ARTICLE 3
ZONING DISTRICTS AND REGULATIONS

Section 3.1 Single-Family Residential District (R-1)

A. Purpose

The purpose of the Single-Family Residential District (R-1) is to delineate those areas where predominantly residential development has occurred or will be likely to occur in accordance with the Town of Caneadea Comprehensive Plan, and to protect the integrity of the residential area by prohibiting the incursion of nonresidential uses.

Use

Permitted Principle Uses: See Land Use Table.
Permitted Accessory Use: See Land Use Table.
Types of Uses Requiring Special Use Permits: See Land Use Table

B. Minimum Lot Dimensional Requirements See Chart 3.1- Minimum Lot Areas, Lot Dimensions and Setbacks.

C. Height and Square Footage Requirements: See Chart 3.1

D. Zoning Map: The boundaries of the Single-Family Residential District (R-1) are set forth in the Town Zoning Map.

Section 3.2 Rural Residential District (R-2)

A. Purpose

The purpose of the Rural Residential District (R-2) is to provide for a variety of dwelling types to accommodate the needs of the Town's population, and to delineate areas for resort residential development adjacent to water bodies.

B. Uses

Permitted Principle Use: See Land Use Table.
Permitted Accessory Use: See Land Use Table.
Types of Uses Requiring Special Use Permits: See Land Use Table.

C. Height and Square Footage See Chart 3.1

D. Zoning Map: The boundaries of the Rural Residential District are set forth in the Town Zoning Map.

Section 3.3 Commercial and Residential District (CR)

A. Purpose

The purpose of the Commercial and Residential District is to upgrade the character of the town and provide a location for mixed retail trade and service uses in addition to residential use, to serve both residents and visitors, which are compatible in scale and use with land uses in adjacent areas. Environmentally compatible light industrial uses, which would not have an adverse effect on adjacent properties, are also allowed.

B. Uses

Permitted Principle Use: See Land Use Table.

Permitted Accessory Use: See Land Use Table.

Types of Uses Requiring Special Use Permits: See Land Use Table.

C. Minimum Lot Dimensional Requirements See Chart 3.1

D. Height and Square Footage See Chart 3.1

E. Zoning Map
The Commercial and Residential District (CR) boundaries are set forth in the Town Zoning Map.

Section 3.4 Agricultural and Residential District (AR)

A. Purpose
Agricultural activities are historically important to the economy of the Town and contribute to its appealing rural character. The intent and purpose of the Agricultural and Residential District is: 1) To promote the scenic rural character of the township; 2) To provide a location for a variety of agricultural activities; and, 3) To provide a location which allows for uses incompatible with the purposes in other districts to be carried out in a carefully considered manner.

B. Uses

Permitted Principle Use: See Land Use Table

Permitted Accessory Use: See Land Use Table

Types of Uses Requiring Special Use Permits: See Land Use Table.

C. Minimum Lot Dimensional Requirements: See Chart 3.1

D. Height and Square Footage See Chart 3.1. Also, buildings and structures shall not exceed the maximum height of twenty-eight feet (28') or maximum square footage of 4000 feet (4000') without review and approval by the Town Planning Board. Any parking areas exceeding four (4) vehicle spaces (excepting farm vehicles) require prior approval by the Town Planning Board.

E. Zoning Map: The Agricultural and Residential District (AR) boundaries are set forth in the Town Zoning Map.

Section 3.5 Land Conservation District (LC)

A. Purpose

The purpose of the Land Conservation District (LC) is: (1) To protect significant natural and scenic resources; and (2) To delineate those areas where substantial development of the land in the form of buildings or structures is prohibited due to special or unusual conditions of topography, drainage, floodplain or other natural conditions, whereby considerable damage to buildings or structures and possible loss of life are likely occur due to the process of nature; and (3) to recognize State or Conservancy holdings.

B. Uses

Permitted Principle Use: See Land Use Table.
Permitted Accessory Use: See Land Use Table.
Types of Uses Requiring Special Use Permits: See Land Use Table.

C. Zoning Map: A current Zoning Map is included as an addendum to Article 3. It provided to specific detail the boundaries of each zoning district within the Town of Caneadea.

Section 3.6 Overlay Districts

The Town has identified six overlay districts as shown on the Town of Caneadea Zoning Map. Five overlays districts are government overlays and include the property where the Town Hall and Highway facilities are located along with three cemeteries and land associated with the Town's water and sewage facilities. The sixth overlay district is an Educational Use overlay which encompasses all of the land owned by Houghton College bounded in the south by Tucker Hill Road, in the west by School Farm Road, in the north by the Town boundary line and to the east by the Genesee River. *See Land Use Table for permitted uses*.

Section 3.7 Properties Which Lie in Multiple Districts

Whenever the owner of a single tax or deeded lot finds that such lot falls within the boundaries of more than one Zoning District, such owner can apply to the Town Planning Board for a Special Use Permit, in accordance with the provisions of this Zoning Law for such Permits. The Planning Board shall consider such an application using such combination of Zoning District restrictions and requirements as it determines to be in the public interest. *See Section 1.7.*

Section 3.8 Land Use Table

For a comprehensive list of uses in each district, please refer to the Land Use Table in the appendix to this Article.

Section 3.9 Dimensional Regulations

A. Corner Lots

In all Zoning Districts, for a corner lot, any side of the lot with frontage on a road shall be considered to be a front lot line for purposes of determining the building setback and required yardage. On corner lots, both the principal and accessory structures shall maintain the front yard setback for all yards that have frontage on a road. **See Figure 1 in Appendix**.

B. Setbacks for Driveways and Parking Lots

1. The minimum setbacks for buildings and structures in this Law shall also apply to parking lots for use by more than four vehicles and the driveways serving those lots, except that a driveway may cross the front yard setback in order to provide access to the lot. Nevertheless, parking lots that serve commercial and industrial land uses in the CR zoning district may come to within 20 feet of the front property line. However, the parking lots for residential and transient lodging uses in these districts shall maintain the same front yard setback as the principal building.
2. Driveways, except for driveways that serve detached single family homes or a sole duplex, shall not be located within the side yard setbacks. See Figures 2, 3, 4 and 5 in Appendix.

C. Area/Square Footage

All structures and buildings shall be four thousand (4000) square feet or less unless prior approval is obtained via Special Use permit from the Town Planning Board.

D. Height

All buildings and structures shall comply with the following regulations:

1. Maximum height
   a. No building or structure may exceed 28 feet in height. Houghton College buildings located within the Education Overlay Map are exempt from this requirement.
   b. In addition to the height limit in feet, no attached single family home, detached single family home, or duplex shall exceed 2 and one-half stories in height. For purposes of calculating a half-story, basements above grade and/or walk out basements shall not be considered to be a half-story. However, lofts and other areas that meet the definition of half-story shall be considered to be a half-story for purposes of calculating height.
2. Measurement of height

As defined in Article 2, height for all buildings and structures shall be measured from the adjacent ground elevation of the finished or natural grade, whichever grade is lower. Height shall be measured at the lowest point where the natural or finished grade meets the foundation wall.

3. Height shall be measured to the following part of the roof:

a. For flat roofs or roofs with a slope of 3:12 or lower, height shall be measured to the highest point on the roof. See Figure 6 in Appendix.
b. For mansard roofs, height shall be measured to the deck line. For purposes of this section, the deck line is the point at which the pitch of the roof changes (the inflection point). See Figure 7 in Appendix.
c. For hip, gable or gambrel roofs where the slope of the roof is higher than 3:12, height shall be measured to a point midway between the highest ridge of the building and the lowest point on the corresponding eve. See Figures 8 and 9 in Appendix.

In order to allow an accurate measurement of the height of any proposed building or structure, or any addition to any building or structure, the Building Official may require an applicant to present building elevations on all four sides of a building and/or structure, with the plane of the allowable height, the natural grade and the finished grade all shown.

4. Exemptions to Height Limit

The following buildings, structures and architectural features may exceed the maximum height provisions of this Law, to the extent provided below.

a. Chimneys, exhaust stacks, ventilators, antennas, skylights, tanks, bulkheads, solar panels, and similar features may exceed the height limit, provided that they do not extend more than four feet above the highest ridge of the building with which they are associated.

b. Unroofed and unenclosed Widow's Walks shall be exempt from the height limitations of this Law, provided they do not extend more than eight feet above the highest ridge of the building on which they are located.

c. The planting materials on "Green" roofs, defined as roofs planted with grass and other vegetation, shall be exempt from the height limitation of this Law, provided that the roof itself conforms to the maximum height regulations of the zoning district in which the building and/or structure is located.

d. Domes, towers, bell towers, cupolas, or spires which are an integral part of churches or other houses of worship shall be exempt from the height limitations of this Law, provided that such features shall in no way be used for independent habitable space, as defined by the NYS Uniform Fire Prevention and Building Code.

e. Telecommunications towers, broadcasting, and microwave transmitting and relay towers and electric transmission line towers shall be exempt from the height limitations of this Law.

f. Ski lift towers and towers for snowmaking equipment shall be exempt from the height limitations of this Law.

g. Flagpoles shall be exempt from the height limitations of this Law.

h. Agricultural buildings, such as barns, silos, stables, and riding arenas shall be exempt from the height limitations of this Law.

i. Houghton College and Houghton Academy campuses.

Additional exceptions to the general height and area restrictions are only possible with prior approval of the Town Planning Board.

E. Visual Clearance at Intersections and Driveways

For public safety, no obstruction of view, from signs, fences, walls, hedges, landscaping, or other structures, for either pedestrians or vehicles, shall be permitted at intersections of roads or where driveways access a street. To this end, the following clear areas shall be maintained.

1. On any corner lot, no fence, wall, hedge or other structure or planting, which interferes with visibility from motor vehicles, shall be permitted within the sight triangle. The sight triangle is the triangular area formed by the edge of the paved road or curb line and a line drawn between two points along such paved road or curb line, each such point being fifteen (15) feet distant from the

intersection. The measurement will be taken from the curb line, or from the edge of the paved roadway, in cases where there is no curb.

2. On any lot where a private driveway enters a road, no obstruction to visibility from motor vehicles, which is between three (3) feet above ground level and ten (10) feet above ground level, shall be located within the triangular area formed by the edge of the sidewalk (or edge of paved road or curb line, in cases where there is no sidewalk) the private driveway line and a line connecting them, beginning ten (10) feet from their intersection. In addition, the driveway itself shall be kept free of obstructions to visibility to a depth of ten (10) feet from the right-of-way line.

F. Measurement Rules

1. For lots where the deeded lot extends to the centerline of a roadway, all required setbacks shall be measured from the right-of-way line.
2. For lots where the deeded lot extends to the centerline of a roadway, the lot area shall be determined by excluding the area within the right-of-way.
3. The lot width shall be measured at the front setback line.
4. Setbacks for Panhandle lots: In general, the front yard setback will fall within the area reserved for access to a panhandle lot. Therefore, the side closest to and parallel to the road shall be considered a side yard, for purposes of calculating required setbacks. (See Figure 10 in Appendix).
5. Setbacks for buildings and structures shall be measured at the foundation walls or supports. Decks, porches, carports, and similar features that are attached to the structure may not extend into the required setbacks. Eves may overhang into the required setback by no more than three feet.

APPENDIX
Chart 3.1
Minimum Lot Dimensions and Set Back Requirements

Minimum Lot Areas*			
District	If No Public Water or Public Sewer	If Public Water Only	If Public Water and Sewer
R1	20,000 square feet	10,000 square feet	8,000 square feet
R2	30,000 square feet	20,000 square feet	10,000 square feet

CR	20,000 square feet	10,000 square feet	5,000 square feet
AR	2 acres	2 acres	2 acres
LC	4 acres	4 acres	4 acres

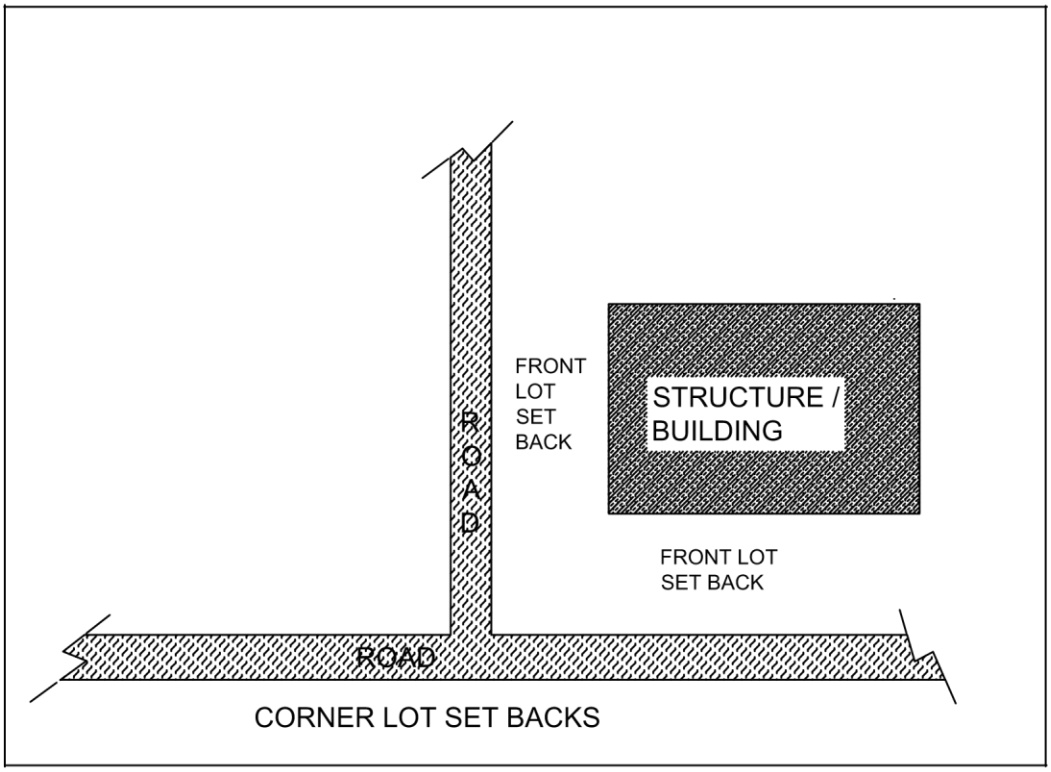
Minimum Lot Dimensions and Set Back Requirements**

	Lot Width	Lot Depth	Front set back	Rear set back	Each Side set back	Percent of lot which may be built upon
R1	80 feet	100 feet	30 feet	40 feet	25 feet	20.00%
R2	100 feet	100 feet	40 feet	50 feet	15 feet	20.00%
CR	50 feet	100 feet	30 feet	25 feet	10 feet	40.00%
AR	200 feet	300 feet	50 feet	50 feet	25 feet	15.00%
LC	200 feet	200 feet	50 feet	50 feet	25 feet	5.00%

*The strict requirements of these schedules may be modified by action of the Planning Board pursuant to an application to the Planning Board as provided by Section 7.2 of this local law. All lots having septic fields must have room for a backup septic field.

**Note: meeting minimum lot width and lot depth dimensions does not ensure meeting minimum lot area dimensions.

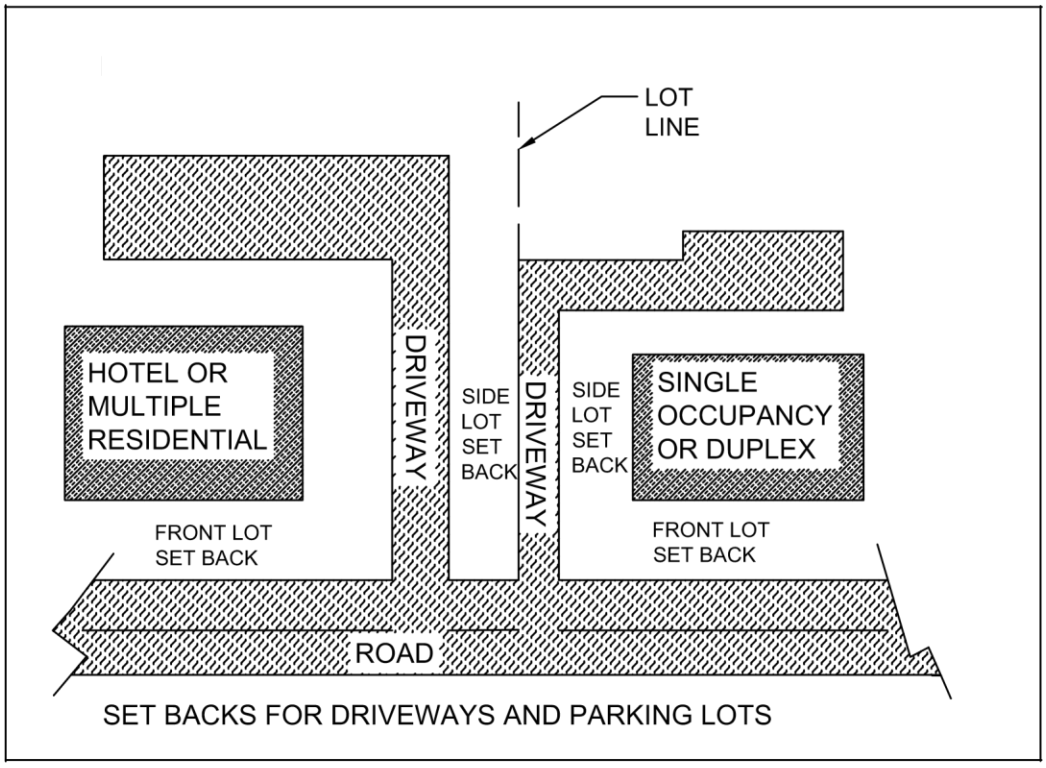
APPENDIX
Figure 1
Building Height Requirements
Corner Lot Setbacks



APPENDIX
Figure 2
Building Height Requirements
Set Backs for Driveways and Parking Lots

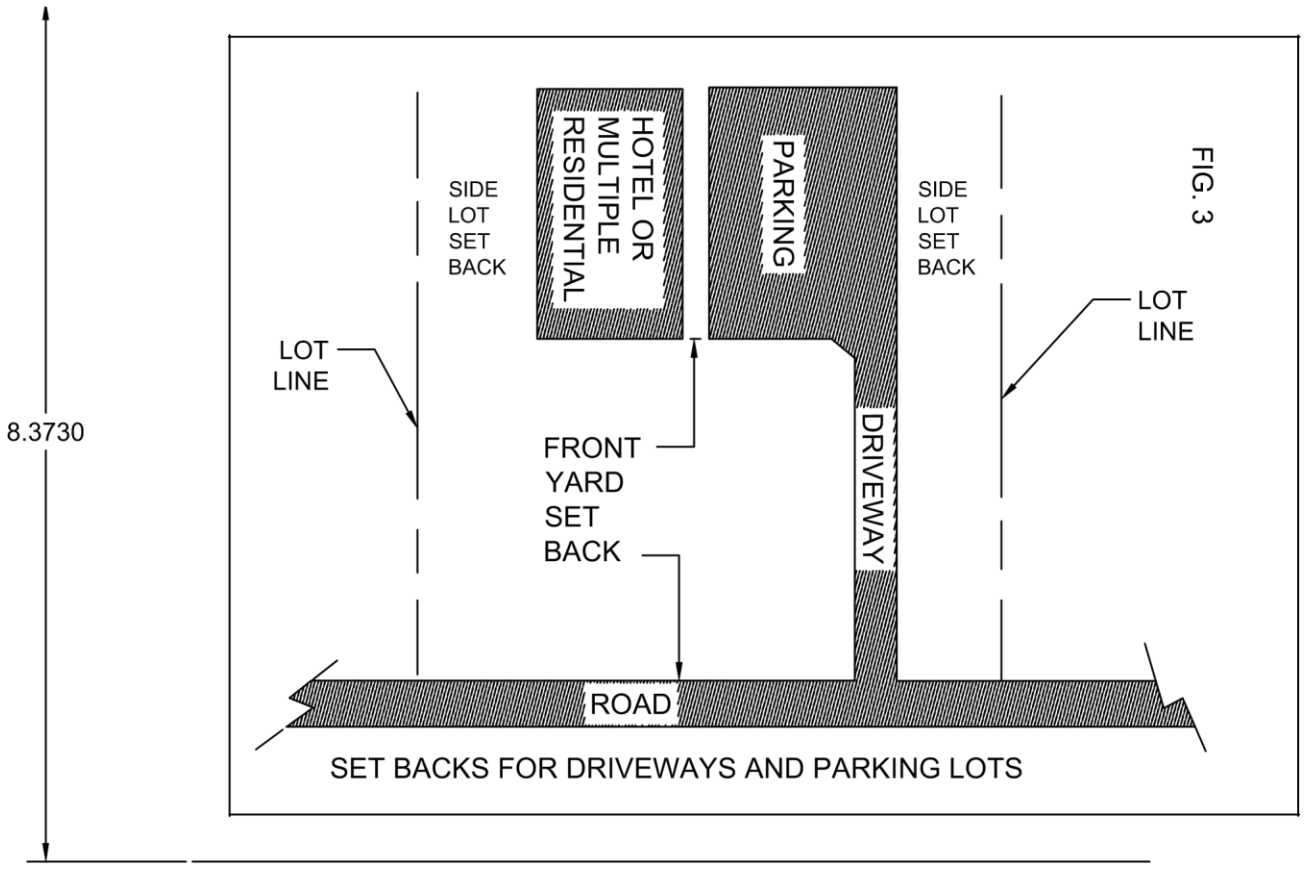


APPENDIX
Figure 3
Building Height Requirements
Set Backs for Driveways and Parking Lots

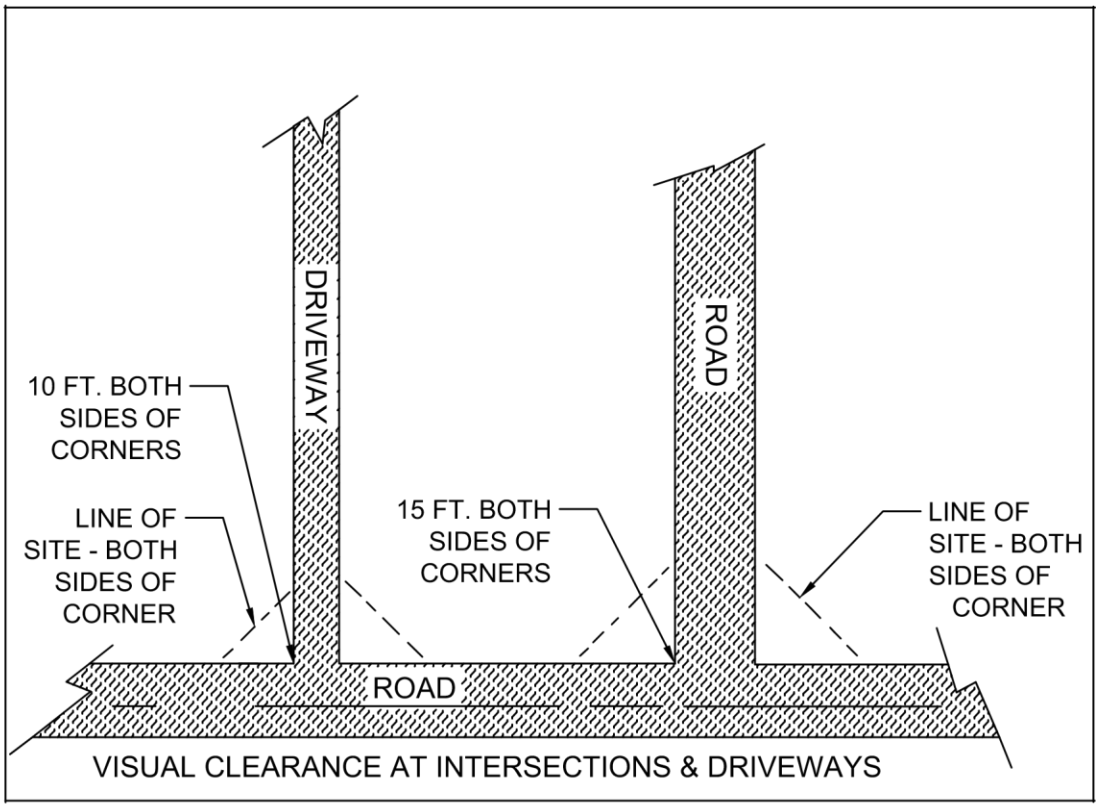


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APPENDIX
Figure 4
Building Height Requirements
Set Backs for Driveways and Parking Lots



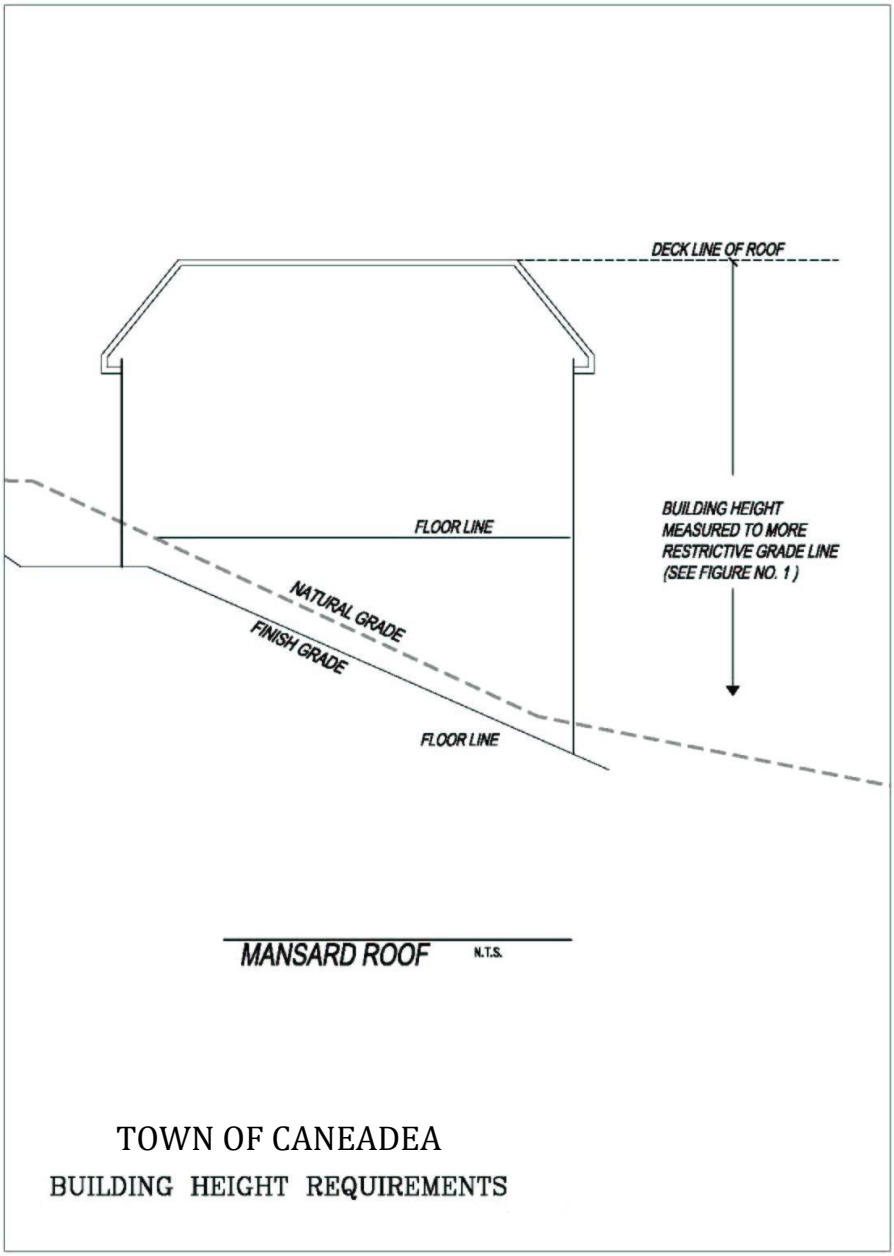
APPENDIX
Figure 5
Building Height Requirements
Visual Clearance at Intersections & Driveways



APPENDIX
Figure 6
Building Height Requirements – Flat Roof

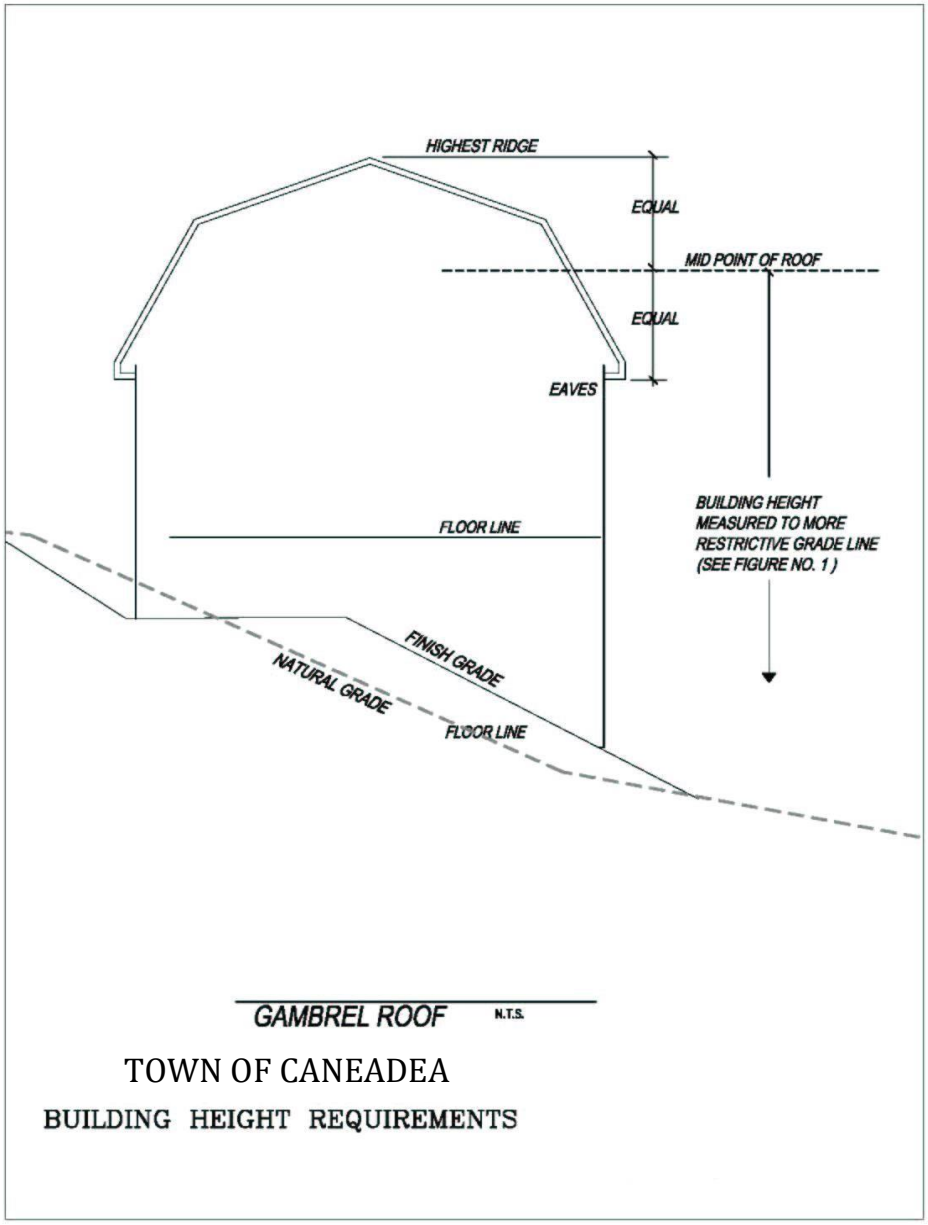


APPENDIX
Figure 7
Building Height Requirements – Mansard Roof

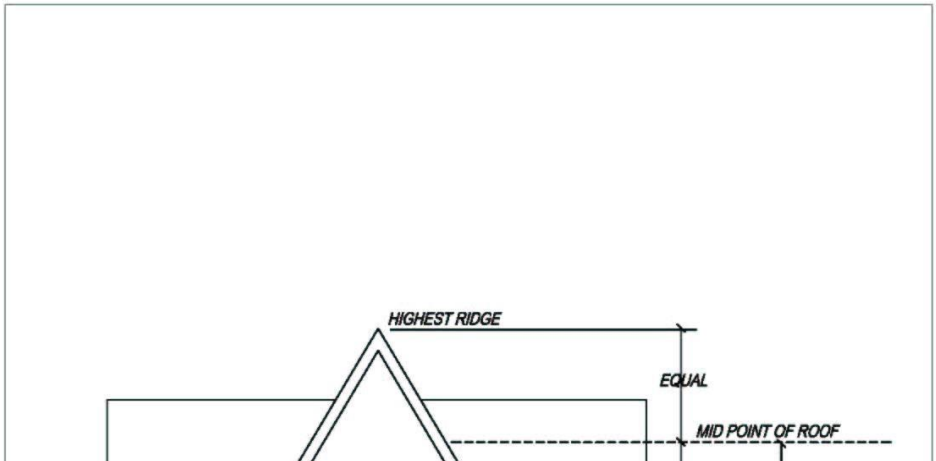


APPENDIX
Figure 8

Building Height Requirements
Gambrel Roofs



Gable Roof



APPENDIX
Figure 10

Town of Grove

Panhandle Lots

