

**CANANDAIGUA LAKE UNIFORM DOCKING & MOORING LAW
CROSSOVER TABLE - CURRENT 2012 LAW & PROPOSED REVISIONS
March, 2024**

Crossover Table: Each of the six locality’s current Uniform Docking and Mooring Law (UDML) has different formatting and numbering though the content is the same. To make it easier to do a section by section comparison of the current and proposed law, a *generic current UDML* document was created as a common reference point. The proposed UDML document is formatted with the same numbering as the generic current local law. Formatting and editing corrections are not included that did not change the content.

Click [here](#) for document links to the Generic 2012 Current UDML, the Draft Generic March 2024 UDML and the Overview.

GENERIC 2012 (Current UDML SECTION NO. (Enacted 2012)	DRAFT 2024 UDML SECTION NUMBER CHANGE	Proposed Change
Section 44-1 Title	No Change	None
Section 44-2 Purpose	No Change	None
Section 44-3 Authority and Applicability	No Change	The last sentence in “B” regarding structures not related to navigational access, etc. is the new “C.”
Section 44-4 Compliance with State and Federal Laws and Regulations	No Change	None
Section 44-5 Definitions	No Change	<ul style="list-style-type: none"> • The following definitions have been modified to add clarity to facilitate consistency and uniform in application of the law by the localities: 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.” • The “marina” definition has been replaced with “Tier 2 Marina Facility”. • A new definition has been added for “Tier 3 Transient Use Facility”. The definitions clarify that one facility may be on one parcel or may span multiple parcels.
Section 44-6 Allocation of All Docking and Mooring Facilities	No Change	Subsection A is revised to clarify that: <ul style="list-style-type: none"> ○ When Tier 2 and Tier 3 are assigned to the adjoining zoning district, an adjoining parcel will not be allowed a Tier 2 and Tier 3 dock and mooring allocation; and ○ Where a proposed Tier 2 or Tier 3 facility spans more than one parcel there will only be <i>one tie line</i> that connects the outer parcels’ boundaries the length of which will be used to determine the maximum number of boat slips and moorings.
Section 44-7 Determining Facility Area Lines for an Adjoining Parcel	No Change	Section 44-7 C. clarifies the qualification requirements for the boundary plan and proposed improvements submitted as part of the permit application.

<p style="text-align: center;">GENERIC 2012 (Current UDML SECTION NO. (Enacted 2012))</p>	<p style="text-align: center;">DRAFT 2024 UDML SECTION NUMBER CHANGE</p>	<p style="text-align: center;">Proposed Change</p>
<p>(Continued from previous page.)</p>		<p>The Facility Area Lines must be determined by a licensed surveyor.</p>
<p>Section 44-8 Tier 1 Docking and Mooring Facilities Allocation</p>	<p style="text-align: center;">No Change</p>	<p>This section lists the reduction in the number and square footage of docks and moorings allowed in Tier 1. See Table 2.</p> <p>Boat House</p> <ul style="list-style-type: none"> • A boat house must have a permanent roof, one or more enclosed sides and no utilities except electricity. • The internal square footage of walkways, platforms, retractable skids, temporary flooring systems or other similar structure must be included in the square footage dockage allowance and must meet all dimensional requirements. • The adjoining parcel is not allowed to have both a boat station and boat house. <p>Boat Station</p> <ul style="list-style-type: none"> • Any platforms, retractable skids, any temporary flooring systems, or other similar structure shall be included in the square foot dockage allowance and must meet all dimensional requirements. • Only adjoining parcels having 75’ of shoreline or more are allowed to have a boat station. <p>Boat Accessory Structure</p> <ul style="list-style-type: none"> ○ The square footage is reduced to 75 sq. ft and 10 ft. in height.
<p>Section 44-9 Tier 1 Design Standards for Docking and Mooring Facilities</p> <p>Section 44-9 Tier 1 Design Standards for Docking and Mooring Facilities</p> <p>(Continues on next page.)</p>	<p style="text-align: center;">No Change</p> <p style="text-align: center;">No Change</p>	<ul style="list-style-type: none"> • Setback requirements <ul style="list-style-type: none"> ○ Clarification is added regarding where the land side measurement starts – “nearest top of bank...” • Dimensional Requirements <ul style="list-style-type: none"> ○ The 50% requirement regarding the length of the dock has been removed to provide greater design flexibility. ○ Clarifies that all platform, retractable skids/floors, temporary flooring systems or other similar structures square footage must be included in the overall dimensional requirement. ○ The use of the term “appendage” has been revised to include the entirety of the portion of the dock that extends from the main walkway. It includes what had been referred to as “fingers” which has been deleted. ○ All appendages must be attached to the main walkway and not exceed 6’ in width. ○ Any appendage cannot exceed 350 sq. ○ The 200 sq. ft. additional dock allowance for steep slope parcels has been removed.

GENERIC 2012 (Current UDML SECTION NO. (Enacted 2012)	DRAFT 2024 UDML SECTION NUMBER CHANGE	Proposed Change
		<ul style="list-style-type: none"> • Term <ul style="list-style-type: none"> ○ A Tier 1 permit will expire two years from the date of issuance. The term may be extended an additional two years upon application to the Enforcement Officer prior to expiration of the permit.
Section 44-10 Tier 1 Dock Consolidation	Removed	The provisions allowing dock consolidations on existing on a single parcel or the consolidation of docks on two existing adjoining parcels have been eliminated.
Section 44-11 Tier 1 Permit Requirements for Permanent Docking and Mooring and Associated Facilities	New Section 44-10 <i>now combines current law Sections 11 & 12</i>	(New Section 44-10) A permit will be required for the initial installation of a new seasonal dock or the replacement, expansion, or relocation of an existing seasonal facility(s).
Section 44-12 Tier 1 Requirements for Seasonal Docking and Mooring Facilities and Other Structures	New Section 44-10 <i>now combines current law Sections 11 & 12</i>	See New Section 44-10
Section 44-13 Tier 2 Docking and Mooring Facilities	Section 44-11	Subsection A clarifies and emphasizes that the number of boat slips and mooring facilities allowed are a maximum and subject to reduction depending on zoning code requirements for a Tier 2 Marina Facility.
Section 44-14 Tier 2 Docking and Mooring Facilities Design Standards	Section 44-12	Same
Section 44-15 Tier 3 Docking Facilities for Transient Use	Section 44-13	<p>Added: No part of the dock or associated structures and equipment shall extend beyond a line which is two hundred (200) feet from the mean high water mark; this line or curve, depending on the configuration of the shoreline, is to be parallel to the mean high water mark.</p> <p>If a permit is granted to add a Tier 2 docking and mooring facility that meets all requirements, the number of existing Tier 3 boat slips must be deducted from the Tier 2 allocation calculation for that facility.</p>
Section 44-16 Design Standards for Docks Facilities for Transient Uses	Section 44-14	Same
Section 44-17 All Tier 2 and 3 Permit Requirements and Procedures for Seasonal and Permanent Docking and Mooring and Associated Facilities (including Docking Facilities for Transient Use)	Section 44-15	Cross reference to Sec. 44-16 H is added addressing differences in process when a UDML permit is not/or is not related to a local planning or zoning approval for associated development/redevelopment on adjoining upland parcel(s).

GENERIC 2012 (Current UDML SECTION NO. (Enacted 2012)	DRAFT 2024 UDML SECTION NUMBER CHANGE	Proposed Change
Section 44-18 Tier 2 & 3 Docking and Mooring Site Plan Review Requirements and Procedures	Section 44-16	<ul style="list-style-type: none"> The board having jurisdiction over site plan approval determines the number of boat slips and moorings allowed after application of any requirements related to land-based docking and mooring support facilities established in the zoning code. The maximum number of boat slips and moorings may be reduced as a result of the application of the requirements. Relationship between UDML site plan review and local planning and zoning regulations and requirements are addressed to clarify and streamline the process by requiring concurrent application reviews and approvals.
Section 44-19 Compliance with Section 239 of NYS General Municipal Law	Section 44-17	Same
Section 44-20 City of Canandaigua Boat House Parcels	Section 44-18	City will add appropriate local code and regulation citations.
Section 44-21 Nonconforming Docking and Mooring Facilities, Structures, and Uses	Section 44-19	<ul style="list-style-type: none"> The landowner may request a Certificate of Nonconformity from the Enforcement Officer that includes an investigation and report prepared by a licensed professional documenting all existing structures, facilities and uses. Where an existing nonconforming dock or mooring crosses into the facility area of an adjoining parcel, a replacement docking and mooring facility is allowed to retain the same number of slips if it meets all dimensional requirements of local law without a variance. No variance(s) may be granted to the dimensional requirements to allow retention of the number of slips in excess of this local law. Any unexpired permits issued after 2021 and the effective date of this local shall be considered in compliance with this local law whether or not construction of permitted facilities have been completed.
Section 44-22 Docking and Mooring Appeals and Variances	Section 44-20	<ul style="list-style-type: none"> Where an existing nonconforming dock or mooring crosses into the facility area of an adjoining parcel, a replacement docking and mooring facility is allowed to retain the same number of slips if it meets all dimensional requirements of local law without a variance.
Section 44-23 Enforcement Officer has been removed. Enforcement officer is now in the definition section.	Section 44-21	Same

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Section 44-23 Amendments	Section 44-22	Same
Section 44-24 Separability	Section 44-23	Same