

## **TOWN OF GENESEO**

### **Local Law No.1 of 2026**

A Local Law entitled “Repealing Local Law No. 3 of 2021 and Opting-In to Allow Adult Use Cannabis Retail Dispensaries within the Town of Geneseo, New York” as authorized by the New York State Cannabis Law.

**BE IT ENACTED** by the Town Board of the Town of Geneseo, County of Livingston, State of New York, as follows:

#### **Section I: LEGISLATIVE INTENT**

It is the intent of this Local Law to repeal local law No. 3 of 2021 of the Town of Geneseo, New York; to opt-in to allow adult-use cannabis retail dispensary licenses in the Town of Geneseo, New York under New York State Cannabis Law Article 4; and to amend the Town of Geneseo Zoning Code (including Town Code Chapter 106, Zoning) to clarify that such adult-use cannabis retail dispensary uses are only authorized in the Town’s General Commercial (GC) zoning district (Town Code §106-21.6) upon issuance of a special use permit, subject to the same bulk and area restrictions as a “Banquet/Wedding facility” use.

#### **Section II: AUTHORITY**

This Local Law is adopted pursuant to New York State Cannabis Law §131, which authorizes the Town Board to repeal a local law which prohibited establishment of cannabis retail dispensary licenses in the Town, subject to a permissive referendum under New York State Municipal Home Rule Law §24.

#### **Section III: LOCAL OPT-IN**

The Town Board repeals Local Law No. 3 of 2021, by which the Town Board opted out of allowing adult use cannabis retail dispensaries. By this new Local Law, the Town Board opts-in for allowing cannabis retail dispensaries within the Town’s jurisdiction.

#### **Section IV: ZONING CODE AMENDMENT**

The Town Board amends Town Code Chapter 106, section 21.6, to authorize “Licensed Cannabis Retail Dispensary” as a “use requiring a special use permit” in in the Town’s General Commercial (GC) zoning district (Town Code §106-21.6) subject to the same bulk and area restrictions as a “Banquet/Wedding facility” use as such uses are set forth in Attachment # 7 to Town Zoning Code Section 106. A true and accurate copy of said amendment to Town Code Chapter 106 is attached hereto and incorporated herein as “Exhibit A.”

## **Section V: SEVERABILITY**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstances, shall be adjudicated by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

## **Section VI: PERMISSIVE REFERENDUM/REFERENDUM ON PETITION**

This Local Law is subject to referendum on petition in accordance with Cannabis Law §131 and the procedure outlined in Municipal Home Rule Law §24.

## **Section VII: EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the Secretary of State, provided that such filing occurs no sooner than 45 days after the adoption of this Local Law by the Town Board. Pursuant to Cannabis Law §131, this Local Law is subject to a permissive referendum and may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition, or a referendum has been conducted approving this Local Law.

# ZONING

## 106 Attachment 7

### Town of Geneseo

#### General Commercial (GC) District

| Uses                                           | Minimum Lot Size (square feet) | Minimum Lot Width (feet) <sup>1</sup> | Minimum Setbacks            |                          |                          | Maximum Lot Coverage (%) | Maximum Building Height (feet) | Maximum Building Footprint (sf) | Site Plan Required |
|------------------------------------------------|--------------------------------|---------------------------------------|-----------------------------|--------------------------|--------------------------|--------------------------|--------------------------------|---------------------------------|--------------------|
|                                                |                                |                                       | Front (feet) <sup>2,3</sup> | Side (feet) <sup>4</sup> | Rear (feet) <sup>4</sup> |                          |                                |                                 |                    |
| B. Permitted Uses                              |                                |                                       |                             |                          |                          |                          |                                |                                 |                    |
| 1. Professional, medical or dental office      | 30,000                         | 100                                   | 40                          | 20/50                    | 20/50                    | 60                       | 45                             | N/A                             | Yes                |
| 2. Dance, art or music studio                  | 30,000                         | 100                                   | 40                          | 20/50                    | 20/50                    | 60                       | 45                             | N/A                             | Yes                |
| 3. Bank or financial institution               | 30,000                         | 100                                   | 40                          | 20/50                    | 20/50                    | 60                       | 45                             | N/A                             | Yes                |
| 4. Retail or personal service or shop          | 30,000                         | 100                                   | 40                          | 20/50                    | 20/50                    | 60                       | 45                             | N/A                             | Yes                |
| 5. Shopping center                             | 1.5 acres                      | 150                                   | 40                          | 20/50                    | 20/50                    | 60                       | 45                             | N/A                             | Yes                |
| 6. Mortuary or funeral home                    | 30,000                         | 100                                   | 40                          | 20/50                    | 20/50                    | 60                       | 45                             | N/A                             | Yes                |
| 7. Laundromat or dry cleaning outlet           | 30,000                         | 100                                   | 40                          | 20/50                    | 20/50                    | 60                       | 45                             | N/A                             | Yes                |
| 8. Drinking establishment or tavern            | 30,000                         | 100                                   | 40                          | 20/50                    | 20/50                    | 60                       | 45                             | N/A                             | Yes                |
| 9. Restaurant (without drive-through)          | 30,000                         | 100                                   | 40                          | 20/50                    | 20/50                    | 60                       | 45                             | N/A                             | Yes                |
| 10. Fitness or health club                     | 30,000                         | 100                                   | 40                          | 20/50                    | 20/50                    | 60                       | 45                             | N/A                             | Yes                |
| 11. Broadcasting studio                        | 30,000                         | 100                                   | 40                          | 20/50                    | 20/50                    | 60                       | 45                             | N/A                             | Yes                |
| 12. Indoor recreation & entertainment facility | 30,000                         | 100                                   | 40                          | 20/50                    | 20/50                    | 60                       | 45                             | N/A                             | Yes                |
| 13. Repair shop (not including auto repair)    | 30,000                         | 100                                   | 40                          | 20/50                    | 20/50                    | 60                       | 45                             | N/A                             | Yes                |

GENESEO CODE

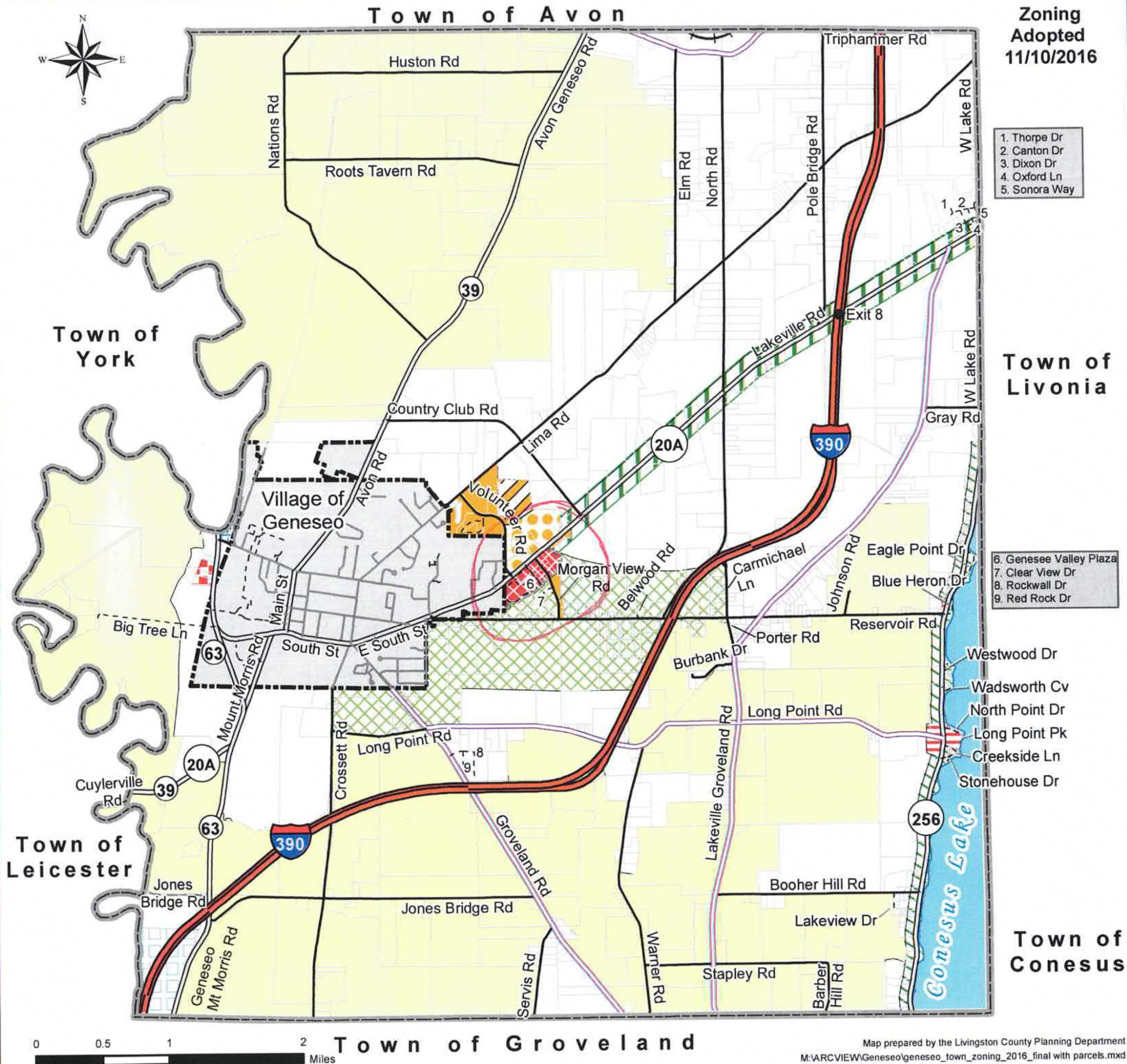
| Uses                                                       | Minimum Lot Size (square) | Minimum Lot Width | Minimum Setbacks            |                          |                          | Maximum Lot Coverage | Maximum Building Height | Maximum Building Footprint | Site Plan Required |
|------------------------------------------------------------|---------------------------|-------------------|-----------------------------|--------------------------|--------------------------|----------------------|-------------------------|----------------------------|--------------------|
|                                                            |                           |                   | Front (feet) <sup>2,3</sup> | Side (feet) <sup>4</sup> | Rear (feet) <sup>4</sup> |                      |                         |                            |                    |
| 14. Lodging                                                | 30,000                    | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 15. Conference/meeting center                              | 30,000                    | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 16. Motor vehicle parking lot                              | 20,000                    | 50                | 40                          | 20/50                    | 20/50                    | 70                   | N/A                     | N/A                        | Yes                |
| 17. Mix of permitted uses                                  | 1                         | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 18. Educational Institution                                | 30,000                    | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 19. Day-care facilities                                    | 30,000                    | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 20. Church or religious institution                        | 30,000                    | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 21. Public services, utilities, and municipal uses         | 20,000                    | 50                | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 22. Printing & publishing operation                        | 30,000                    | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 23. Dwelling in conjunction with a commercial use          | N/A                       | N/A               | N/A                         | N/A                      | N/A                      | N/A                  | N/A                     | N/A                        | Yes                |
| 24. Accessory building or use, nonresidential <sup>5</sup> | N/A                       | N/A               | 40                          | 20/50                    | 20/50                    | 60                   | 20                      | N/A                        | Yes                |
| <b>C. Specially Permitted Uses</b>                         |                           |                   |                             |                          |                          |                      |                         |                            |                    |
| 1. Kennel                                                  | 1 acre                    | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 2. Veterinary clinic                                       | 1 acre                    | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 3. Dry cleaning facility                                   | 1 acre                    | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 4. Outdoor recreation facility                             | 1 acre                    | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 5. Gasoline station                                        | 30,000                    | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 6. Car wash                                                | 1 acre                    | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 7. Auto sales or rental                                    | 1 acre                    | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 8. Auto repair establishment                               | 1 acre                    | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 9. Outdoor storage or sales                                | 1 acre                    | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |

## ZONING

| Uses                                                  | Minimum Lot Size (square)                                                    | Minimum Lot Width | Minimum Setbacks            |                          |                          | Maximum Lot Coverage | Maximum Building Height | Maximum Building Footprint | Site Plan Required |
|-------------------------------------------------------|------------------------------------------------------------------------------|-------------------|-----------------------------|--------------------------|--------------------------|----------------------|-------------------------|----------------------------|--------------------|
|                                                       |                                                                              |                   | Front (feet) <sup>2,3</sup> | Side (feet) <sup>4</sup> | Rear (feet) <sup>4</sup> |                      |                         |                            |                    |
| 10. Stand-alone drive-through establishment           | 20,000                                                                       | 50                | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 11. Drive-through in conjunction with a permitted use | Must meet permitted use dimensional requirements listed under 21.6(B) above. |                   |                             |                          |                          |                      |                         |                            |                    |
| 12. Hospital or health care facility                  | 1 acre                                                                       | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 13. Telecommunications facility                       | 1 acre                                                                       | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 14. Storage & warehousing establishment               | 1 acre                                                                       | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 15. Distribution facility                             | 1 acre                                                                       | 100               | 40                          | 20/50                    | 20/50                    | 60                   | 45                      | N/A                        | Yes                |
| 16. Banquet facility or wedding facility              | 30,000                                                                       | 100               | 40                          | 20/50                    | 20/50                    | 40                   | 45                      | N/A                        | Yes                |
| 17. Licensed Cannabis Retail Dispensary               | 30,000                                                                       | 100               | 40                          | 20/50                    | 20/50                    | 40                   | 45                      | N/A                        | Yes                |

### NOTES:

1. Or the most common lot width on the block in which the lot is located.
2. Or the most common setback on the block in which the lot is located.
3. Setbacks on corner lots must satisfy the corner clearance requirements in § 106-45.10.
4. The second number in the column represents the required setback if the lot is located adjacent to a residential district.
5. Must be located in side or rear yard.



**Zoning Adopted 11/10/2016**

1. Thorpe Dr
2. Canton Dr
3. Dixon Dr
4. Oxford Ln
5. Sonora Way

6. Genesee Valley Plaza
7. Clear View Dr
8. Rockwall Dr
9. Red Rock Dr

# Town of Geneseo Zoning Map

- Expressway**
  - State Highway**
  - County Highway**
  - Town Road**
  - Village Road**
  - Seasonal Road**
  - Private Road**
  - Railroads**
  - Town Boundary**
  - Village Boundary**
  - Parcels 2022**
  - Lake**
- Zoning Districts**
- Agricultural Zoning**
  - Rural Residential**
  - Highway Residential**
  - Lakeshore Residential**
  - Low Density Residential**
  - General Commercial**
  - Lakefront**
  - Neighborhood Commercial**
  - Limited Commercial**
  - General Industrial Use**
  - Light Industrial**
  - Mixed-Use I**
  - Mixed-Use II**
  - Mixed-Use III**