

**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>B. Permitted Uses</b>									
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.