

# Canandaigua Lake Uniform Docking & Mooring Law Update March, 2024

## Overview

Canandaigua Lake is owned by the State of New York and regulates what can be built in the lake up to the high-water mark (689.41-NGVD 1929). Adjoining landowners have navigational access to the lake. Prior to 1992, they were required to receive a permit to construct docking and mooring facilities from New York State. The purpose of the permit was to allow reasonable navigational access while protecting environmental quality, navigational safety and the lake's scenic character.

In 1992, the State Legislature allowed the six shoreline communities, the City of Canandaigua, and the Towns of Canandaigua, Gorham, Italy, Middlesex, and South Bristol, to regulate docking and mooring facilities while retaining ultimate regulatory authority. Each municipality is required to adopt the **same** Uniform Docking and Mooring local law (UDML) upon approval of the NYS Commissioner of Parks, Recreation and Historic Preservation.

## Maintaining Consistency and Uniformity of the Local Law and Its Implementation

Various issues with definitions, interpretations, and ambiguities came to light over the years. In 2004 and 2012 the Canandaigua Lake Watershed Council (CLWC), consisting of the fourteen watershed and water purveying municipalities partnered with the Ontario County Planning Department, code officers and the Association to update the law.

## 2024 UDML Update

Over the past twelve years, issues arose leading to the CLWC again initiating an update of the UDML in 2022 as had been done with their shoreline community partners. Highlights of proposed major changes and clarifications in the current 2012 law are *on the next page*.

The UDML Crossover Comparison Table provides a section by section comparison between the current and proposed law. See the link to the document below.

## Next Steps

1. A series of public outreach opportunities will be held in the coming months on the proposed changes to the Uniform Docking and Mooring Law at locations around the lake.
2. After the conclusion of the outreach effort, the partners will consider the information gathered during the outreach efforts and prepare a revised draft UDML for each shoreline municipality.
3. Each municipality can then commence the formal process of amending their existing UDML which includes holding a formal public hearing and concluding the State Environmental Quality Review process.
4. As specified in the state enabling legislation, each municipality must adopt the same local law before it can be submitted to the NYS Office of Parks, Recreation and Historic Preservation for approval and enactment by the municipality.

**For questions or additional information contact:** Kevin Olvany, Canandaigua Lake Watershed Program Manager, 585-396-3630 Email: [klo@canandaiguanyork.gov](mailto:klo@canandaiguanyork.gov)

## Document Links

Please visit the Watershed Council website for the following resources: NYS Navigation Law Article 4 Sec. 46a., Draft Generic March 2024 UDML Local Law, Crossover Table for March 2024 UDML Local Law (This is a section by section comparison of the current 2012 law and the proposed law) and the 2012 Generic UDML Local Law This is the 2012 current local law formatted with the same numbering as the draft law to make comparison easier.

## Highlights of Proposed Major Changes to the Canandaigua Lake Uniform Docking and Mooring Local Law

Major Changes and Clarifications	Brief Description
<b>Definitions Changes</b>	<ul style="list-style-type: none"> <li>• Revised: Appendage, boat accessory structure, boat house, boat station, dock, docking and mooring facility, outlet, seasonal and shoreline. Technical corrections were made to “height” and “mean low and high water level.”</li> <li>• “Tier 2 Marina Facility” replaces “marina”.</li> <li>• New definition added for “Tier 3 Transient Use Facility”.</li> </ul>
<b>New Tier One Permit Requirement</b>	A permit is required for the initial installation or expansion of a seasonal dock.
<b>Certificate of Nonconformity Application</b>	The applicant is responsible for preparing all technical documentation required for receipt of a certificate of nonconformity.
<b>New Tier One Dimensional Requirements and Facility Allocation/Allowance Changes</b>	<ul style="list-style-type: none"> <li>• The number of boat slips allowed per lineal feet of shoreline has been reduced.</li> <li>• The allowed square footage of the dock system has been reduced for shoreline parcels with 75 feet or less of lineal feet of shoreline</li> </ul>
<b>Tier 1 Dock Consolidations</b>	Dock consolidations are no longer allowed.
<b>Tier 1 Steep Slope Parcel Provisions</b>	<ul style="list-style-type: none"> <li>• The additional 200 square feet of dock for steep slope parcels has been eliminated.</li> <li>• The boat accessory structure square foot allowance has been reduced from 120 to 75 square feet.</li> </ul>
<b>Tier 1 Walkway and Appendages Changes</b>	<ul style="list-style-type: none"> <li>• The 50% main walkway rule has been removed &amp; the width is increased to 10ft.</li> <li>• Appendages must be attached to the main walkway.</li> <li>• Appendages may not exceed 350 square feet and can only be six feet wide.</li> </ul>
<b>Boat Stations and Boat House</b>	Any platforms, retractable skids, drop down floors, temporary flooring systems or other similar structure shall be included in the square foot dockage allowance and must meet all dimensional requirements.
<b>Tier 2 and Tier 3</b>	<ul style="list-style-type: none"> <li>• Clarified that when both Tier 2 and Tier 3 are assigned to the adjoining zoning district, an adjoining parcel is not allowed both a Tier 2 and Tier 3 dock and mooring allocation.</li> <li>• Clarified that where a proposed Tier 2 or Tier 3 facility spans more than one parcel there will only be <b>one tie line</b> that connects the outer parcels’ boundaries. <ul style="list-style-type: none"> <li>○ The maximum number of boat slips and moorings is determined by the length of the tie line.</li> </ul> </li> </ul>
<b>New Tier 3 Dimensional Requirements and Changes</b>	Tier 3 facilities must meet the same 200 ft. distance from shoreline requirement as Tier 2.
<b>Replacement of Nonconforming Docks and/or Moorings that Cross into Neighbor’s Facility Area</b>	Where an existing nonconforming seasonal or permanent dock or mooring crosses into the facility area of an adjoining parcel, the replacement docking or mooring facility is allowed to retain the same number of slips if it meets all dimensional requirements of local law without a variance.
<b>UDML Site Plan Approval</b>	The relationship between UDML site plan approval and local planning and zoning approvals associated with adjoining parcel development/redevelopment is clarified and streamlined.
<b>Unexpired UDML Permits</b>	Unexpired UDML permits issued after 2021 and the effective date of this local will be considered in compliance with this local law whether or not construction of permitted facilities has been completed.