

**PLANNING COMMITTEE & FINANCE COMMITTEE**

**MONDAY, JANUARY 12, 2026 6:00 PM**

**COUNCIL CHAMBERS**

**HURLEY BUILDING, 205 SALTONSTALL STREET**

**VIRTUAL: <https://us06web.zoom.us/j/84662898580>**

**LIVE STREAM: <https://fingerlakestv.org/live/>**



**Finance Committee:** Michael Mills, Chair  
Donna Cator  
Guy Turchetti  
Gwen Van Laeken

**1. Tax Exemptions**

Tina Rados, City Assessor, will be in attendance to discuss both the Veteran's Property Tax Exemption and Low-Income Senior Property Tax Exemption. New York State recently enacted these two new exemptions: a full property tax exemption on the primary residence of veterans who have a 100 % service-connected disability, and expanded property tax exemptions for low-income seniors up to up to 65% for qualifying seniors who meet income eligibility limits. The City will need to pass a local law adopting the exemption for properties within the City. Previously, the cap on the senior citizen exemption that localities could grant was 50% of the home's assessed value.

**2. Camera Infrastructure Replacement**

One of our Downtown radios (associated with our camera system) as it is not functioning and needs replacement. Although the beginning of camera replacement was planned in 2026, it was not anticipated that a radio needed to be addressed. The City Manager and Police Chief recommend the appropriation of \$25,000 from the Police Seizure and Asset Reserve to purchase a replacement.

**Planning Committee:** Guy Turchetti, Chair  
Donna Cator  
Michael Mills  
Gwen Van Laeken

**1. ADUs**

Council requested analysis related to the allowance of Accessory Dwelling Units (ADUs) within the City. Planning Director, Rick Brown, presented on September 12, 2025 to the Planning Committee. As a recap, ADUs are a smaller, secondary housing unit located on the same lot as a single-family home. It provides complete, independent facilities for living, sleeping, cooking, eating, and sanitation. An ADU can be part of the existing primary structure, such as an addition, basement, or attic, or within a separate structure like a backyard cottage or garage conversion. This item was added for discussion.

**2. Zoning Consolidation**

One of the goals of the City of Canandaigua's Comprehensive Plan update is to facilitate the provision of affordable housing, allow increased residential density, and expand the range of permitted housing types. Consolidation of the R-1A and R-1B zoning districts could foster these objectives by providing greater flexibility in development standards while maintaining compatibility with existing residential neighborhoods. This item was added for discussion.

### **3. Noise Ordinance- Peacemaker**

Peacemaker Brewing and Rio Tomatalan have requested an exemption to the City's noise ordinance for a joint concert series on Friday June 26, 2026 and Saturday, June 27, 2026. The City's code provides that Council may grant exemptions to the noise ordinance through a resolution on the basis of special or unusual circumstances and that Council, if it grants an exemption, may apply restrictions.

### **4. Baker Park- Grant Application**

Staff recently met with our parks grant writer, Scott Burto of G & G Municipal Consulting, regarding upcoming park grant opportunities. The Municipal Parks and Recreation Grant application (MPR), which was announced and opened on December 31, 2025, is due February 9, 2026. This grant was originally expected to open in November, at which time Council approved funding for a grant writer to pursue two grants. While our initial intent was to evaluate grant opportunities for both Sonnenberg and Baker Parks, staff is recommending focusing on Baker Park. The playground at Baker Park is the oldest and most heavily used playground outside of Kershaw Park, and it is showing signs of failure, with replacement parts becoming increasingly difficult to obtain. Additionally, the park building is in need of a full demolition and replacement. A tentative Conceptual Improvement Plan for Baker Park, consistent with the Parks Master Plan, is included and Council direction and buy-in is requested to proceed with the grant application.

### **5. Comprehensive Plan Implementation Discussion- Standing Item**

# STATE OF NEW YORK

1183

2025-2026 Regular Sessions

## IN SENATE

January 8, 2025

Introduced by Sens. ADDABBO, ASHBY, GRIFFO, HARCKHAM, HELMING, MARTINEZ, MARTINS, MATTERA, O'MARA, PALUMBO, RAMOS, ROLISON, SCARCELLA-SPANTON, SKOUFIS, STEC, WEBB, WEBER, WEIK -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the real property tax law, in relation to establishing a real property tax exemption for veterans who have a one hundred percent service connected disability

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 458-a of the real property tax law is amended by  
2 adding a new subdivision 11 to read as follows:

3 11. A county, city, town, village or school district may adopt a local  
4 law or resolution to include the primary residence of any seriously  
5 disabled veteran who:

6 (a) (i) was discharged or released therefrom under honorable condi-  
7 tions;

8 (ii) has a qualifying condition, as defined in section one of the  
9 veterans' services law, and has received a discharge other than bad  
10 conduct or dishonorable from such service; or

11 (iii) is a discharged LGBT veteran, as defined in section one of the  
12 veterans' services law, and has received a discharge other than bad  
13 conduct or dishonorable from such service, and

14 (b) (i) is considered to be permanently and totally disabled as a  
15 result of military service;

16 (ii) is rated one hundred percent disabled by the United States  
17 department of veterans affairs;

18 (iii) has been rated by the United States department of veterans  
19 affairs as individually unemployable, and

20 (iv) who is eligible for pecuniary assistance from the United States  
21 government, or has received pecuniary assistance from the United States

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD00391-01-5

*See attached*

\* Must meet all 3 to be fully tax exempt.  
Please see the attached material for further explanation.

1 government and has applied such assistance toward the acquisition or  
2 modification of a suitable housing unit with special features or movable  
3 facilities made necessary by the nature of the veterans' disability and  
4 the necessary law therefor shall be fully exempt from taxation and  
5 special district charges, assessments and special ad valorem levies,  
6 provided that such veteran meets all other requirements of this section.

7 § 2. This act shall take effect immediately and shall apply to assess-  
8 ment rolls prepared on and after January 2, 2026.

## New York Consolidated Laws, Veterans' Services Law - VES § 1. Definitions

Current as of January 01, 2024 | Updated by [Findlaw Staff](#)

When used in this article:

1. The term "department" means the department of veterans' services.
2. The term "state commissioner" means the New York state commissioner of veterans' services.
3. The term "veteran" means a person who served on active duty in the uniformed services of the United States, or in the army national guard, air national guard, or service as a commissioned officer in the public health service, commissioned officer of the national oceanic and atmospheric administration or environmental sciences services administration, cadet at a United States armed forces service academy, and who has been released from such service under other than dishonorable conditions.
4. The term "uniformed services" means the army, navy, marine corps, air force, space force, coast guard, public health commissioned corps, and the national oceanic and atmospheric administration commissioned officer corps of the United States.
5. The term "local director" means the director of a county or city veterans' service agency.
6. The term "county director" means a local director of a county veterans' service agency.
7. The term "city director" means a local director of a city veterans' service agency.
8. The term "qualifying condition" means a diagnosis of post-traumatic stress disorder or traumatic brain injury made by, or an experience of military sexual trauma, as described in [38 USC 1720D](#), as amended from time to time, disclosed to, an individual licensed to provide health care services at a United States Department of Veterans Affairs facility or an individual licensed to provide health care services within the state of New York. The department shall develop a standardized form used to confirm that the veteran has a qualifying condition under this subdivision.

9. The term “discharged LGBT veteran” means a veteran who was discharged less than honorably from the uniformed services due to their sexual orientation or gender identity or expression, as those terms are defined in section two hundred ninety-two of the executive law, or statements, consensual sexual conduct, or consensual acts relating to sexual orientation, gender identity or expression, or the disclosure of such statements, conduct, or acts, that were prohibited by the branch of the uniformed services at the time of discharge. The department shall establish a consistent and uniform process to determine whether a veteran qualifies as a discharged LGBT veteran under this subdivision, including, at a minimum, standards for verifying a veteran's status as a discharged LGBT veteran, and a method of demonstrating eligibility as a discharged LGBT veteran.

< **Previous Part of Code**

**Next Part of Code** >

< **Back to Chapter List**

Cite this article: FindLaw.com - New York Consolidated Laws, Veterans' Services Law - VES § 1. Definitions - last updated January 01, 2024 | <https://codes.findlaw.com/ny/veterans-services-law/ves-sect-1/>



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[Read this complete New York Consolidated Laws, Veterans' Services Law - VES § 1. Definitions on Westlaw.](#) Westlaw subscription required.

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Yes 

No 

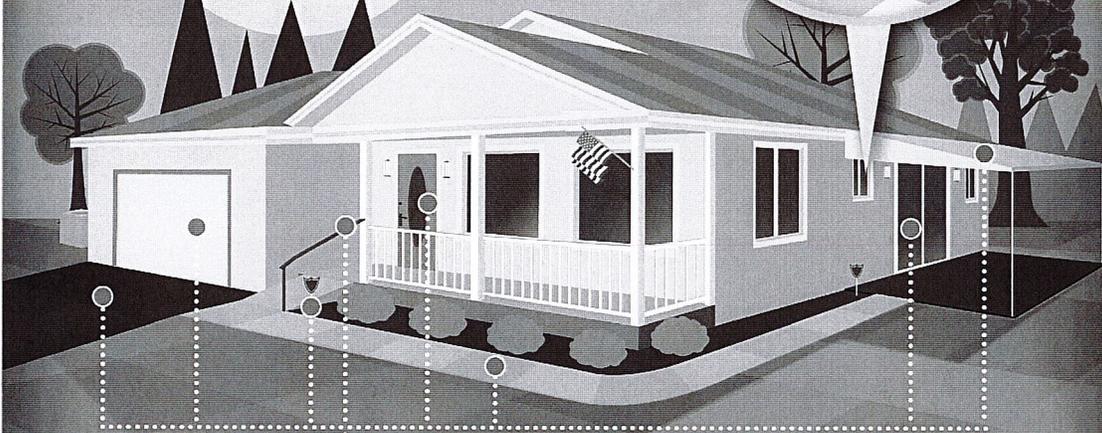
**Search all New York Codes**

# MAKE YOURSELF AT HOME

## VA's Adapted Housing Grants for Disabled Veterans

### DID YOU KNOW?

VA offers monetary assistance to Veterans with specific service-connected physical disabilities, so they can construct or modify a home to best meet their needs.



### WHAT RENOVATIONS QUALIFY?

- Bathrooms, kitchens, and bedrooms
- Covered porches, ramps, and walkways
- Garages, carports, and passageways
- Doors, windows, and flooring materials
- Security items
- Concrete or asphalt walkways
- Sliding doors, handrails, and grab bars

For a full list, contact: [sahinfo.vbaco@va.gov](mailto:sahinfo.vbaco@va.gov)

To learn more, visit

[www.benefits.va.gov/homeloans](http://www.benefits.va.gov/homeloans) or call 1-800-827-1000

### WHO IS ELIGIBLE?

Veterans or Servicemembers, with a permanent and total service-connected disability, who have experienced one or more of the following conditions:

- Loss of or loss of use of both arms and/or both legs
- Blindness in both eyes or only light perception
- Certain severe burns
- Certain severe respiratory injuries

For additional eligibility information, contact: [sahinfo.vbaco@va.gov](mailto:sahinfo.vbaco@va.gov)

### HOW TO APPLY:

Fill out and submit VA Form 26-4555 at [www.eBenefits.va.gov](http://www.eBenefits.va.gov) or call 1-800-827-1000 to have a claim form mailed to you.



U.S. Department  
of Veterans Affairs

Veterans Benefits Administration

# STATE OF NEW YORK

5175--A

2025-2026 Regular Sessions

## IN SENATE

February 19, 2025

Introduced by Sens. COMRIE, RHOADS, ROLISON -- read twice and ordered printed, and when printed to be committed to the Committee on Aging -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property tax law, in relation to providing an additional real property tax exemption for certain senior citizens

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph (b) of subdivision 1 of section 467 of the real property tax law is amended by adding a new subparagraph 4 to read as follows:

(4) Notwithstanding the maximum exemption percentage permitted pursuant to paragraph (a) of this subdivision, any local law, ordinance or resolution adopted pursuant to this section may be amended, or a local law, ordinance or resolution may be adopted, to create additional annual income categories and corresponding exemption percentages for households making less than the maximum income eligibility level of such municipal corporation as provided in this subdivision (represented in the herein-below schedule as M) pursuant to the following schedule:

<u>ANNUAL INCOME</u>	<u>PERCENTAGE OF ASSESSED VALUATION</u> <u>EXEMPT FROM TAXATION</u>
<u>Less than (M) but</u> <u>more than (M- \$1,000)</u>	<u>50%</u>
<u>Less than (M- \$1,000) but</u> <u>more than (M- \$2,000)</u>	<u>55%</u>

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD06109-03-5

1 Less than (M- \$2,000) but 60%  
2 more than (M- \$3,000); and

3 Less than (M- \$3,000) 65%

4 § 2. This act shall take effect immediately and shall apply to taxable  
5 years beginning on and after January 1, 2026.

**Veterans**

Code	%	City Taxable
41141	100	\$ 153,700.00
41141	100	\$ 245,300.00
41141	100	\$ 557,500.00
41141	100	\$ 77,200.00
41141	100	\$ 106,150.00
41141	100	\$ 400,400.00
41141	100	\$ 351,200.00
41141	100	\$ 366,500.00
41141	100	\$ 391,800.00
41141	100	\$ 104,200.00
41141	100	\$ 206,000.00
41141	100	\$ 78,200.00
41141	100	\$ 234,600.00
41141	100	\$ 395,200.00
41141	100	\$ 132,700.00
41141	100	\$ 108,000.00
41141	100	\$ 420,300.00
41141	100	\$ 337,000.00
41141	100	\$ 352,900.00
41141	100	\$ 98,100.00
41141	100	\$ 63,900.00
41141	100	\$ 371,000.00
41141	100	\$ 249,200.00
41141	100	\$ 250,000.00

**\$ 6,051,050.00 Loss in taxable value**

**There are 24 veterans currently receiving the 100% disability exemption. The figures above are reflecting the assumption that all would meet the new guidelines. Because of the very strict guidelines, this is highly unlikely.**

**Low Income Senior**

Code	Current %	City Taxable	New %	New Taxable Value	Lost Taxable Value
41800	50	\$ 67,150.00	65	\$ 47,005.00	\$ (20,145.00)
41800	50	\$ 192,250.00	65	\$ 134,575.00	\$ (57,675.00)
41800	50	\$ 173,900.00	65	\$ 121,730.00	\$ (52,170.00)
41800	50	\$ 134,000.00	65	\$ 93,800.00	\$ (40,200.00)
41800	50	\$ 114,000.00	65	\$ 79,800.00	\$ (34,200.00)
41800	50	\$ 98,000.00	65	\$ 68,600.00	\$ (29,400.00)
41800	50	\$ 70,200.00	65	\$ 49,140.00	\$ (21,060.00)
41800	50	\$ 81,800.00	65	\$ 57,260.00	\$ (24,540.00)
41800	50	\$ 56,500.00	65	\$ 39,550.00	\$ (16,950.00)
41800	50	\$ 112,900.00	65	\$ 79,030.00	\$ (33,870.00)
41800	50	\$ 79,700.00	65	\$ 55,790.00	\$ (23,910.00)

41800	50	\$	70,000.00	65	\$	49,000.00	\$	(21,000.00)
41800	50	\$	84,000.00	65	\$	58,800.00	\$	(25,200.00)
41800	50	\$	78,200.00	65	\$	54,740.00	\$	(23,460.00)
41800	50	\$	63,650.00	65	\$	44,555.00	\$	(19,095.00)
41800	50	\$	3,000.00	65	\$	2,100.00	\$	(900.00)
41800	50	\$	47,875.00	65	\$	33,512.50	\$	(14,362.50)
41800	50	\$	40,680.00	65	\$	28,476.00	\$	(12,204.00)
41803	50	\$	136,350.00	65	\$	95,445.00	\$	(40,905.00)
41803	50	\$	109,350.00	65	\$	76,545.00	\$	(32,805.00)
41803	50	\$	141,550.00	55	\$	127,395.00	\$	(14,155.00)
41803	50	\$	88,450.00	65	\$	61,915.00	\$	(26,535.00)
41803	50	\$	88,950.00	65	\$	62,265.00	\$	(26,685.00)
41803	50	\$	123,000.00	65	\$	86,100.00	\$	(36,900.00)
41803	50	\$	106,150.00	65	\$	74,305.00	\$	(31,845.00)
41803	50	\$	148,500.00	65	\$	103,950.00	\$	(44,550.00)
41803	50	\$	138,500.00	65	\$	96,950.00	\$	(41,550.00)
41803	50	\$	110,650.00	50	\$	110,650.00	\$	-
41803	50	\$	109,100.00	65	\$	76,370.00	\$	(32,730.00)
41803	50	\$	104,900.00	55	\$	94,410.00	\$	(10,490.00)
41803	50	\$	78,200.00	65	\$	54,740.00	\$	(23,460.00)
41803	50	\$	107,500.00	65	\$	75,250.00	\$	(32,250.00)
41803	50	\$	65,250.00	65	\$	45,675.00	\$	(19,575.00)
41803	50	\$	109,000.00	55	\$	98,100.00	\$	(10,900.00)
41803	50	\$	90,900.00	50	\$	90,900.00	\$	-
41803	50	\$	91,350.00	65	\$	63,945.00	\$	(27,405.00)
41803	50	\$	80,000.00	50	\$	80,000.00	\$	-
41803	50	\$	87,950.00	60	\$	70,360.00	\$	(17,590.00)
41803	50	\$	131,750.00	65	\$	92,225.00	\$	(39,525.00)
41803	50	\$	67,950.00	65	\$	47,565.00	\$	(20,385.00)
41803	50	\$	190,500.00	50	\$	190,500.00	\$	-
41803	50	\$	59,000.00	55	\$	53,100.00	\$	(5,900.00)
41803	50	\$	89,650.00	55	\$	80,685.00	\$	(8,965.00)
41803	50	\$	74,500.00	65	\$	52,150.00	\$	(22,350.00)
41803	50	\$	142,000.00	65	\$	99,400.00	\$	(42,600.00)
41803	50	\$	52,000.00	50	\$	52,000.00	\$	-
41803	50	\$	40,830.00	50	\$	40,830.00	\$	-
41803	50	\$	97,500.00	65	\$	68,250.00	\$	(29,250.00)
41803	50	\$	118,000.00	55	\$	106,200.00	\$	(11,800.00)
41803	50	\$	89,100.00	65	\$	62,370.00	\$	(26,730.00)
41803	50	\$	199,000.00	65	\$	139,300.00	\$	(59,700.00)
41803	50	\$	132,400.00	65	\$	92,680.00	\$	(39,720.00)
41803	50	\$	62,250.00	65	\$	43,575.00	\$	(18,675.00)
41803	50	\$	85,000.00	65	\$	59,500.00	\$	(25,500.00)
41803	50	\$	99,400.00	65	\$	69,580.00	\$	(29,820.00)

41803	50	\$	51,120.00	65	\$	35,784.00	\$	(15,336.00)
<b>Lost taxable assessed value if the new amendment is passed.</b>							<b>\$</b>	<b>(1,336,927.50)</b>

**I have removed the tax id #s from this spreadsheet to protect the property owners privacy.**

## **Proposed framework for ADU**

- Allowed in all residential districts with Special Use Permit
- An ADU shall be a complete, separate housekeeping unit containing both a legal kitchen and bath and must meet NYS Uniform Building and Fire Prevention Code requirements. No ADU shall include more than two bedrooms.
- The ADU shall have separate utility connection from the primary structure
- No more than one ADU per lot
- The ADU shall be less than 50% of the size of the primary residence or 500 sq/ft
- Minimum setback shall be consistent with residential structures in the underlying zoning district
- No ADU shall be permitted if an existing approved driveway cannot accommodate at least one off-street parking space, in addition to the parking spaces required for the primary use.
- The ADU shall have access to public street by dedicated sidewalk, pathway, or driveway
- At least one of the dwelling units is required to be occupied by the property owner and maintained as their primary residence.
- ADUs shall be treated as an apartment for the purpose of inspection by the CEO to ensure compliance with the requirements of this chapter and all other local, regional, or state laws, rules, and regulations.
- The ADU shall not be sold separately from the primary structure

**The Plus One ADU Program** is a New York State initiative funded by Homes and Community Renewal (HCR) to help low-to-moderate income homeowners create or upgrade Accessory Dwelling Units (ADUs) on their property, providing affordable housing for family members or generating rental income. The program offers financial assistance, including grants and low-interest loans, to cover project costs like design, permitting, and construction, while also providing support for contractor selection and project oversight.

### **Eligible Applicants**

Partnerships between a non-profit housing organization and a municipal or county government. Either the governmental or non-profit entity may serve in the role of the lead Applicant and the proposal should specify which entity is the lead.

**Financing:**

The program provides funds, often up to \$125,000 in grants, to eligible low-to-moderate income homeowners.

**Technical Support:**

Homeowners receive assistance with various aspects of the project, including:

- ADU design
- Permitting
- Project budgeting and contractor selection
- Construction oversight and monitoring

**Increased Housing Options:**

The program expands the availability of affordable housing in single-family neighborhoods for purposes such as:

- Housing aging parents
- Providing a home for recent graduates or other family members
- Generating income through renting the ADU

Awardees are required to enter a Regulatory Agreement, and associated declining balance enforcement documents, with the participating homeowners for the Regulatory Period which shall not be less ten (10) years. Compliance monitoring will include the collection of annual compliance certifications including confirmation that the ADU is being used as permanent housing rather than as a short-term rental', and site visits every two years to ensure appropriate property maintenance and quality housing standards, among other standards.

# *City of Canandaigua*

Office of Development and Planning

Richard E. Brown, AICP  
Director

Phone (585) 337-2180  
Fax: (585) 919-0605

**DATE:** September 12, 2025  
**FROM:** Richard E. Brown, AICP  
**TO:** John Goodwin, City Manager  
**RE:** Accessory Dwelling Unit (ADU)

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As requested for discussion by the City Council.

An Accessory Dwelling Unit (ADU) is a smaller, secondary housing unit located on the same lot as a single-family home. It provides complete, independent facilities for living, sleeping, cooking, eating, and sanitation. An ADU can be part of the existing primary structure, such as an addition, basement, or attic, or within a separate structure like a backyard cottage or garage conversion.

While “in-law suites” or “granny flats” have been an element of historic neighborhoods, modern zoning codes have largely prohibited this use in favor of stricter “single-family” zoning. Yet, there has been a resurgent interest in these accessory units as a means of providing new, affordable housing within built communities, as well as offering existing homeowners the potential for generating additional income. New York State has encouraged ADUs as a “pro-housing” tool and NYS Homes and Community Renewal created the “Plus One ADU Program” to provide funding. Even the AARP has endorsed ADUs as a means for older adults to remain within their communities.

On the other hand, I would expect considerable opposition to an ADU law from those who would seek to protect their single-family neighborhoods. Many have suggested that the high rate of rental housing in the city (~50%) is a detriment. ADUs by definition would be additional rental units within single-family neighborhoods. While city planners have embraced the concept of mixed-use, mixed-income, and mixed demographic neighborhoods that ADUs might encourage, residents and real estate developers tend to prefer more homogeneous neighborhoods. Therefore, I would expect the debate over ADUs to be very similar to what the City Council experienced when drafting the ordinance for Short-Term Rentals. In that case, STRs were ultimately prohibited within single-family zone districts and greatly restricted in all other residential neighborhoods.

## Outline for an Accessory Dwelling Unit (ADU) Law

- Permitted in all residential zone districts? Or only two-family, multi-family, and mixed-use zone districts?
- Permitted As-of-Right? Or only by Special Use Permit through the Planning Commission?
  - Special Use Permit would require notification to the neighbors and allow a public hearing.
  - Planning Commission would consider the appropriateness of each on a case-by-case basis.
- Requirement of owner-occupancy? (i.e., The Primary Home must be the owner's Primary Residence.)
- Attached vs. Detached Units
  - Currently a second unit within the existing home is permitted ("Residential Conversion" by S.U.P.)
  - But additions or attached dwellings are specifically prohibited.
  - See the following "Current Provision for "Residential Conversion"
- Minimum or Maximum size
  - Some codes define "accessory dwelling" as no more than 50% of primary dwelling to distinguish between a two-family home, where both are of similar size. Having a larger "primary" home is intended to promote home-ownership, although this may not be a requirement of the law.
  - Building Code may limit the minimum size permitted.
- Lot size, Setbacks, and Yards
  - Detached Accessory Structures are 5 feet from any property line. Primary residence requires larger setbacks. Conversions of existing accessory structure may be noncompliant with the residential setback.
  - Detached ADUs would be constructed in existing yards, eliminating this space for recreational use of the resident. The ADU would likely have a very limited yard for personal use.
- Parking Requirement.
  - Current code requires at least 1.5 parking space per dwelling unit.
  - During their review of STRs, the Planning Commission has found a more practical requirement to be one car per bedroom.
- Utilities.
  - Should each dwelling unit have independent electricity, heat, water, sewer?
  - Utilities extending from the primary house might be out of the control of the ADU tenant.
- All structures must comply with Building Code and meet the minimum standards for a safe dwelling.
  - Structural requirements, foundation, utilities, fire safety, egress, etc.
  - Minimum size requirements.
  - Energy code and Stretch Code: insulation, thermal pane windows, etc.
  - Many "Tiny Homes" are not code-compliant.
- Cost Considerations. With construction costs approaching \$300/square foot, the cost of a code-compliant, detached ADU unit may be close to \$200,000, requiring a long period of payback for a homeowner.

While the City of Canandaigua’s Zoning Ordinance does not currently define or permit “Accessory Dwelling Units”, there is the provision for a “Residential Conversion” which is quite similar. There have been very few requests for this use; just six applications in the last 20 years and four of these were to re-establish previous apartments that were decommissioned.

### **Current Provision for “Residential Conversion”**

#### **Residential Conversion:**

The changing of use or occupancy of a building pursuant to § 850-79 by alteration or other reorganization so as to increase the number of families or dwelling units within a structure to not more than one additional dwelling unit beyond the number primarily permitted in the zone district.

#### **§ 850-79 Residential conversions. (Special Use Permit Requirements)**

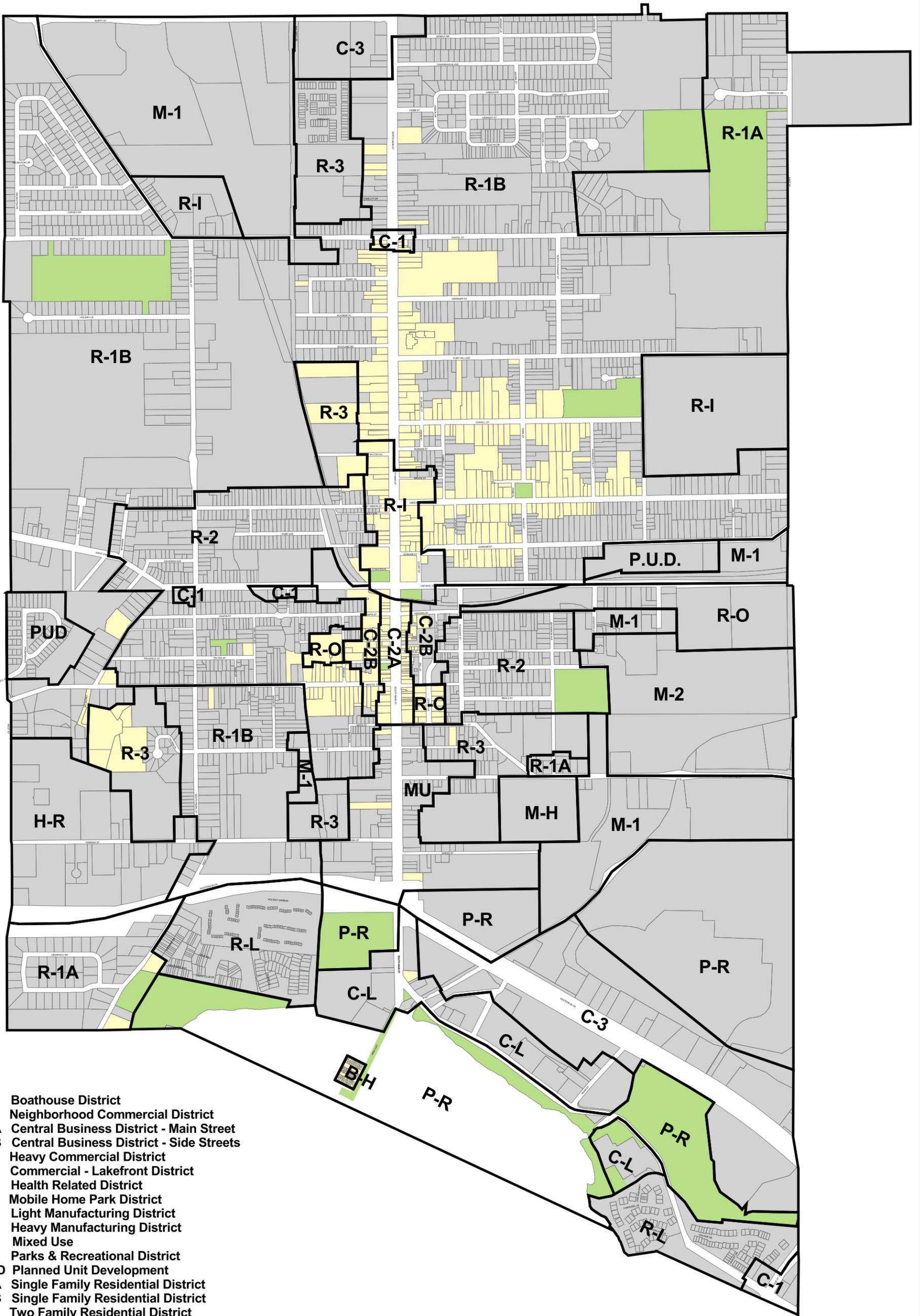
Residential conversions may be permitted in the Residential Office District and in the R-1B, R-2, R-3, and R-I Residential Districts, provided that the following standards are maintained:

- A. Site plans shall be submitted at a scale of not less than 10 feet to the inch showing the location and dimensions of off-street parking, private entrances, walkways and landscaping. Plans shall be submitted at a scale of not less than 1/4 inch to the foot showing the dimensions and square footage of all rooms and storage spaces and indicating the intended use of all rooms.
- B. The minimum size of the apartment units to be created shall be in accord with Schedule III of this chapter.
- C. Documentation that all plumbing, heating and electrical equipment and facilities are adequate and appropriate for the proposed conversion.
- D. In addition to off-street parking required for the base unit, an additional 1 1/2 off-street parking spaces shall be provided for each unit created through the conversion.
- E. There shall be no structural alterations which will alter the exterior of any structure unless such structural alterations are not readily visible from an adjoining street.
- F. A certificate of occupancy shall be required for all conversions.
- G. The number of dwelling units per building created through a residential conversion shall be no more than one dwelling unit in excess of the number permitted as a primary use.
- H. The proposed use shall be consistent with the goals and recommendations of the Comprehensive Plan, shall be compatible with adjacent properties and not adversely affect property values.

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#### **Note:**

While this section does provide for the possibility of an additional dwelling unit within the primary home, the definition and some of the requirements specifically prohibit additions, new accessory residential structures, or the conversion of an accessory structure into a residential use. Fairly minor amendments to this section could mold this into an ADU law that would allow an additional dwelling, detached from the primary residence.



- BH Boathouse District
- C-1 Neighborhood Commercial District
- C-2A Central Business District - Main Street
- C-2B Central Business District - Side Streets
- C-3 Heavy Commercial District
- C-L Commercial - Lakefront District
- HR Health Related District
- MH Mobile Home Park District
- M-1 Light Manufacturing District
- M-2 Heavy Manufacturing District
- MU Mixed Use
- P-R Parks & Recreational District
- P.U.D Planned Unit Development
- R-1A Single Family Residential District
- R-1B Single Family Residential District
- R-2 Two Family Residential District
- R-3 Multi-Family District
- R-I Residential/Institutional District
- R-L Residential-Lakefront District
- R-O Residential -Office District

# City of Canandaigua: Zoning & Historic Districts

- Public Parks
- Regulated by Historic Zoning

August, 2024

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