30% of the total units within an apartment building development shall be efficiency units.
 - [2] No more than 40% of the total units within an apartment building development shall be three or more bedroom units.
- (f) Apartment building development design standards. Each apartment building development site shall be regulated as follows:
 - [1] Minimum distance between buildings shall be 50 feet.
 - [2] Direct line of sight visibility, from front to rear, from one building to another shall not be less than 100 feet.
 - [3] Every building shall have a minimum setback of 25 feet from all interior roads, driveways and parking areas.
 - [4] A strip of land around each apartment building, at least six feet in width, shall be kept completely open except for foundation plantings of less than six feet in height.
 - [5] Courtyards bounded on three sides by the wings of a single building, or by the walls of separate buildings, shall have a minimum court width of two feet for each one foot in height of the tallest adjacent building.
 - [6] No exterior wall shall exceed 100 feet in length unless there is a lateral offset of at least eight feet in its alignment not less frequently than along each 100 feet of length of such exterior wall.
 - [7] All stairways to the second floor or higher shall be located inside the building.

(g) Access to public roads.

- [1] All apartment building developments shall have direct access to a public road.
- [2] Where there are 12 or more dwelling units in an apartment building development, access from the common parking area(s) to the public road must be provided by either a private driveway or a road dedicated to the Town by the developer.
- [3] Where there are 50 or more dwelling units in an apartment building development, the Town Planning Board may require an additional access, to that required above, to a public road as a condition of site plan approval.
- [4] In no event shall the Town Planning Board allow more than 150 units to be served by one access to a public road.

(h) Services.

- [1] Each dwelling unit shall contain complete kitchen facilities, toilet, bathing and sleeping facilities.
- [2] There shall be a minimum common storage area in each building for bicycles and similar types of equipment of 40 square feet in area, a minimum of five feet in height and not less than four feet in width per each dwelling unit.
- [3] Within each building there shall be sufficient laundry, drying and other utility areas.
- [4] Garbage storage areas shall be provided for each building. Such facilities shall be located with a view both to convenience and to minimizing the detrimental effect on the aesthetic character of the building(s) and shall be enclosed and shielded from view by fencing, walls or shrubbery of at least six feet in height around the perimeter. Fencing and walls shall be not more than 50% open on the vertical surface.
- [5] There shall be an adequately sized bulk storage area provided for each apartment building. The minimum size for such bulk storage area shall be determined by the Planning Board as part of site plan approval. In the event a bulk storage area is not found to be adequately sized, the landowner shall be responsible for providing additional area to meet need.

(i) Utilities.

- [1] All public utilities, electric, gas, cable television and telephone lines shall be installed underground.
- [2] An adequate supply of public water shall be provided to all dwelling units.
- [3] All dwelling units shall be connected to public sewers.

E. Special permitted uses. The following uses may be permitted consistent with the provisions of Article VI, provided that a special use permit is issued by the Town Planning Board:

- (1) Essential services, public utilities substations and uses, excluding power plants or repair

yards and warehouses or uses similar in nature.

(2) Public uses.

ELIMINATE MINIMUM SIZE REQUIREMENT

§ 134-5. Lot and setback requirements.

Each manufactured home lot located within a manufactured home park shall have corner pins which are clearly marked and shall contain a minimum of 7,200 square feet, with a minimum lot width of 60 feet and shall have such shape that each manufactured home is placed on the lot so as to meet the following setback requirements:

- A. Front yard setback. There shall be a minimum of 25 feet from the edge of road pavement to the front portion of a manufactured home. On a corner lot, there shall only be one front setback, which shall be measured from the driveway side of the manufactured home lot.
- B. Side yard setback. There shall be a side yard setback of 10 feet separating all structures on each lot.
- C. Rear yard setback. There shall be a setback of 10 feet from the rear lot line to any structure located on said lot.

~~D. Minimum size of individual manufactured home. The minimum size of any individual manufactured home in a manufactured home park shall be 720 square feet.~~

E.D. Accessory buildings on individual lots. One accessory building not to exceed 144 square feet in area and 10 feet in height shall be permitted for each manufactured home lot. The accessory structure shall be separated from any manufactured home either on the subject lot or an adjacent lot by 10 feet.

F.E. Skirts. Each manufactured home shall be required to fully enclose the bottom portion of the dwelling, with material which shall be uniform in appearance, design and type as the manufactured home dwelling, within 30 days after arrival in the manufactured home park and placement on a lot therein.

G.F. Parking areas and/or driveways. Two off-road parking spaces must be provided for each manufactured home lot. The parking space shall be not less than 15 feet wide by 20 feet long. Said parking areas and/or driveways shall be constructed of concrete or bituminous asphalt or equivalent, at least a minimum of four inches of compacted gravel base with three inches of asphalt topping. The parking spaces may be grouped for each two manufactured homes. Such grouping shall provide a parking area of not less than 36 feet in width by 20 feet in depth.

H.G. Vehicle storage. Common storage space shall be provided by the owner of the manufactured home park to all tenants. No travel trailer, camper, boat, snowmobile or similar auxiliary vehicle or conveyance shall be stored on any manufactured home lot within a manufactured home park. A supplemental park storage area shall be provided within a screened open area provided for the storage of all auxiliary vehicles. No unlicensed or unregistered vehicle shall be permitted within a manufactured home park.

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