

**VILLAGE OF CANASTOTA  
LOCAL LAW NO. E OF 2023**

**A LOCAL LAW TO AMEND VILLAGE CODE CHAPTER 230 (“ZONING”)  
OF THE VILLAGE OF CANASTOTA AND THE ZONING MAP TO DEFINE THE  
BOUNDARIES OF USES WITHIN THE DOWNTOWN DISTRICT  
AND TO ESTABLISH CERTAIN SUPPLEMENTAL REGULATIONS FOR THE  
DOWNTOWN DISTRICT**

Be it enacted by the Trustees of the Village of Canastota as follows:

**SECTION 1. LEGISLATIVE PURPOSE AND INTENT.**

The purpose of this Local Law is to amend certain portions of the Zoning Map of the Village of Canastota to redesignate the former Commercial District to a new designation entitled “Downtown District” and to establish certain supplemental regulations for the Downtown District.

**SECTION 2. AUTHORITY.**

This Local Law is enacted pursuant to the New York State Constitution and New York State Municipal Home Rule Law §10.

**SECTION 3. AMENDMENT OF SECTION 230-22 (“ZONING MAP”) OF THE VILLAGE OF CANASTOTA CODE.**

The Zoning Map of the Village of Canastota, as previously adopted and amended pursuant to Section 230-22 of the Code of the Village of Canastota, is hereby further amended to change the zoning classification of certain parcels within the Village of Canastota currently zoned Commercial District (“CM”), Industrial District (“IN”) or Agricultural District (“AG”), as more specifically set forth below, to a newly created “Downtown District” or “DD” or in accordance with the map attached hereto and made a part of this local law as Schedule A:

<b>Tax ID Numbers</b>	<b>Property Location Descriptions</b>	<b>Current Zoning District</b>	<b>New Zoning District</b>
36.62-2-1	Diamond Street (New York State Canal Corp.)	CM	DD
36.62-2-2	102 S. Peterboro Street	CM	DD
36.62-2-3	104 S. Peterboro Street	CM	DD
36.62-2-5	118 S. Peterboro Street	CM	DD
36.62-2-6	132 S. Peterboro Street (Village of Canastota)	CM	DD
36.62-2-7	134 S. Peterboro Street	CM	DD
36.62-2-8	136 S. Peterboro Street	CM	DD

<b>Tax ID Numbers</b>	<b>Property Location Descriptions</b>	<b>Current Zoning District</b>	<b>New Zoning District</b>
36.62-2-9	140 S. Peterboro Street	CM	DD
36.62-2-10	144 S. Peterboro Street	CM	DD
36.62-2-11	146 S. Peterboro Street	CM	DD
36.62-1-54	201 S. Peterboro Street	CM	DD
36.62-2-32	200-206 S. Peterboro Street	CM	DD
36.62-2-31	208 S. Peterboro Street	CM	DD
36.62-2-30	216-222 S. Peterboro Street	CM	DD
36.62-1-67	243 S. Peterboro Street	CM	DD
36.62-1-66	241 S. Peterboro Street	CM	DD
36.62-1-48	112 Depot Street	CM	DD
36.62-1-49	108 Depot Street	CM	DD
36.62-1-50	Depot Street (Louis J. Bruno) (parking lot)	CM	DD
36.62-1-51.1	113-117 Center Street	CM	DD
36.62-1-51.2	Center Street (Village of Canastota)	CM	DD
36.62-1-15	Commerce Street (Canal Town Assoc.) (parking lot)	AG	DD
36.62-1-16	Commerce Street (Arsenault, Lorraine B.)	CM	DD
36.62-1-17	112 Center Street	CM	DD
36.54-1-87	N. Canal Street	CM	DD
36.54-1-90	109 N. Peterboro Street	CM	DD
36.54-1-91	103 N. Peterboro Street	CM	DD
36.54-1-92	101 N. Peterboro Street	CM	DD
36.54-2-14	120 N. Peterboro Street	CM	DD

<b>Tax ID Numbers</b>	<b>Property Location Descriptions</b>	<b>Current Zoning District</b>	<b>New Zoning District</b>
36.54-2-15	118 N. Peterboro Street	CM	DD
36.54-2-16	116 N. Peterboro Street	CM	DD
36.54-2-17	114 N. Peterboro Street	CM	DD
36.54-2-18	N. Peterboro Street (Joseph JP Properties LLC)	CM	DD
36.54-2-19	104 N. Peterboro Street	CM	DD
36.62-2-15	Diamond Street (Village of Canastota)	CM	DD
36.62-2-16	303 Diamond Street	CM	DD
36.62-2-17	305 Diamond Street	CM	DD
36.62-2-12.1	Center Street (Lyle Hicks) (parking lot)	CM	DD
36.62-2-12.2	108 E. Center Street	CM	DD
36.62-2-13	Center Street (Village of Canastota)	CM	DD
36.62-2-14	Center Street (Village of Canastota)	CM	DD
36.62-2-14.1	120 E. Center Street	CM	DD
36.62-2-23	128 E. Center Street	IN	DD
36.62-2-24	130 E. Center Street	IN	DD
36.62-2-33	109 E. Center Street	CM	DD
36.62-2-34	Center Street (Village of Canastota)	CM	DD
36.62-2-38	127 E. Center Street	CM	DD
36.62-2-37	Center Street (Village of Canastota)	CM	DD
36.62-2-36.1	Center Street (Village of Canastota)	CM	DD
36.62-2-36.2	E. Center Street (Village of Canastota)	CM	DD
36.62-2-35	Center Street (Village of Canastota)	CM	DD

<b>Tax ID Numbers</b>	<b>Property Location Descriptions</b>	<b>Current Zoning District</b>	<b>New Zoning District</b>
36.62-1-23	S. Peterboro Street (KeyBank)	CM	DD
36.62-1-24	113 S. Peterboro Street	CM	DD
36.62-1-25	115-117 S. Peterboro Street	CM	DD
36.62-1-26	121 S. Peterboro Street	CM	DD
36.62-1-27	129 & 130 S. Peterboro Street	CM	DD
36.62-1-28.1	131 S. Peterboro Street	CM	DD
36.62-1-28.2	133 S. Peterboro Street	CM	DD
36.62-1-29	135 S. Peterboro Street	CM	DD
36.62-1-30	139 S. Peterboro Street	CM	DD
36.62-1-30.1	104-110 Center Street	CM	DD
36.62-1-52	Center Street (Village of Canastota)	CM	DD
36.62-2-53	103-107 Center Street	MR	DD
36.62-1-54	201 S. Peterboro Street	CM	DD
36.62-1-60	205 S. Peterboro Street	CM	DD
36.62-1-48	112 Depot Street	CM	DD
36.62-1-49	108 Depot Street	CM	DD
36.62-2-50	Depot Street	CM	DD
36.62-1-51.1	113-117 Center Street	CM	DD
36.62-2-23	128 E. Center Street	IN	DD
36.62-2-24	130 E. Center Street	IN	DD
36.62-1-1	200 & 202 S. Canal Street	AG	DD
36.62-1-2	204 S. Canal Street	AG	DD
36.62-1-3	220 S. Canal Street	AG	DD
36.62-1-3.1	218 S. Canal Street	AG	DD

<b>Tax ID Numbers</b>	<b>Property Location Descriptions</b>	<b>Current Zoning District</b>	<b>New Zoning District</b>
36.62-1-4	216 S. Canal Street	AG	DD
36.62-1-6	103 S. Peterboro Street	CM	DD
36.61-1-53	S. Main Street (vacant property)	AG	DD

**SECTION 4.**

A new Article XIA of Chapter 230 of the Code of the Village of Canastota, entitled, “DD Downtown District,” is hereby enacted and added to the Code to read as follows:

“Article XIA **DD Downtown District**

**§ 230-46.1. Intent.**

The intent of the Downtown District is to promote retail sales and service businesses and other permitted commercial uses while preserving to the extent practicable, the historic business and community character within the area defined by this district.

**§ 230-46.2. Permitted uses.**

Permitted uses in the Downtown District, subject to site plan approval and compliance with applicable supplementary regulations as hereinafter set forth, shall be as follows:

The following uses are permitted in Downtown District:

- A. Retail stores, excluding adult entertainment businesses, drug paraphernalia sales, cannabis sales, and businesses permitting on-premises consumption of cannabis, which are specifically prohibited in this district.
- B. Retail services, excluding adult entertainment businesses, drug paraphernalia sales, cannabis sales, and businesses permitting on-premises consumption of cannabis, which are specifically prohibited in this district.
- C. Personal services, excluding adult entertainment businesses, drug paraphernalia sales, cannabis sales, and businesses permitting on-premises consumption of cannabis, which are specifically prohibited in this district.
- D. Business and professional offices.

- E. Restaurant and bars/taverns.
- F. Indoor recreation.
- G. Museums.
- H. Religious institutions.
- I. Community centers.
- J. Parking as an accessory use.
- K. Clubs.
- L. Mixed Residential Over commercial Businesses.
- M. Multiple-Family and One- & Two-Family Dwellings.

**§ 230-46.3. Special permit uses.**

Permitted uses in the Downtown District, subject to site plan and special permit approval and compliance with applicable supplementary regulations as hereafter set forth, shall be as follows:

- A. Drive-in service.
- B. Parking as a principal use.
- C. Dwelling units, including bachelor apartments, in upper stories of a building only in combination with permitted nonresidential use(s) on the first floor in the same building.

**§ 230-46.4 Area, yard and bulk requirements.**

Within the Downtown District, there are no specific lot, structure or parking requirements except that 1 and ½ parking spaces shall be provided for each dwelling unit. Basic objectives shall be to protect and preserve existing uses and structures, effectively utilize all existing structures and encourage any modification and expansion of structures and activity which can be reasonably accommodated without adversely affecting the historic integrity and character of the area.”

**SECTION 5.**

Section 230-21 (“Classes of districts”) of the Code of the Village of Canastota is hereby amended to read as follows:

**“§ 230-21 Classes of districts.** The Village of Canastota is hereby divided into the following zoning districts:

PD	Planned Development District
AG	Agricultural District
DD	Downtown District
R1	Residential 1 District
R2	Residential 2 District
RM	Multiple Residential District
CM	Commercial District
IN	Industrial District
MH	Mobile Home District
FW-1	Floodway Zone
FF-0	Floodway Fringe Over-Zone
HP	Historic Preservation District
MH-P	Mobile Home Park/Development District
INP-A	Industrial Park Development District A
INP-B	Industrial Park Development District B
MUIR	Mixed Use Industrial Residential District”

**SECTION 6.**

Subsection “E” of Section 230-45 (“Special permit uses”) of the Code of the Village of Canastota is hereby amended to read as follows:

- “E. Bachelor apartment, provided that the following conditions are met:
- (1) Bachelor apartments shall be prohibited on the first-floor level of any structure.
  - (2) A minimum of 1 and ½ parking spaces shall be provided per bachelor apartment.
  - (3) Apartments shall comply with all state and local building and fire prevention codes.”

**SECTION 7.**

Section 230-24 (“Historic district”) of the Code of the Village of Canastota is hereby amended to read as follows:

**“§ 230-24 Historic district.**

Properties within the Downtown District zone, as defined on the Zoning Map, are hereby placed under architectural control to preserve and enhance the appearance of historic Canastota.”

**SECTION 8.**

The Zoning Map of the Village of Canastota, as previously adopted and amended pursuant to Section 230-22 (“Zoning Map”) of the Code of the Village of Canastota is hereby further

amended to establish the Downtown District zone, with the boundaries of each zone being as indicated on the attached Schedule A, which is hereby incorporated into, and made a part of this local law.

**SECTION 9. SEVERABILITY.**

If any clause, sentence, paragraph, word, section or part of this Chapter shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof, directly involved in the controversy in which said judgment shall have been rendered.

**SECTION 10. EFFECTIVE DATE.**

This Local Law shall be effective upon filing with the Office of the Secretary of State.



# SCHEDULE A

