

**VILLAGE OF CANASTOTA
LOCAL LAW NO. D OF 2024**

**A LOCAL LAW AMENDING ARTICLE XIA OF CHAPTER 230
OF THE CODE OF INCORPORATED VILLAGE OF CANASTOTA
REGARDING MULTIFAMILY DWELLING UNITS**

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

SECTION 1. LEGISLATIVE PURPOSE AND INTENT.

The purpose of this Local Law is to amend the Code of Incorporated Village of Canastota to require the procurement of a special permit in order for a multifamily dwelling unit to be located within Canastota's Downtown District.

SECTION 2. AUTHORITY

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

SECTION 3. AMENDMENT OF SECTION 230-46.2, PERMITTED USES, OF ARTICLE XIA, DD DOWNTOWN DISTRICT, OF CHAPTER 230, ZONING

Section 230-46.2 of Chapter 230 of the Code of Incorporated Village of Canastota is hereby amended to read as follows:

“§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 the Downtown District:

- A. Business and professional offices.
- B. Clubs.
- C. Community centers.
- D. Indoor recreation.
- E. Mixed residential over commercial businesses.
- F. Museums.
- G. Parking as an accessory use.
- H. 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.
- I. Religious institutions.
- J. Residential one- and two-family dwelling units.
- K. Restaurants and bars/taverns.

- L. 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.
- M. 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.”

SECTION 4. AMENDMENT OF SECTION 230-46.3, SPECIAL PERMIT USES, OF ARTICLE XIA, DD DOWNTOWN DISTRICT, OF CHAPTER 230, ZONING

Section 230-46.3 of Chapter 230 of the Code of Incorporated Village of Canastota is hereby amended to read as follows:

“§230-46.3. Special permit uses.

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

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

SECTION 5. SEVERABILITY

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

SECTION 6. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York.