



*Land Use  
and  
Development*

# 3

## *Land Use and Development*

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## 3.0 Land Use and Development

### 3.1 OVERVIEW

**Priority Action Programs:  
Land Use and Development**

- Comprehensively revise the Town’s development regulations, standards, and review/approval processes to implement the policies of the Land Use and Development Element
- Provide expanded incentives for reinvestment/revitalization
- Establish a coordinated strategy to achieve a town-wide open space and greenway network, including a public acquisition program

Amherst has a mix and pattern of land uses reflecting the varied influences that have shaped the Town’s growth. On a percentage basis, residential development (predominantly single-family) remains the Town’s most widespread land use, at about 36.4% of the total. The next largest category, vacant land, represents about 18.9% of the Town’s land area. Commercial, office, and industrial development together comprise about 7.4% of the total. Significant land use changes since 1975, when the Town’s last Land Use Plan was prepared, include:

- In 1975, Amherst had a significant amount of undeveloped land remaining. Today, the Town is a maturing community with developed uses typical of medium-sized suburban communities. Between 1975 and 2000, approximately 55% of vacant and agricultural land in the Town was converted to other uses.
- In 1975, Amherst was predominantly a residential community. While residential remains the single most extensive land use in the Town, over the past 25 years Amherst has emerged as a center of regional activity that complements the City of Buffalo. Contributing land uses include significant commercial and office development and the major institutional presence of the North Campus of the University at Buffalo (UB).
- Continuing the predominant trend of post World War II growth, the path of new development has been away from traditional, close-in neighborhoods such as Eggertsville and Snyder towards the northern part of the Town. The establishment of UB and the Audubon New Community in the 1970s accentuated this trend.

Major characteristics of the current land use pattern are as follows:

- With the exception of the southeastern corner of town, southern Amherst is comprised of mature neighborhoods with grid-like street systems and traditional scale commercial centers and corridors.
- Central Amherst contains newer, more suburban style subdivisions with curvilinear street systems. Commercial centers range from neighborhood to regional in scale, and are generally found along suburban or commercial corridors.
- Transit Road and Niagara Falls Boulevard (which form the Town’s east and west boundaries, respectively) continue as regional shopping destinations, as do nearby sections of east-west corridors such as Sheridan Drive and Maple Road.

- The northwestern and particularly the southeastern corners of Amherst have fragmented land use patterns featuring dissimilar uses (e.g., residential, office, and industrial) located next to each other.
- Northern Amherst remains largely rural in character, with large areas of restricted agricultural land, public open space, sensitive environmental resources, rural highways, and (mostly in the northeast) a large proportion of the vacant land remaining in the Town.
- Public and semi-public uses (parks, schools, educational institutions, etc.) are located throughout the Town, generally as isolated rather than as connected properties.

The generalized existing land use pattern is shown in Figure 2. Figure 3 shows generalized existing zoning, which has contributed to the development of the Town’s current land use pattern.

According to the 2015 American Community Survey (ACS), the Town’s population was 125,109. Population projections prepared for the 2016 Town of Amherst Economic Study<sup>1</sup> indicate that this figure may grow by a small amount by 2020, and increase to 141,000 by 2040. The Report states that most job growth in the Town will be concentrated in businesses that will need retail and office space, with little demand for new industrial space. It projects that the Town will need to increase its supply of commercial space by 4.1 to 5.9 million SF (square feet) to accommodate this growth. However, most of this development is expected to be achieved by redeveloping existing commercial sites, demand for newly developed commercial land will total less than 100 acres. (*Amended 12-11-17; BCPA-2017-01*)

Findings from the “2014 Comprehensive Plan Review” and the “2016 Town of Amherst Economic Study” suggest that shifting demographic and economic trends are altering consumer behavior and related forms of commercial land use. Most notable are conclusions indicating that:

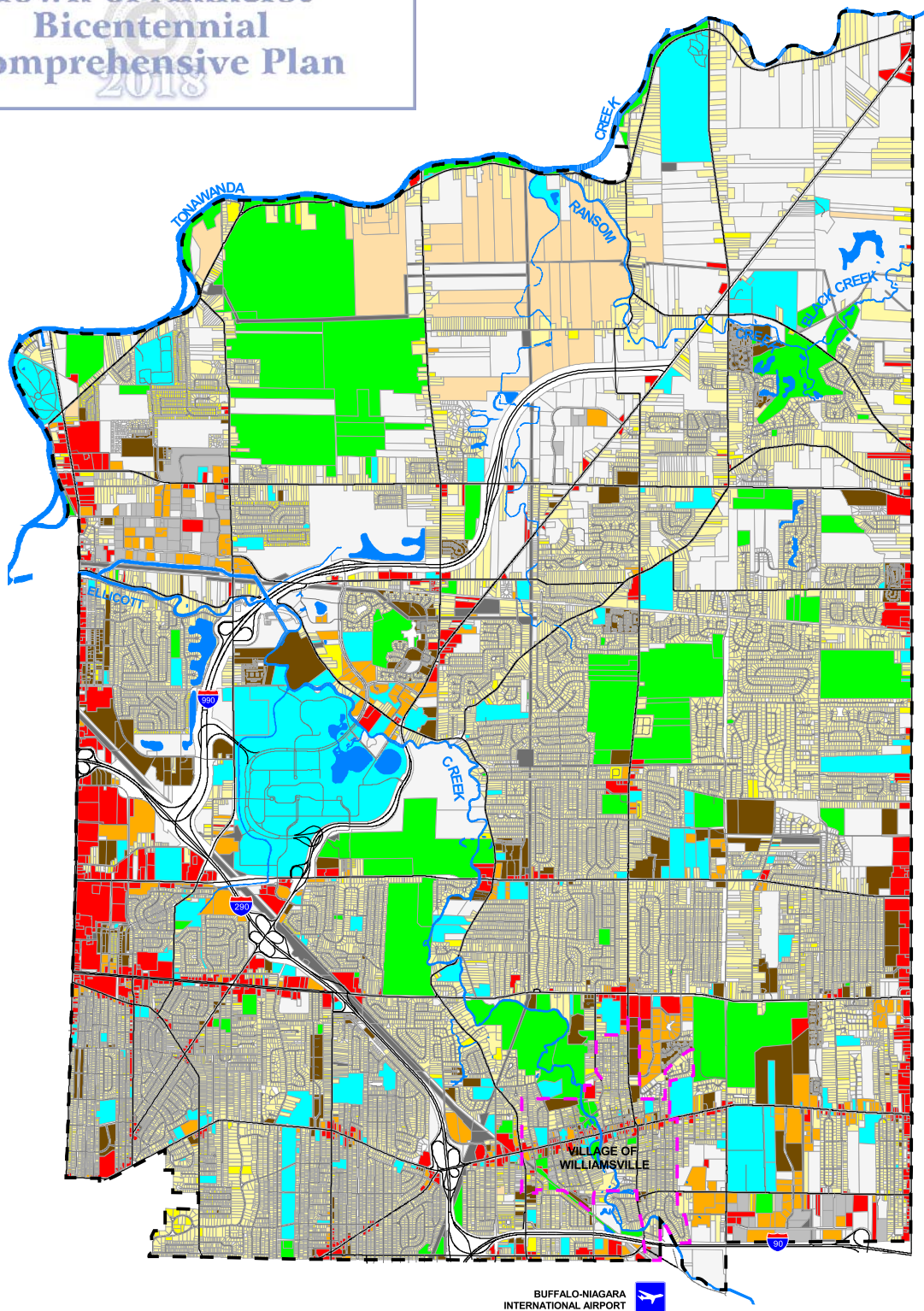
- There is a growing supply of underutilized space in the Town’s office and industrial parks
- Suburban retail corridors and business parks that comprise much of Amherst’s employment and commercial base are losing favor among residents and workers who are expressing preferences for “downtown” or mixed-use locations with a strong base of restaurants, retailers, salons, and recreational activities.
- Commercial areas with traditional form and a strong mix of uses can provide the critical mass of amenities desired by

***Context-sensitive design*** is an emerging approach to transportation planning that emphasizes collaborative planning with stakeholders to develop transportation improvements that preserve local values and resources, while maintaining safety and mobility. Four types of character corridors appropriate to different land use contexts have been identified (See 6-1 for a complete discussion):

- ***Traditional character:*** corridors located within higher intensity centers and older neighborhoods.
- ***Suburban character:*** corridors serving newer residential subdivisions, non-local traffic and automobile-oriented development.
- ***Commercial character:*** corridors with an established linear commercial development pattern.
- ***Rural character:*** corridors possessing unique visual character due to their rural and/or scenic qualities.

<sup>1</sup> See the Town Amherst Economic Study (2016) for documentation of population and development projections (Available at: [www.amherst.ny.us](http://www.amherst.ny.us) use keyword: Economic).

1818  
**Town of Amherst  
 Bicentennial  
 Comprehensive Plan**  
2018

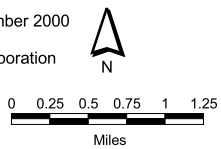


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 INTERNATIONAL AIRPORT

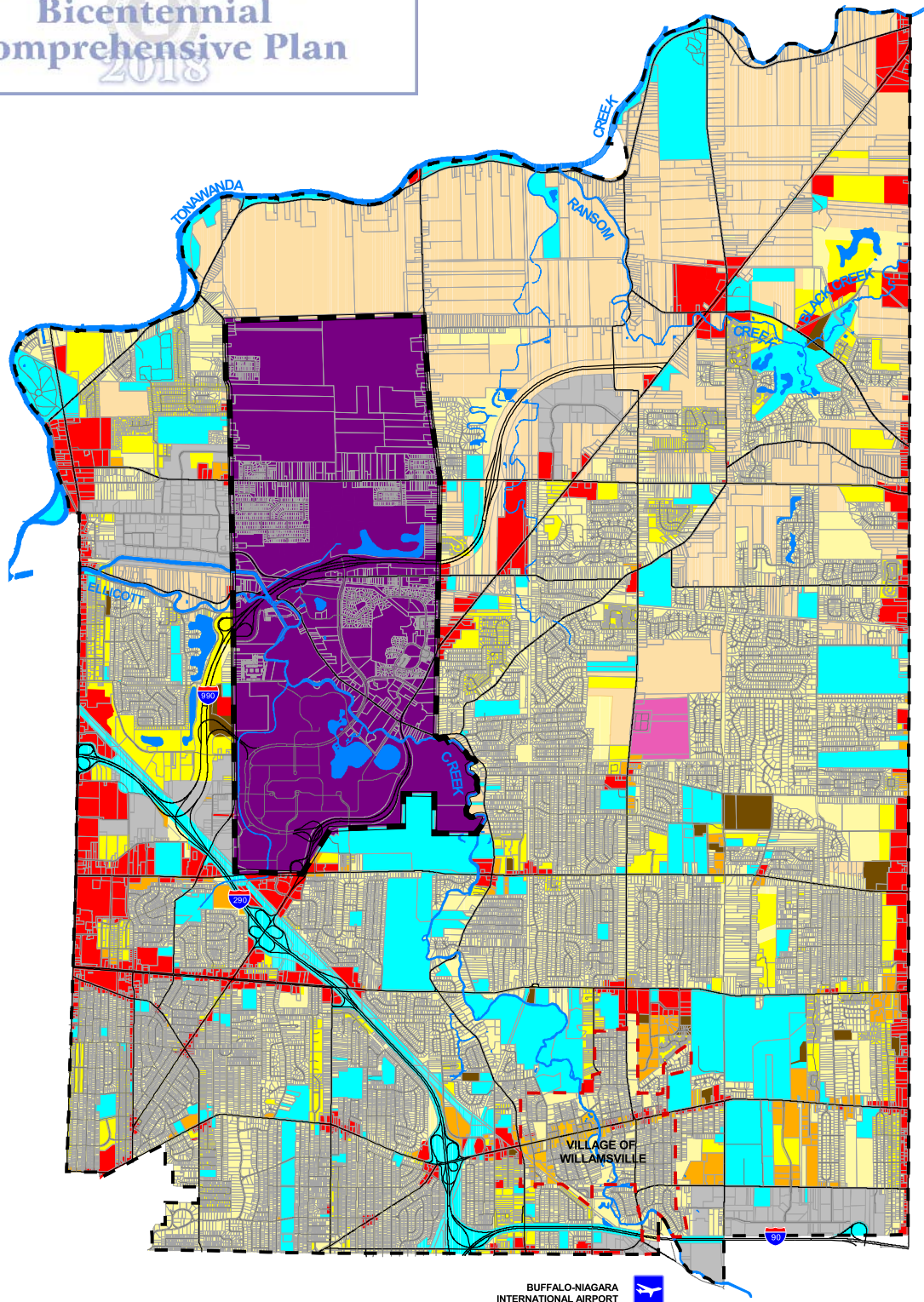
**FIGURE 2**

**GENERALIZED EXISTING LAND USE**

<p><b>LEGEND</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #f4a460; border: 1px solid black; margin-right: 5px;"></span> Agricultural Land</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff2cc; border: 1px solid black; margin-right: 5px;"></span> Single Family Residential</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #ffff99; border: 1px solid black; margin-right: 5px;"></span> Low Density Residential</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #800000; border: 1px solid black; margin-right: 5px;"></span> Medium Density Residential</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #ff0000; border: 1px solid black; margin-right: 5px;"></span> Commercial</li> </ul>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #ffa500; border: 1px solid black; margin-right: 5px;"></span> Office</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #a9a9a9; border: 1px solid black; margin-right: 5px;"></span> Industrial</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #00ff00; border: 1px solid black; margin-right: 5px;"></span> Recreation and Open Space</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #00ffff; border: 1px solid black; margin-right: 5px;"></span> Public/Semi-Public</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #808080; border: 1px solid black; margin-right: 5px;"></span> Utilities</li> </ul>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #e0e0e0; border: 1px solid black; margin-right: 5px;"></span> Vacant Land</li> <li><span style="display: inline-block; border-bottom: 2px dashed black; width: 15px; margin-right: 5px;"></span> Municipal Boundary</li> <li><span style="display: inline-block; border-bottom: 1px solid grey; width: 15px; margin-right: 5px;"></span> Parcel Boundary</li> <li><span style="display: inline-block; border-bottom: 2px dashed magenta; width: 15px; margin-right: 5px;"></span> Village of Williamsville Boundary</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #0000ff; border: 1px solid black; margin-right: 5px;"></span> Surface Water Body</li> </ul>	<p><b>SOURCE NOTES :</b></p> <p>Original Source Data Provided by the Town of Amherst</p> <p>Land use data as of September 2000</p> <p>Map Compiled by URS Corporation</p> <p>Date: February, 2004</p>
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1818  
**Town of Amherst**  
**Bicentennial**  
2018  
**Comprehensive Plan**


















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**GENERALIZED EXISTING ZONING**

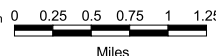
**FIGURE 3**

**LEGEND**

 Suburban Agricultural Residential	 Planned Residential District	 Municipal Boundary	 Surface Water Body
 Single Family Residential	 Commercial - Non-Office	 Parcel Boundary	
 Low Density Residential	 Commercial - Office	 Village of Williamsville Boundary	
 Medium Density Residential	 Community Facilities	 New Community District Boundary	
 New Community District	 Industrial		

**SOURCE NOTES :**

Original Source Data Provided by the Town of Amherst  
 Zoning Data, September 2000  
 This Zoning Map not officially adopted by the Amherst Town Board. Deed and other restrictions may apply to some parcels.  
 For official zoning information contact the Town of Amherst Building Department  
 Map Compiled by URS Corporation  
 Date: February, 2004



companies, workers and residents. For example, existing areas along Main Street through the Village of Williamsville, in Snyder and Eggertsville, and other areas can satisfy demand for mixed-use walkable environments that are accessible by several modes of transportation.

- Changes in the market represent a long-term trend, not a fad. In response Amherst must revitalize its older, single-use commercial areas in more attractive forms in order to remain competitive in the regional marketplace.
- In order to encourage contemporary mixed-use forms of development that promote energy and resource efficiency, the Town can incorporate form-based regulations at appropriate locations that focus on building form and context, rather than strict land use and site design.

To address these trends the Town’s Comprehensive Plan must be periodically reviewed and updated to include specific guidance for revitalizing commercial and mixed-use zones, encouraging energy efficient forms of redevelopment, and employing development principles that focus development in areas served by existing infrastructure. *(Amended 12-11-17; BCPA-2017-01)*

***Vision Statement Directions:  
Land Use***

- Diverse neighborhoods
- Mixed-use development patterns
- Revitalized neighborhoods and commercial areas
- Improved development standards

According to the Comprehensive Plan Vision Statement, distinguishing land use and development characteristics of Amherst in the year 2018 will include:

- **Diverse neighborhoods**, ranging in character from traditional to suburban to rural
- Pedestrian-friendly, interconnected, **mixed-use development** patterns
- Revitalized **older neighborhoods and commercial corridors**
- Open space integrated into the overall pattern of development
- **Development standards** that promote objectives such as improved visual character, revitalization of older neighborhoods, and mixed-use development

Together with the Conceptual Land Use Plan, the goals, objectives, and policies set forth in this element are designed to guide future land use and development/redevelopment within the Town. They include changes to development regulations and processes, public investment and incentive strategies, and other actions to achieve the intent of the Vision Statement.

### 3.2 GOALS, OBJECTIVES, AND POLICIES

#### GOAL

*An interconnected mix of land uses that includes revitalized older neighborhoods and commercial centers and corridors, quality new development, vibrant activity centers, agriculture, and green spaces throughout the community*

#### OBJECTIVES

- Promote the development/revitalization of walkable higher density, mixed-use centers surrounded by lower density development
- Implement context-sensitive zoning and incentives to improve the quality and appearance of non-residential development
- Encourage revitalization and reinvestment in older neighborhoods and commercial corridors in Amherst
- Target capital improvements to leverage private investment and enhance community appearance
- Establish a town-wide network of parks, open spaces, and greenway corridors
- Improve the predictability and consistency of the development review and decision-making process

#### POLICIES

##### A. Development Patterns

The Comprehensive Plan land use policies should guide the distribution of development, but are not intended to alter the amount of development in Amherst. The Plan is a tool to redistribute densities to appropriate locations while maintaining lower density development in the surrounding areas. This will result in more sustainable land use patterns that help to implement objectives such as promoting pedestrian-friendly development; preserving open space; and establishing centers of community activity.

##### 3-1 Expand provisions and incentives for mixed-use development of commercial centers.

Mixed-use development consists of several types of activity, each of which could function independently, but which benefits from proximity to each other. For example, residential units could be located on upper stories above ground level stores or in a residential development within easy walking distance of a neighborhood commercial center, thus providing ready access to shopping and other services. Adding office space creates the opportunity to live, work, and shop in the same vicinity, while a public facility or facilities (e.g., a park or school) increases the range of activities there. The resulting centers provide a focus for surrounding



*Mixed-use and pedestrian-friendly development in the Village of Williamsville.*



*Vertical mixing of uses at Snyder Square.*



neighborhoods while promoting land use objectives such as efficient, compact, and pedestrian and bicycle friendly development. By definition, such centers are higher in density and incorporate a wider range of uses than the lower density, predominantly residential areas surrounding them. Development of these centers should incorporate design considerations such as scale, height, frontage, and transitions between land uses.

By definition, mixed-use development consists of a deliberate, mutually-supporting mix of housing, civic uses, and commercial uses, including retail, restaurants, and offices. There is significant physical and functional integration of project components, and thus a relatively close-knit and intensive use of land, including uninterrupted pedestrian connections. Mixed-use development is usually the result of a coherent planning process that emphasizes the connectivity and links among uses. (*Amended 12-11-17; BCPA-2017-01*)

Mixed-use development should be designed to achieve two primary objectives:

- Provide a focus for new development and revitalization in the Town, consistent with protecting the character of adjacent residential areas
- Enhance the viability of surrounding neighborhoods by providing identifiable centers of community activities such as shopping, work, recreation, and meetings

The following strategies can be used to achieve mixed-use development:

- ***Improve regulations to encourage mixed-use.***  
Clear regulations and standards should be established for commercial and mixed-use centers to address issues such as intensity/density, and the relationship of these uses among surrounding land uses (e.g., transition from the edge of a center to an adjacent residential area), and other center design elements.
- ***Targeted public investments,*** including infrastructure and urban design improvements to leverage desired private investment in mixed-use centers.
- ***Coordination with other Comprehensive Plan policies,*** for example: transportation strategies to support transit service and sidewalk/bike path connections to mixed-use centers; locating community facilities to increase center activity, etc.

***Strategies to Achieve Mixed-Use Development Patterns***

- Improve zoning districts to encourage mixed uses
- Target public improvements to promote private investment in mixed-use centers
- Coordinate with other plan strategies, such as transportation and location of community facilities

Encouraging mixed-use forms of development and revitalization of the Town’s commercial centers has several advantages (*Amended 12-11-17; BCPA-2017-01*):

- To provide added economic incentive and flexibility for revitalization of aging and obsolescent commercial areas

- To preserve and enhance traditional commercial centers
- To provide additional housing opportunities and choices, including higher density and affordable housing in appropriate areas
- To provide a more compact livable and walkable alternative to the prevalent pattern of commercial strip development and separated uses
- To provide a focus for new development, infill, and redevelopment of commercial centers, as opposed to furthering strip commercial development along corridors such as Main Street, Sheridan Drive, Maple Road, North French Road, and Millersport Highway
- To promote development that supports pedestrian and bicycle travel as well as transit use, thereby reducing auto usage and resulting roadway congestion and air pollution
- To encourage higher density centers of activity that exhibit high-quality design and a sense of place

Depending upon its form and type, mixed-use development should exhibit the following characteristics and design features (*Amended 12-11-17; BCPA-2017-01*):

- **Mix of uses.** A mixed-use development should include a mix of compatible, appropriately scaled uses. The mix of uses may be achieved in one or more of the following ways:
  1. Vertical Mixed-Use. A single structure with the above floors used for residential or office use and a portion of the ground floor for retail/commercial or service uses.
  2. Horizontal Mixed-Use – Attached. A single structure which provides retail/commercial or service use in the portion fronting the public or private street with attached residential or office uses behind.
  3. Horizontal Mixed-Use – Detached. Two or more structures on one site which provide retail/commercial or service uses in the structure(s) fronting the public or private street, and residential or office uses in separate structure(s) behind or to the side.

It should be noted that certain types of use mixes offer little or no benefit and may exacerbate land use conflicts and traffic congestion. These may include, for example, disconnected “out parcels” for gas stations, fast food, or other forms of strip commercial development. Because such uses emphasize vehicular access, their use in a mixed-use development should be discouraged.

- **Connectivity and integration of uses:** Traditional zoning codes tend to emphasize buffering between uses. Successful mixed-use, by contrast, encourages linkages. This may be achieved through careful positioning of key project components around public spaces (for example, a street, park, plaza, or square), the interconnection of project components through pedestrian-friendly sidewalks and pathways, and through consideration of the layout/orientation of buildings

and the location of parking relative to structures and walkways. Connection should also be provided to the surrounding area.

- **Urban design amenities:** A variety of urban design amenities, such as sidewalks, landscaping, and public spaces are used to create recognizable, pedestrian-friendly activity centers with a sense of place.
- **Active street frontage:** First-floor street-frontage is generally reserved for more public uses, such as retail and restaurants. In addition, a maximum front yard depth is typically established and front yard parking is prohibited. Buildings may have an articulated façade by setting some portions back, using multiple entrances and architectural features, and adding windows and doors to eliminate long blank walls – these tend to make street frontages more pedestrian-friendly.
- **Compactness:** Mixed-use developments are typically denser than suburban-style and strip commercial development. Such compactness contributes to the walkability of the development.
- **Community-serving facilities:** A variety of civic and public uses, such as schools, libraries, day-care centers, and government buildings, may be provided as part of the mix of uses.
- Convenient **vehicular and pedestrian/bicycle access** from surrounding neighborhoods.
- **Transit service:** Because mixed-use development is typically more intense and offers a variety of uses, it is a desirable destination for transit service. If provided, transit service may decrease the amount of vehicular traffic to the development and the amount of parking needed on-site.
- **Modified parking layout:** In order to achieve a walkable, integrated development with an active street frontage, parking must be carefully designed. Parking is typically ancillary to the development, located behind or to the sides of buildings, with clearly defined pedestrian walkways that link parking to nearby buildings.

**3-2 Encourage compact, pedestrian-friendly development through Planned Residential options, including but not limited to neo-traditional design.**

In contrast to older neighborhoods such as Eggertsville and Snyder, which are characterized by grid street systems connected to traditional scale commercial centers, the predominant pattern of new residential development in Amherst is one of automobile-oriented subdivisions that are typically isolated from each other and from other uses. Amherst’s Zoning Code provides a Planned Residential District (PRD) option intended to promote more creative, flexible design, including variety in housing types, mixed uses, and open space preservation. However, this option has not been utilized.

The PRD regulations should be updated and expanded to meet Comprehensive Plan objectives of achieving compact, interconnected, pedestrian-friendly development patterns. Issues that should be addressed in this update include:

- ***Making this option a more viable alternative to conventional subdivision development.*** Techniques to achieve this objective include incentives (e.g., density bonuses, smaller lot sizes, narrow street widths to promote pedestrian scale) and clearer, more “user-friendly” regulations and approval processes.
- ***Establishing clear development standards tied to Comprehensive Plan objectives.*** These standards can draw upon principles of compact, efficient development such as neo-traditional design. Also referred to as traditional neighborhood development (TND), neo-traditional design is emerging nationally as an alternative to single-use, automobile-oriented subdivisions. Based upon characteristics predominant in pre-World War II communities, typical features of TND design include:
  - Interconnected, pedestrian-oriented street systems
  - Places to shop and work and public/institutional uses such as a school, park, or church within walking distance of residences, typically in neighborhood centers
  - Coordination with transit service

This concept is not new to Amherst. Older neighborhoods such as Eggertsville and Snyder demonstrate many characteristics of TND design and can be drawn upon as models in developing the standards.

- ***Better defining locations appropriate for application of Planned Residential options.*** With a minimum size limit of 50 acres, the current PRD option is oriented towards “greenfield” development on larger sites and thus is primarily applicable to northern Amherst. This size limit must be reevaluated and standards defined for application to infill and redevelopment sites in developed contexts. In addition, application of mixed-use options should be coordinated with mixed-use activity centers defined per Policy 3-1.

***Clear development standards*** are critical to the Aesthetic/Community Character Key Initiative and will improve the predictability of the review and approval process for both citizens and developers.



*Traditional residential neighborhood development.  
Source: www.pedbikeimages.org*

**3-3 Modify provisions of the Suburban Agricultural District to reduce conversions of rural to suburban development patterns.**

The Town’s lowest density residential zoning district at one unit per acre, the Suburban Agricultural (S-A) District has traditionally functioned as a “holding zone” for rezoning to more intense residential and other uses. This trend has created uncertainty and contributed to the gradual erosion of the Town’s rural character. The Conceptual Land Use Plan shows certain areas in northern Amherst to remain in agricultural

and rural uses. An agricultural zoning district should be created and applied to areas that are farmed or are designated as part of the Town's Farmland Protection Program. To regulate residential development outside of these areas, a new zoning district (possibly renamed Rural Residential to more clearly identify the intent of the district) should be created with provisions added to promote rural development patterns. For example, the base density could be reduced to one unit per three to five acres except for conservation developments that preserve at least 50% of the property as open space, which would be allowed to develop at a higher density. For other S-A properties, rezoning must be consistent with the policies recommended in the Comprehensive Plan and the criteria stated in Policy 3-16. In locations designated as activity centers on the Conceptual Land Use Plan, higher density, mixed uses are appropriate. In other current S-A areas, the criteria should promote use of conservation development and other options to maintain rural character (see Policy 3-14).

**3-4 Reduce future new commercial development in North Amherst and along highway strips.**

In the 1975 Plan, the portion of Amherst generally located north of North French Road had been considered an area that would experience significant new population growth accompanying the expected conversion of this largely rural area to suburban uses. Consistent with policies in the 1993 Northeast Amherst Plan and this Comprehensive Plan to limit utility extensions and retain rural densities and agricultural uses, North Amherst now has reduced potential for development, although there are some areas set aside to accommodate more intensive growth (see Section 10.2, *North Amherst Focal Planning Area*). Likewise, the regulatory restrictions imposed by the Ransom Creek floodway and NYSDEC regulated wetlands further reduce development potential below that depicted by present zoning designations. Policies to protect the scenic, largely agricultural and residential character of rural roads and to reduce the traffic impacts resulting from highway "strip" development suggest that small scale commercial development in this area should occur in more compact, mixed-use forms at existing designated commercial nodes. As illustrated on the Conceptual Land Use Plan, these centers are in key, high accessibility locations. (*Amended 12-14-20; BCPA-2020-04*)

As a general rule, future new commercial development (as opposed to redevelopment in existing commercial areas) should be appropriately scaled and limited to mixed-use or special purpose centers and retail nodes designated at key locations such as major intersections rather than being allowed to proliferate along arterial roadways. (*Amended 12-14-20; BCPA-2020-04*)

**B. Development Character**

The Vision Statement emphasizes “high standards for the *quality of development and redevelopment*” and enhanced “*visual character*” through design as key to community character.

**Aesthetic/Community Character** is one of the four major Comprehensive Plan Initiatives, one that will contribute to maintaining and enhancing Amherst’s status as a premier community in Western New York. Establishing standards and guidance for design to achieve high quality development is critical to achieving the goals of the Vision Statement and implementing the Aesthetic/ Community Character initiative. Clear standards will also help to improve the predictability of the development review and approval process, thus eliminating a source of frustration for citizens and developers alike. (*Amended 2-28-11; BCPA-10-1*)

**3-5 Employ design standards to enhance community appearance and a strong identity and character.**

Design standards are effective tools to guide and shape new development and revitalization initiatives and are important in addressing such issues as impacts on the visual character of public roadways and on adjacent residential areas. Design standards should address the following considerations, especially for revitalization projects where complementing the surrounding context is important:

- **Landscaping and lighting:** The Town’s current regulations provide specific guidance to petitioners and approval authorities regarding the Town’s expectations for landscaping of new developments, including the percentage of the site that is landscaped, screening and interior landscaping of parking areas, rear and side yard buffers and screening, and preservation of existing trees (coordinated with the Amherst Comprehensive Tree Law). However, revitalization projects may require flexible landscaping standards to account for site constraints and provide for a more urban form of landscaping. Project lighting should be in accordance with an overall lighting plan and should avoid excessive illumination and light spread beyond the project limits.
- **Screening of visually obtrusive elements:** Elements such as outside mechanical equipment, dumpsters, rooftop HVAC equipment, and loading and service areas should continue to be screened from view from adjacent streets and properties.
- **Placement of building and parking areas in relation to each other and public roads:** Depending upon the surrounding context, the location of buildings and parking lots can have a significant impact on visual character. The pedestrian-friendly character of traditional commercial centers is directly related to buildings that are

***Development Considerations:***

- Landscaping and lighting
- Screening of visually obtrusive elements
- Placement of building and parking areas
- Use and placement of land use transitions
- General building design
- Scale
- Access and connectivity
- Public safety
- Signage

pulled up to the sidewalk/street with parking located behind or beside the buildings. In general, locating buildings closer to the street and parking to the sides and rear of buildings will decrease the visual impact of automobiles and create more of a pedestrian-friendly environment. This principle particularly applies to traditional commercial areas in Williamsville, Eggertsville, and Snyder. However, the visual character of automobile-oriented commercial corridors such as Niagara Falls Boulevard and Transit Road would be improved by policies that encourage building placement closer to adjacent streets, requiring a portion of required parking to be located to the side and rear of buildings in order to reduce the scale of front yard parking areas. This objective can also be achieved by encouraging out-parcel or pad development to occur closer to streets. Also important in reducing the scale of parking lots is decreasing the amount of parking required. The Town's Zoning Code provision for an alternative parking plan allows for flexibility in the quantity of parking required.

- ***Design and placement of land-use transitions:*** Many of Amherst's commercial and mixed-use areas are directly adjacent to residential areas with varying distances between them. When dissimilar land uses are located adjacent to one another undesirable impacts may result. These impacts can be mitigated through thoughtful design and purposeful placement of transitional space, landscaping, and screening. Guidelines for providing effective transitions should be included in the Town Zoning Code (*Amended 12-11-17; BCPA-2017-01*).
- ***Building design:*** While it is not appropriate to impose detailed architectural design requirements, guidelines should be established for certain issues to ensure complementary relationships to adjoining streets and properties. These issues include building orientation, façade articulation, form, and building mass/height in relationship to the surrounding context.
- ***Scale:*** The concept of scale can be incorporated into guidelines so that new development and revitalization is in harmony with the surrounding area. Appropriately scaled development is consistent or complementary in terms of size and mass with the existing surroundings and highways. Standards should provide measures of scale to help achieve such consistency.
- ***Streetscape, access and connectivity:*** The Town's Context-Sensitive Highway Design Report provides guidance on issues such as street geometry, sidewalks and bicycle use, and streetscape elements such as trees, lighting, and other aesthetic elements. Access and connectivity considerations include limiting the number of curb cuts, providing vehicular/pedestrian connections

between adjacent developments, and providing pedestrian/sidewalk connections between adjacent neighborhoods and retail centers. The Town's report, Access Management Strategies for Major Corridors, provides guidance on these issues.

- **Public safety:** Crime Prevention Through Environmental Design (CPTED) is an approach to planning and design based upon the premise that design of the physical environment can positively influence human behavior to create a climate of safety and reduce crime. From a site design standpoint, three key strategies of CPTED include<sup>2</sup>:
  - *Territoriality:* Design to express ownership of a place, using elements such as fences, pavement treatment, signs, and landscaping.
  - *Natural surveillance:* Planning of landscaping, lighting, and other elements to facilitate the ability to observe activities in the space
  - *Access control:* Properly locating access points, combined with elements such as fencing, landscaping, and lighting, to direct traffic in ways that discourage crime.
- **Signage:** Signs can play an important role in defining the character and context of an area. Sign regulations and standards need to be more sensitive to the local context, improve aesthetic character, and reduce “visual clutter” along commercial corridors. In general, signage should be consistent with the architectural style and scale of buildings and be an integral component of the building and site.

While design standards are intended to address non-residential and multi-family development throughout Amherst, it is important that they not be applied through a “one-size-fits-all” approach, but rather be tailored as appropriate to address the unique characteristics of particular parts of town. For example, extensive interior landscape area/landscape buffer requirements may be appropriate for commercial development in a less dense (suburban) context in Central Amherst, but may be more difficult to apply to a smaller commercial lot in a more compactly developed area such as Eggertsville. In the latter context, reduced parking requirements and a narrower buffer with more concentrated screening (denser vegetation and/or a fence or wall) may be appropriate. Policies 3-6 to 3-8 further explore ways in which design standards should be adapted to local contexts. (*Amended 2-28-11; BCPA-10-1*)

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<sup>2</sup> National Crime Prevention Council website



**3-6 Apply context-sensitive design standards to designated character roads.**

Varying from traditional streets in older neighborhoods to major commercial thoroughfares to rural roads, the diverse roadway corridors within Amherst are key to the Town’s character. Design guidance has been established to maintain and enhance the character of different types of roadway corridors in the Town through coordinated treatment of the street/public right-of-way and adjacent land uses. (See Transportation Policy 6-1 for a full discussion of this concept, including roads designated for application of context-sensitive design standards.) *(Amended 2-28-11; BCPA-10-1)*

**3-7 Protect and retain the identity of special places through design guidelines.**

Certain places within the Town of Amherst have a special identity defined by factors such as historic character (e.g., former “hamlets” such as Getzville and Swormville), geographic location (e.g., at a highway interchange or gateway entrance to the Town), or presence of an important community resource (e.g., a major park, public or private buildings or open space, or an educational campus). These places are often well known, however, others may need to be identified through collaborative planning with local residents (i.e., through the Neighborhood Improvement Plans recommended by Housing and Neighborhoods Policy 8-9). Master site planning and context-sensitive design guidelines should be employed for both public improvements (e.g., road improvement projects) and private development or revitalization to complement and reinforce the established character of the identified areas. Design guidelines that address the considerations in Policy 3-5 should be developed for these special places to conserve existing character and scale (e.g., through treatment of building mass, orientation, and placement on the lot). Guidelines for key geographic locations should focus on context and reinforcing visual image and identity, for example through gateway and landmark treatments in accordance with Policy 3-11. Guidelines for community resources should be designed to complement and relate to the resource and surrounding context. Examples include preservation of key natural resources, the provision of pedestrian or visual access and buffers between dissimilar uses. *(Amended 2-28-11; BCPA-10-1)*

**Reinvestment** in Amherst’s older neighborhoods and commercial areas is a Comprehensive Plan Key Initiative, both to ensure the health and vitality of these areas and to reduce pressures for development at the fringe.

**C. Reinvestment**

Spurring revitalization and reinvestment in Amherst’s older neighborhoods and commercial areas is one of four key Comprehensive Plan Initiatives, both to reinforce the health and vitality of these areas and to reduce pressures for “greenfield” development in fringe areas.

**3-8 Consider tax incentives for reinvestment, revitalization, and redevelopment of commercial properties and housing in older areas with less emphasis on new "greenfield" development.**

The Amherst Industrial Development Agency (IDA) has historically offered three different types of tax abatements for commercial developments in the Town of Amherst: real property tax abatements (10 years for commercial, 15 years for industrial), an exemption on sales taxes for the purchase of materials for construction and business startup, and an exemption from the mortgage recording tax.

The Town of Amherst also has been able to offer exemptions that are limited both by their scope and their geography under Section 485-b of the New York State Code. Section 485-b exemptions only apply to the Town's share of property taxes, which is a small percentage of what property owners pay. These benefits are only available in certain redevelopment areas within the Town, including older commercial districts like Eggertsville and Snyder, as well as highway-oriented strips like older sections of Sheridan Drive and Transit Road. Recent policy changes by the Amherst Town Board (see below) may help, as they authorize the IDA to assist by offering abatements for sales taxes on construction materials and mortgage recording taxes to properties located in 485-b zones.

In the past, the bulk of these abatements have only been available for new construction; abatements for rehabilitation only applied to the value added by renovation, excluding the existing property assessment amount. However, recent changes in policy have broadened the scope of IDA abatements. The Amherst IDA has recently joined with the Erie County IDA and the other four local IDA's in the county to develop a standard, county-wide eligibility policy for tax abatements.

In addition to the "greenfield" industrial and commercial development, the new eligibility policy has broadened the horizons of the tax abatements to include:

- ***Multi-tenant commercial buildings:*** Multi-tenant office or industrial buildings are now included in the abatement program, provided that at least two-thirds of a given building's tenants are in one of the IDA's priority industry designations (manufacturing, distribution, business services, and arts/entertainment/recreation). This policy may allow for more multi-tenant, urban-oriented office developments, as such locations are likely to be more desirable for multi-user rather than single-user buildings.
- ***Long-term care/assisted living:*** Residential projects offering continuing medical care to senior citizens in need

of such living arrangements are now eligible for abatements. Since it was determined for the *Inventory and Analysis Report* that the economics of assisted living facilities in Amherst are difficult, sales tax and property tax abatement (10-year) for such projects can help make them viable for private operators.

- ***Civic facilities:*** Three categories of civic facilities in particular are specified in the IDA eligibility criteria – dormitories, hospital facilities needed to uphold public health standards, and housing for adults over the age of 60. The third category is significant, as it applies to any housing aimed at senior citizens, and not just to assisted living or continuing care developments.
- ***Hotels/motels:*** This abatement applies to the capital costs of construction or rehabilitation of lodging facilities and may provide some help for older properties.

Beyond these particular uses, the new policy also states that any retail or health care businesses located in officially designated Neighborhood Redevelopment Areas will also be eligible for tax abatements. The policy clearly expresses that such areas may only be designated within the context of comprehensive neighborhood redevelopment strategies. According to these standards, neighborhoods with existing or in-progress redevelopment strategies, such as Eggertsville and Harlem-Kensington-Cleveland, should qualify.

The Town should work with the Amherst IDA to identify and pursue opportunities to apply the new tax abatement eligibility policy to projects that will spur reinvestment and revitalization of older parts of Amherst. Such projects should be considered a higher priority for tax abatements than “greenfield” development on vacant land.

It is important to note that, with the exception of the provisions for senior and assisted housing, the IDA abatements do not address housing construction or redevelopment. However, there are a number of federal programs aimed at making homeownership more attainable for first-time and/or low-income purchasers, as well as for rehabilitation of older housing units. Since some older areas of the Town of Amherst are in need of housing reinvestment, the Town should make sure that property owners, realtors, and homebuyers alike are aware of such opportunities. In addition, the Town could provide incentives such as deferrals in property tax increases on home improvements to encourage investment in existing housing for low and moderate income families (see Housing and Neighborhoods Policy 8-6).

**3-9 Advance the redevelopment and revitalization of underutilized, obsolete, and vacant properties for economically viable uses.**

As Amherst matures and market conditions evolve, some developed properties may no longer be economically viable as a result of changing economic conditions, obsolete buildings, or other market characteristics. Sustaining the economic viability and value of the Town’s neighborhoods and commercial areas is critical to maintaining the Town’s high quality of life and reducing pressure for “greenfield” development.

Depending on market conditions and other site and location factors, revitalization may feature one or more of the following approaches:

- **Reinvestment:** Existing buildings are updated or improved and continue to accommodate existing or similar land uses.
- **Adaptive reuse:** Existing buildings are retained but are converted or adapted for new uses. This approach has the potential benefit of retaining buildings with an established neighborhood presence or that are historic and valued assets within the neighborhood.
- **Partial to full redevelopment:** Existing buildings and land uses are either partially or fully replaced; this may also involve changes to the layout of the site. New uses may also be accommodated on the redeveloped site.

Following is a description of several land use scenarios in which revitalization may occur or be desired.

- **Residential:** As housing ages, property maintenance and reinvestment become critical. This is of particular concern when single-family housing is occupied by an aging population for whom resources may be limited. The strategy for single-family residential areas is to encourage reinvestment and strategic replacement as necessary per Policies 8-6 and 8-7. As market conditions change, existing multi-family housing may also undergo adaptive reuse or redevelopment, such as to provide new forms of housing.
- **Traditional Commercial:** Traditional commercial areas are often connected by an existing network of walkable streets within an already established neighborhood with an existing “sense of place” and architectural characteristics that are valued and should be preserved. They are typically characterized by small, shallow lots with limited amounts of parking and possibly older buildings and non-conforming structures. These areas also tend to be in close proximity to residential areas. Revitalization may occur through reinvestment, adaptive reuse, or through redevelopment that may be induced through infill or when

**Adaptive reuse** is the process of converting or adapting older structures for purposes other than those initially intended.

When the original use of a structure changes or is no longer required, as with older buildings from the industrial revolution, architects have the opportunity to change the primary function of the structure, while retaining some of the existing architectural details that make the building unique. In local communities, unused schools or post office buildings have been adapted for reuse as retail stores or offices.

*Encyclopedia of Community and Environmental Management.*

separate parcels are assembled to accommodate larger uses. These areas may also present opportunities for smaller, start-up, or specialty businesses which may incorporate live-work arrangements. (*Amended 9-3-19; BCPA-2017-01A*)

- ***Suburban Centers and Corridors:*** Suburban areas typically include larger parcels connected by higher speed thoroughfares without many walkable connections and may have little existing place identity. These centers and corridors may not be able to accommodate contemporary forms of retail and other commercial uses and may require revitalization through reinvestment, redevelopment, or retrofitting existing buildings/sites to remain competitive. Goals for revitalizing these areas include 1) creating opportunities for incremental change, 2) improving the relationship between streets and buildings, 3) improved accessibility through accommodation for multiple modes of travel, and 4) managing vehicular access on major roadways. (*Amended 9-3-19; BCPA-2017-01A*)
- ***Light Industrial / Research and Development:*** The first light industrial and research and development parks in the Town were developed in the early 1980's and some of their oldest buildings are nearing functional obsolescence. Reinvestment is necessary for many parcels. In addition, the parks are often bordered by residential and commercial development, presenting an opportunity to redevelop single-use buildings to include residential and retail uses and create a mixed-used environment. In addition to existing industrial parks, there are some large tracts of open land in northeast Amherst which present an opportunity for development of new e-commerce/logistics businesses that rely on good transportation access to major arterials and interstate highways and are not directly adjacent to residential neighborhoods. (*Amended 12-14-20; BCPA-2020-04*)

In addition to commercial and residential land uses, public and semi-public land uses, such as schools, churches, golf courses and other recreational facilities, may require revitalization in the event that their continued operation becomes difficult due to changing demographic, economic, or social trends.

- ***Community facilities:*** Community facilities, such as churches and schools, are typically integrated into neighborhoods, but may have building or site characteristics that pose challenges for their reuse, such as large existing buildings and parking areas. These facilities may be particularly well-suited for adaptive reuse.
- ***Recreation and other large-scale community facilities:*** Typically comprised of several acres, these facilities, such as private golf courses with club houses and public / semi-public recreation fields, may provide important open space

or recreation assets to surrounding neighborhoods. Redevelopment of large tracts of former recreational land such as golf courses or playing fields requires careful master planning that maintains the essential character of the site while accommodating significant changes in use and density.

Whether involving reinvestment, reuse, or complete redevelopment, all revitalization projects should consider how the development contributes to and fits within the surrounding context of its block, street, neighborhood, and the community as a whole. Such considerations include: land use compatibility, building orientation and scale, vehicular access and pedestrian connectivity, and relationship to open space.

When existing land uses are continued on a site, greater design flexibility may be appropriate. For example, if existing commercial areas redevelop, flexibility in standards for density, building coverage, the mix of uses, and the amount of landscaping should be considered.

When redevelopment is proposed for a site, the following principles should be applied:

- New development should complement the surrounding neighborhood and existing land uses in terms of scale, form, and character.
- New development should positively address design issues identified in Policy 3-5, as well as take into account the criteria recommended in Section 3.3 of the Plan.
- New development should support adopted redevelopment and reinvestment policies and be consistent with relevant area plans or adopted regional plans.
- New land uses should not result in service requirements exceeding available infrastructure capacities unless mitigation measures are provided with the project or programmed through public sources.
- Site design should adequately address any issues that may arise with a change in the use of the property, such as changes to circulation or parking.

When redevelopment is proposed on land parcels exceeding five acres, the following principles, in addition to those previously described, should also be applied:

- In order to avoid a piecemeal approach and fragmented development pattern, a site redevelopment plan should be formulated that includes the entire parcel and considers the surrounding context. The site master plan should demonstrate that adjacent uses complement proposed uses and the cohesiveness among individual project components. In addition, the use of a planned unit development approach and corresponding zoning, such as the Planned Development District (PDD) or Master

Planned Development District (MPD), that permits flexibility and strives for cohesive design, should guide the redevelopment of larger parcels.

- Design standards should be established to ensure compatibility with adjacent land uses and to minimize impacts on residential areas. For example, standards should address, but not be limited to: buffer/edge treatment and transitional elements, landscaping, signage, and building design elements (scale, height/mass, orientation, façade treatment) per considerations discussed per Policy 3-5.
- Identified elements of the Open Space network, per Policy 3-13, should be continued along identified physical features, be integrated into the development design, and include connections between recreation and open space areas.
- Consistent with the goals and objectives of Chapter 6 (Transportation), connections should be provided within and between developments to enhance vehicular and pedestrian circulation and reduce traffic congestion. Roadway design should be consistent with context-sensitive principles, as expressed in the Town of Amherst Context-Sensitive Highway Design Report and Policy 6-1, and should also employ access management strategies in accordance with Policy 6-4.

A number of strategies are available to the Town to encourage the revitalization of underutilized, obsolescent, and vacant properties. Because of the importance of addressing revitalization for a number of different land uses in multiple contexts as described above, and because of the complexity of issues involved in revitalization, the Town should pursue a coordinated approach that entails a variety of strategies. These strategies should be undertaken as part of a programmatic approach that includes the following elements:

- Coordination and negotiation with other agencies, including public participation facilitation, and monitoring the effectiveness of revitalization activities;
- Establishing business retention and technical assistance programs, providing public financing tools such as tax abatements (per Policy 3-8); preparing grants and/or providing management/ marketing programs.
- Formulation of neighborhood and small area redevelopment plans including market analyses to guide revitalization activities.
- Land development regulation revision (per Policy 3-10); enforcement of property maintenance codes; development of design guidelines and innovative regulatory mechanisms, such as incentive zoning.
- Building relationships through collaborative efforts that leverage public and private resources to encourage and

sustain revitalization. Such initiatives could include: development of municipal parking; assisting with site acquisition or assembly; improved public services and infrastructure investments in targeted redevelopment areas and joint planning and redevelopment efforts. (*Amended 2-28-11; BCPA-10-1*)

**D. Public Investment**

The Land Use and Development policies describe a range of regulatory and incentive-based approaches to achieve Comprehensive Plan objectives such as mixed-use, aesthetic quality, and revitalization. Strategic investment in physical improvements to public landscapes can also contribute to achieving these objectives, and is particularly relevant to the “Aesthetic/Community Character” and “Revitalization” key initiatives.

**3-10 Target capital investments to improve the aesthetic character of key locations within the Town.**

Targeted investment in visual improvements to public places (e.g., landscaping, streetscape improvements, public art, and signage) will help establish Amherst as a community with exceptional aesthetic character. In addition, it will help implement the “Greening Amherst” planting initiative proposed by Natural and Cultural Resources Policy 4-11. Towards this end, the Town should initiate a phased program of visual improvements in highly visible locations, including:

- **Gateway entrances** to the Town on major roadways. These gateways provide the initial visual impression of Amherst and should be developed with landscaping, distinctive signage, and other improvements to set a positive image signaling entry into a special community.
- **Major corridors** that define the visual experience of traveling through Amherst. While these corridors are generally state or county roads, the Town should work with these jurisdictions to establish and implement enhanced context sensitive design standards that address elements such as street tree planting and other landscaping, lighting, and pedestrian amenities.
- **Landmarks** such as public art installations or creative designs of landscapes or buildings can serve as visual focal points and sources of community identity. Opportunities should be sought to locate landmarks in visually prominent locations (e.g., gateway entrances to Amherst) as part of the phased program of visual improvements.
- **Public facilities and spaces** are important to civic life and to the visual identity of the community. Highly visible facilities such as town buildings and parks should incorporate a high level of design with regard to



*Well designed landscaping, signage, and pedestrian elements enhance visual character.  
Source: [www.pedbikeimages.org](http://www.pedbikeimages.org)*



elements such as architectural design, landscaping, and pedestrian amenities.

Funds should be dedicated for continuing maintenance as well as installation of improvements. Both public and private sources of funding should be sought for these purposes.

**3-11 Initiate public capital investment projects to encourage/ support private investment.**

Capital investment is a tool that can be used by the Town to support desired types and locations of private development, particularly in older, developed parts of Amherst that are targets for reinvestment. Examples include streetscape improvements to improve visual character and encourage business investment in older commercial areas; road and/or utility improvements to support particularly desirable developments; and parks and recreational facilities or other amenities to enhance property values and encourage investment in selected residential neighborhoods. Town investment could be leveraged by pursuing grants available from the state or other sources and by cost-sharing programs in which town funds are matched by private dollars (e.g., for façade improvements).

**E. Open Space System**

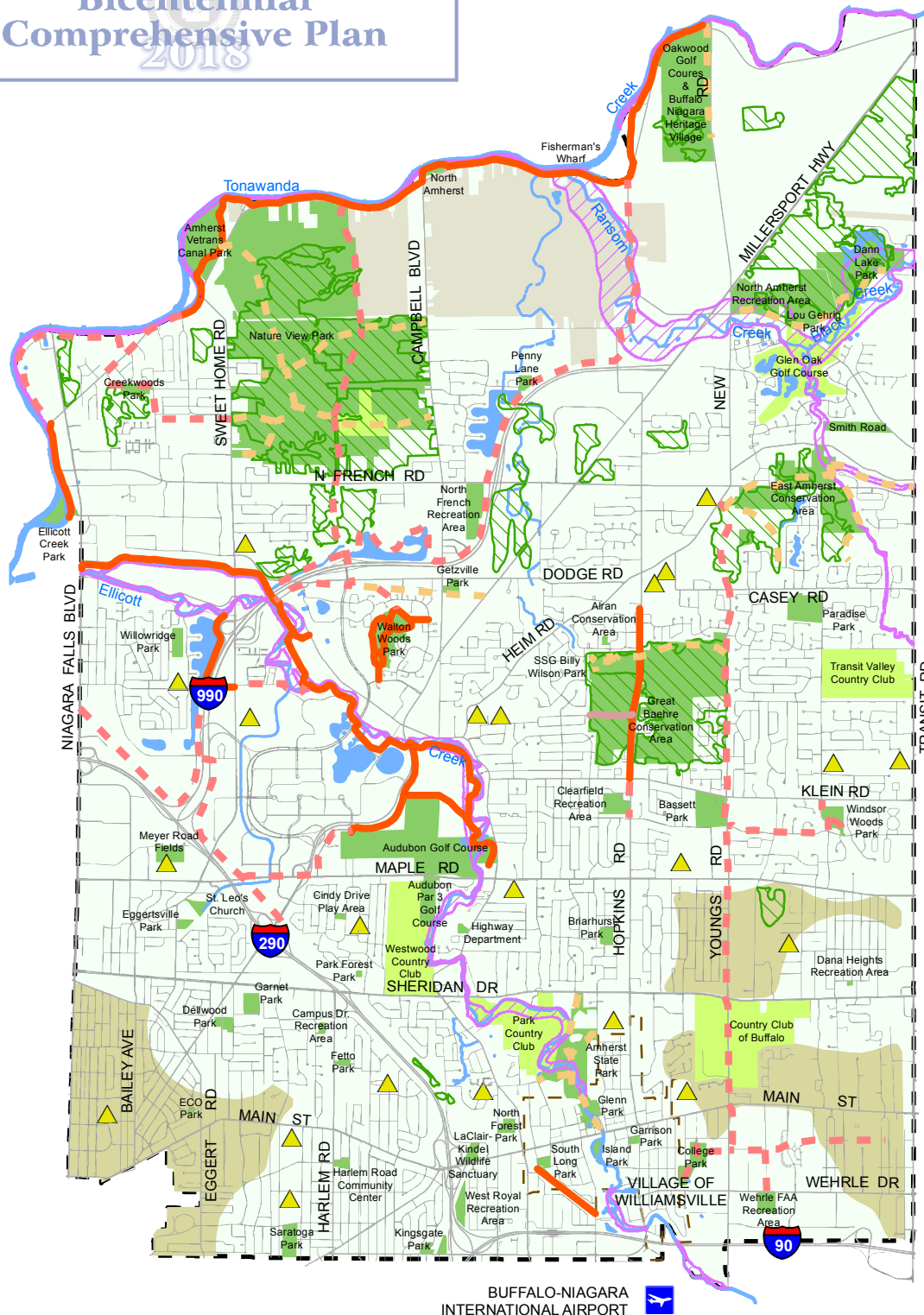
Open space preservation was one of the primary issues identified by citizens throughout the process of preparing the Comprehensive Plan. The Vision Statement emphasizes the importance of open space preservation to Amherst’s community character. Thus an open space system is conceived as an integral part of future land use in Amherst, providing “connective tissue” that helps define the Town’s development patterns.

*Open space preservation* is one of the priority issues identified by citizens, as reflected in the Vision Statement and Aesthetic/Community Character Key Initiative.

**3-12 Designate a town-wide open space and greenway network to be achieved through a variety of mechanisms.**

The Town should work towards establishing an interconnected open space network within Amherst that integrates public parks and open spaces, private open spaces (e.g., country clubs and protected farmlands), and environmentally sensitive resources. Existing public and private open spaces can serve as the foundation of this network (see Figure 4). The network may include lands under private ownership that do not include public access, but provide desirable open space. Already protected open spaces should be augmented by additional properties protected through a variety of mechanisms. The Conceptual Land Use Plan (Figure 6) shows how these lands are added to the pattern of existing open spaces to create a more interconnected network. Techniques to protect privately owned land that should be included in the open space system include:

# Town of Amherst Bicentennial Comprehensive Plan



**PARKS, OPEN SPACE AND TRAIL MAP**

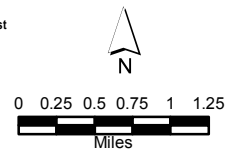
**FIGURE 4**

**LEGEND**

- Park and Recreation Area
- Private Recreation Area
- Agricultural Area
- Areas Lacking Local Parks/Open Space
- FEMA Floodway
- NYSDEC Regulated Wetland
- Surface Water Body
- Public School
- Multi-Use Trail (Existing)
- Multi-Use Trail (Proposed)
- Natural Trail (Existing)
- Natural Trail (Proposed)

**SOURCE NOTES:**

Original Source Data Provided by the Town of Amherst  
 Map Compiled by the Town of Amherst Planning Department  
 Date: September 2015



# Town of Amherst Bicentennial Comprehensive Plan

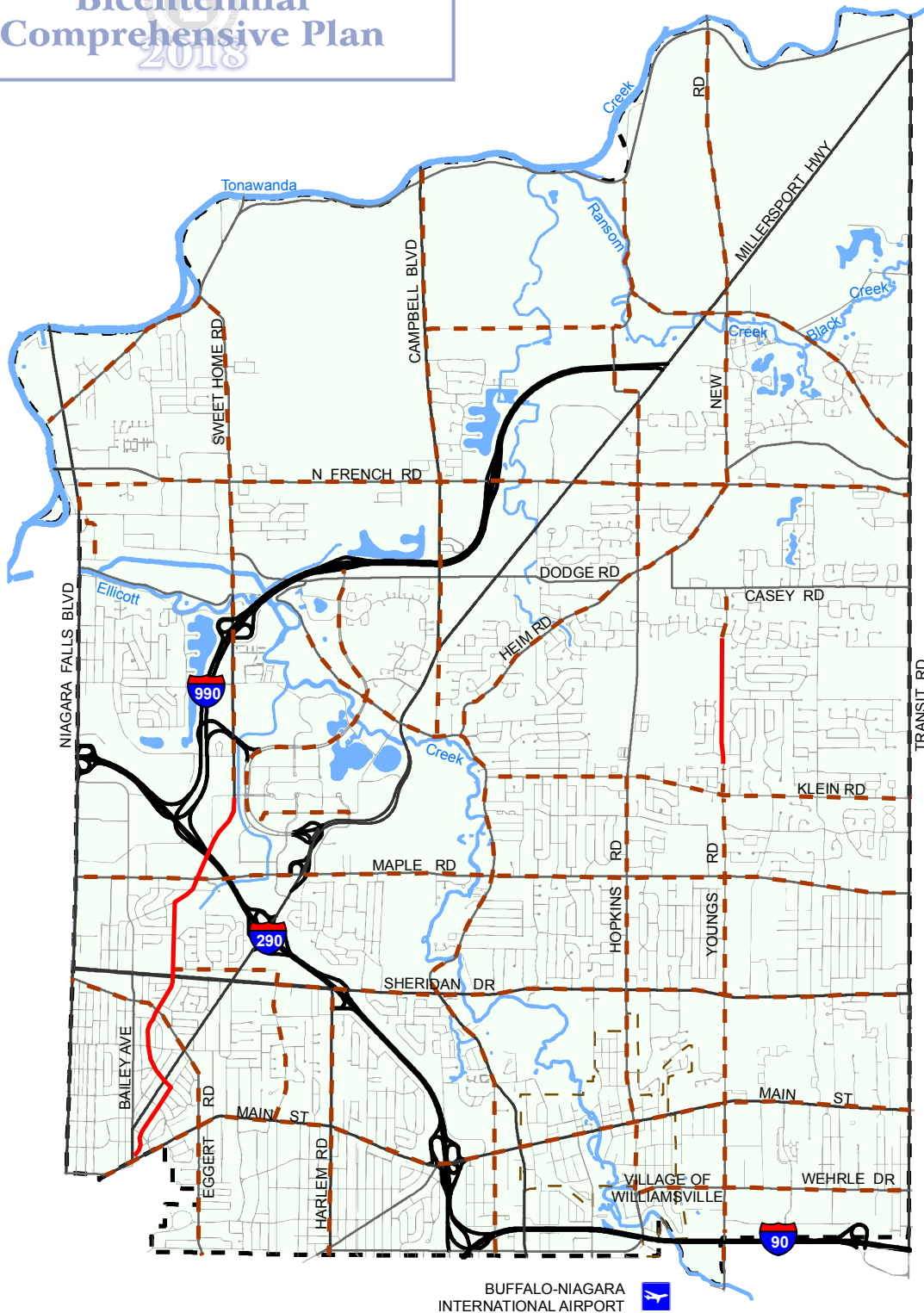


FIGURE 5

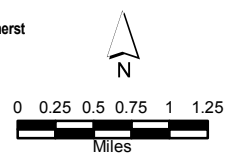
## ON - STREET BICYCLE / PEDESTRIAN NETWORK

**LEGEND**

- |  |   |  |                      |  |                                   |
|--|---|--|----------------------|--|-----------------------------------|
|  | On-Street Bicycle/Pedestrian Network (Designated) |  | Roads<br>Local Road  |  | Municipal Boundary                |
|  | On-Street Bicycle/Pedestrian Network (Proposed)   |  | County Road          |  | Village of Williamsville Boundary |
|  |   |  | New York State Route |  | Surface Water                     |
|  |   |  | Interstate Route     |  |                                   |

**SOURCE NOTES:**

Original Source Data Provided by the Town of Amherst  
 Map Compiled by the Town of Amherst Planning Department  
 Date: September 2015



- **Regulatory approaches:** Conservation development is one regulatory technique proposed to help preserve open space (see Policy 3-14). Other ways to integrate open space into new development should be explored (e.g., by establishing requirements for easements when new developments abut greenway corridors identified on the Open Space and Greenways Plan).
- **Public acquisition:** See Policy 3-15.
- **Private landowner conservation:** Working with private, non-profit land organizations such as the Amherst Conservation, Parks, and Recreation Foundation, private landowners can preserve significant open space areas through voluntary actions, such as conservation easements that restrict future development, outright donations or bargain sale of properties, or limited (below market value or the intensity allowed by zoning) development. A variety of tax benefits are available to landowners pursuing these options. In addition, the Town should identify and pursue properties for acquisition in residential areas that are under served by existing parks and recreational facilities. Residential areas located more than ½ mile from a local or community park are shown on Figure 4. To enhance connectivity, two types of linkages between individual tracts of land comprising the open space network should be established:
  - **Off-street greenways or recreational trail connections** can be located along stream corridors, public rights-of-way, and other available routes where they do not negatively impact existing residential subdivisions. They can be established through acquisition, easements, or maintained under private ownership. Examples of such connections are illustrated on Figure 4. An overall greenway network is illustrated in Figure 6.
  - **On-street sidewalk/bike lane connections** along public roadways, as shown on Figure 5.

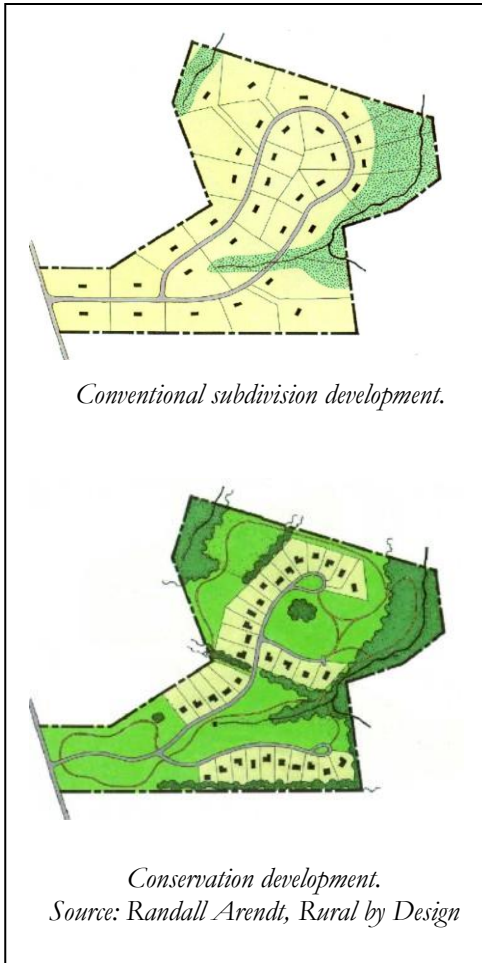
Safe, clearly demarcated pedestrian crossings should be added where components of this network of pedestrian and bicycle facilities cross major roadways.

It should be noted that while public access is a primary objective of the open space system, it is not intended that it be provided to all properties within the system. Privately owned and preserved properties may provide significant open space and environmental benefits without being open to the public.

**3-13 Encourage conservation development with incentives for the dedication of open space in private developments.**

Endorsed both by environmental interests and development organizations such as the National Homebuilders Association, conservation development is a “win-win” alternative to conventional subdivisions that both accommodates development and preserves valuable open space. Under this technique, houses and roadways are grouped closer together in compact development patterns to preserve valuable open space. Specific benefits of this approach include:

- Conservation development provides open space and recreational amenities for residents, increasing the value of the development. Studies have demonstrated that homes in conservation subdivisions typically have higher resale value than those in conventional subdivisions.
- Conservation development provides environmental benefits such as maintenance of habitat areas and natural drainage patterns. In doing so, it can save money by necessitating considerably less extensive site grading and less costly infrastructure improvements that do not compromise public safety or welfare.
- The more compact development patterns allowed by conservation development lessen the amount of streets and utilities required, reducing initial site improvement (developer) costs and long-term (taxpayer) costs for maintenance and services.
- Conservation development improves the visual quality of new development as seen from public roads by facilitating the maintenance of “green” buffers.
- Conservation development preserves open space for the community at little expense to the taxpayer while creating enhanced value for developers. With proper planning and design, the open space can form part of an interconnected, community-wide system of parks, greenways, and trails.



Conservation development differs from the cluster residential option provided by Section 203-3-7 of the Town’s Zoning Ordinance in its emphasis on design standards, flexibility, and incentives to accommodate development while achieving meaningful open space preservation in a variety of contexts. Current cluster residential provisions should be modified to provide the Town with the option to mandate the conservation development approach. The revised regulations should address the following:

- **Density:** The starting point for determining allowable density should be the maximum number of lots that could realistically be developed on the land per the requirements of the underlying zoning district, taking into

consideration environmental limitations as demonstrated through a “yield plan.” The minimum lot size and dimensional requirements specified by conventional zoning would be reduced to allow appropriate areas to be dedicated as permanent open space.

- **Incentives:** Incentives in the form of density bonuses should be established to encourage use of this development option. The bonuses should be established on a sliding scale, increasing as the percentage of dedicated open space increases.
- **Standards:** Standards should be established for the design, use, ownership, and maintenance of dedicated open space areas. Most commonly, a private homeowner’s association assumes ownership and maintenance responsibilities. Other options include a private land conservation trust or, in cases where the open space would provide a key linkage in the town-wide open space system, it could be dedicated to the Town of Amherst.

The majority of vacant land available for conservation development is located in the northern part of Amherst. In areas not served by public sewer, use of this option may be constrained by poor soil suitability for on-site sewage disposal. (Erie County Department of Health guidelines call for three-acre minimum lot sizes on the soil types typically found in North Amherst.) Nevertheless, the Town should work with the County to identify creative ways to accommodate conservation development while meeting on-site sewage disposal requirements (e.g., through use of common systems or disposal fields located in easements within dedicated open space areas). In addition, opportunities should be sought to apply conservation development principles to infill development of smaller properties throughout the Town (e.g., through relaxation of minimum lot standards to allow for establishment of common open space areas).

**3-14 Initiate a public open space acquisition program consistent with the open space, recreation, and greenway network.**

In addition to other protection mechanisms, commitment of funding for additional acquisition of open space by the Town of Amherst is key to successfully achieving a town-wide open space and greenway network. These efforts will build upon the Town’s on-going open space acquisition program, which is derived from the 1988 *Open Space Acquisition Plan* and the 2002 *Recreation and Parks Master Plan*. The intent is to target town fiscal resources towards acquiring key parcels that can contribute to building the open space network based upon clear criteria. Proposed criteria include:

- **Connectivity:** Certain properties may fill critical “gaps” in the system (e.g., along a stream corridor), thus helping to create a continuous network.
- **Distribution within the Town:** As shown in Figure 4, the majority of protected open space is located in the central and northern parts of Amherst, with relatively little located in older areas in the southern part of town. While the relative absence of vacant land makes it difficult to provide additional open space in these areas, efforts should be made to provide smaller scale open space (e.g., neighborhood parks and commons) in under-served locations (see Community Facilities Policy 9-1 regarding parks and recreational facilities).
- **Protection of valuable natural and cultural resources:** Open space values are enhanced by the presence of significant natural (e.g., water resources and habitat areas) or cultural (e.g., recognized historic sites) resources.
- **Protection of visual resources:** Areas that reflect community or rural character are important resources to be preserved and enhanced where possible, including land along “special character” roads or around scenic natural and man-made features.

The Town currently has a Recreation and Open Space Fund derived from fees charged for residential and commercial land development. The proposed acquisition program will require funding well beyond the levels generated by this fund. Nevertheless, in evaluating options for funding land acquisition, the Town should consider adjusting the fee schedule to more accurately reflect the value of the land being developed.

Another option is for land owners to consider providing the Town with the first option to purchase privately owned land shown on the Parks, Open Space and Trails Plan or as open space on the Conceptual Land Use Plan before it is offered for sale on the open market. This approach would not obligate the Town to purchase such properties but would allow it to act if preservation of a property as open space is deemed to be in the best interest of the Town and funding is available.

*Improving the predictability of the development review and approval process is an important part of the Governance Key Initiative.*

**F. Development Review and Approval Process**

Along with the revised regulations and standards enacted as part of Comprehensive Plan implementation, the Town’s policies and procedures for reviewing and approving proposed developments are a tool that can be used to promote the goals and objectives of the Land Use and Development Element. Several points are of particular importance. First, the application of clearly defined principles and standards based upon the goals and policies of the

Comprehensive Plan will improve the predictability of the review and approval process and increase certainty regarding project outcomes for both developers and residents. Second, review and approval policies and procedures can be used to facilitate desired types of development (e.g., reinvestment in older areas or conservation development can be encouraged through the application of incentives coupled with simplified and expedited reviews). Conversely, review standards and procedures could be more stringent where protecting the integrity of established residential areas is of paramount importance. As a general rule, development review and approvals would be enhanced by an open process, including:

- **User-friendly regulations** that are readily understandable and clearly convey the Town’s objectives to both developers and residents
- **Opportunities for informal interaction** (developers/town staff, developers/neighbors) in the conceptual planning stages before development plans are finalized and applications are filed
- **Use of digital technologies** to allow for electronic submissions of applications and dissemination of information

**3-15 Improve the predictability and consistency of the rezoning and other development approval processes through the application of clear town-wide land use policies.**

Requests for changes in use or rezoning creates a climate of uncertainty regarding future land uses. A large proportion of the requests involve conversion of property from zoning allowing lower intensity to more intensive uses. These rezonings generally involve conversions to higher density residential or retail commercial of land zoned S-A and to retail commercial, office, or multi-family residential of land zoned single-family residential. The predictability and consistency of development review and approval processes would be improved by the establishment of clear criteria for rezonings that are tied to the policies contained in this Comprehensive Plan. These criteria should include the following:

- Rezoning from single-family to higher intensity uses (commercial retail, office, and multi-family residential) should support the establishment of mixed-use centers as described in Policy 3-1 and shown on the Conceptual Land Use Plan.
- Land to remain in rural uses as described in Policy 3-3 (zoned Suburban Agriculture District) and designated on the Conceptual Land Use Plan should not be rezoned to higher intensity uses. (*Amended 12-14-20; BCPA-2020-04*)
- Rezoning should help implement other comprehensive plan policies, for example:

**Clear criteria** tied to Comprehensive Plan policies and the Conceptual Land Use Plan should be established and used in reviewing requests for rezoning.



- Providing alternatives to automobile use (transit, bicycle/pedestrian connections, etc.)
- Advancing the revitalization of underutilized or obsolescent properties (see Policy 3-9)
- Providing open space as part of the development
- Consistency with the established character of the highway corridor
- The applicant should be required to address significant impacts on roads or other significant infrastructure systems. A traffic impact analysis should be required for projects above a certain size threshold.
- The applicant should demonstrate that the proposed rezoning would not cause adverse impacts on adjacent land uses with respect to scale, visual intrusion, light, noise, and other related impacts.
- The expansion of additional commercial zoning districts should be limited. Introduction of new districts should include public review and Town Board amendment of Map Figures 6 and 6-A. The form and type of development proposed for new districts should be consistent with the designations discussed in Section 3.3.2. (*Amended 12-11-17; BCPA-2017-01*)

Other development review and approval policies and procedures should be evaluated for opportunities to improve predictability and consistency. One possible change is to move towards administrative (staff) review of minor projects, which would expedite processing of routine applications and allow the Planning Board to focus on more significant matters. Having clear standards in place (Policy 3-17) will support this change.

**3-16 Set clear standards for development quality to increase the level of certainty in the development review and approval process.**

The absence of standards that clearly define the Town's expectations regarding development character and quality is an important contributing factor to the uncertainty of the development review and approval process. Policies 3-5 to 3-7 propose enactment of more explicit standards to address community appearance/sense of place town-wide and at the scale of individual corridors and districts with special characteristics. Establishing these standards will help to increase predictability for developers by clearly stating the development guidelines they need to follow, reducing the potential for protracted review processes with costly plan revisions. The level of certainty will also be increased for neighbors of proposed development projects.

**3-17 Provide for periodic review and revision of the Comprehensive Plan and development regulations.**

The Comprehensive Plan should be viewed not as a static document, but as a living plan that will evolve over time as the Town works to achieve the vision of Amherst's future through implementation of plan goals, objectives, and policies. Of particular concern for the Land Use and Development Element is the application of plan policies to the development review and approval process, including revisions to the Town's development regulations. To maximize the effectiveness of the Comprehensive Plan as a guide for town decision-makers, both the land use policies and the development regulations that implement the policies should be periodically reviewed and revised as deemed necessary to more effectively achieve Comprehensive Plan objectives. Such reviews should be conducted on an annual basis, with a major review of the Comprehensive Plan scheduled every five years.

### **3.3 CONCEPTUAL LAND USE PLAN**

The Conceptual Land Use Plan ([Figure 6](#)) depicts a generalized future pattern of land use in the Town of Amherst. This pattern reflects a number of influences, including:

- The existing pattern of land use ([Figure 2](#)), which for much of the Town will change only slightly over the 20-year plan horizon
- The pattern of existing zoning ([Figure 3](#)), which is largely responsible for the present use patterns
- The policies set forth in Section 3.2 to encourage new land use patterns and characteristics

Tables 1 and 2 show the distribution of land within the various use categories shown on the Generalized Existing Land Use map and the Conceptual Land Use Plan ([Figure 6](#)). An exact comparison of existing and proposed land uses cannot be made because the use categories are defined differently on the two maps. However, the tables provide a general characterization of the proportional distribution of uses in 2000 and in the future as this plan is implemented. Since 2000, 53.9 acres of vacant land have been donated as Recreation and Open Space.

**Table 1. Existing Land Use - 2000**

Category	Acreage	Percentage
Agriculture	1,226	3.6%
Commercial	1,367	4.0%
Industrial	335	1.0%
Office	818	2.4%
Single Family Residential	10,685	31.1%
Low Density Residential	753	2.2%
Medium Density Residential	1,054	3.1%
Recreation and Open Space	3,678	10.7%
Public/Semi Public	2,578	7.5%
Utilities	515	1.5%
Vacant Land	6,484	18.9%
Roads, Utilities & Water	4,843	14.1%

Source: Figure 2, Generalized Existing Land Use

**Table 2. Proposed Land Use**

Category	Acreage	Percentage
Agriculture	1,787	5.2%
Commercial / Mixed-Use	2,287	6.7%
Commercial – Office	962	2.8%
Industrial – Office	1,102	3.2%
Rural Residential	1,548	4.5%
Single Family Residential	13,857	40.5%
Mixed Residential	1,219	3.6%
Medium Residential	801	2.3%
Special Use Center	343	1.0%
Recreation & Open Space	7,687	22.5%
Community Facilities	506	1.5%
Educational Campus	1,334	3.9%
Transportation	788	2.3%

Source: Figure 6, Conceptual Land Use Plan

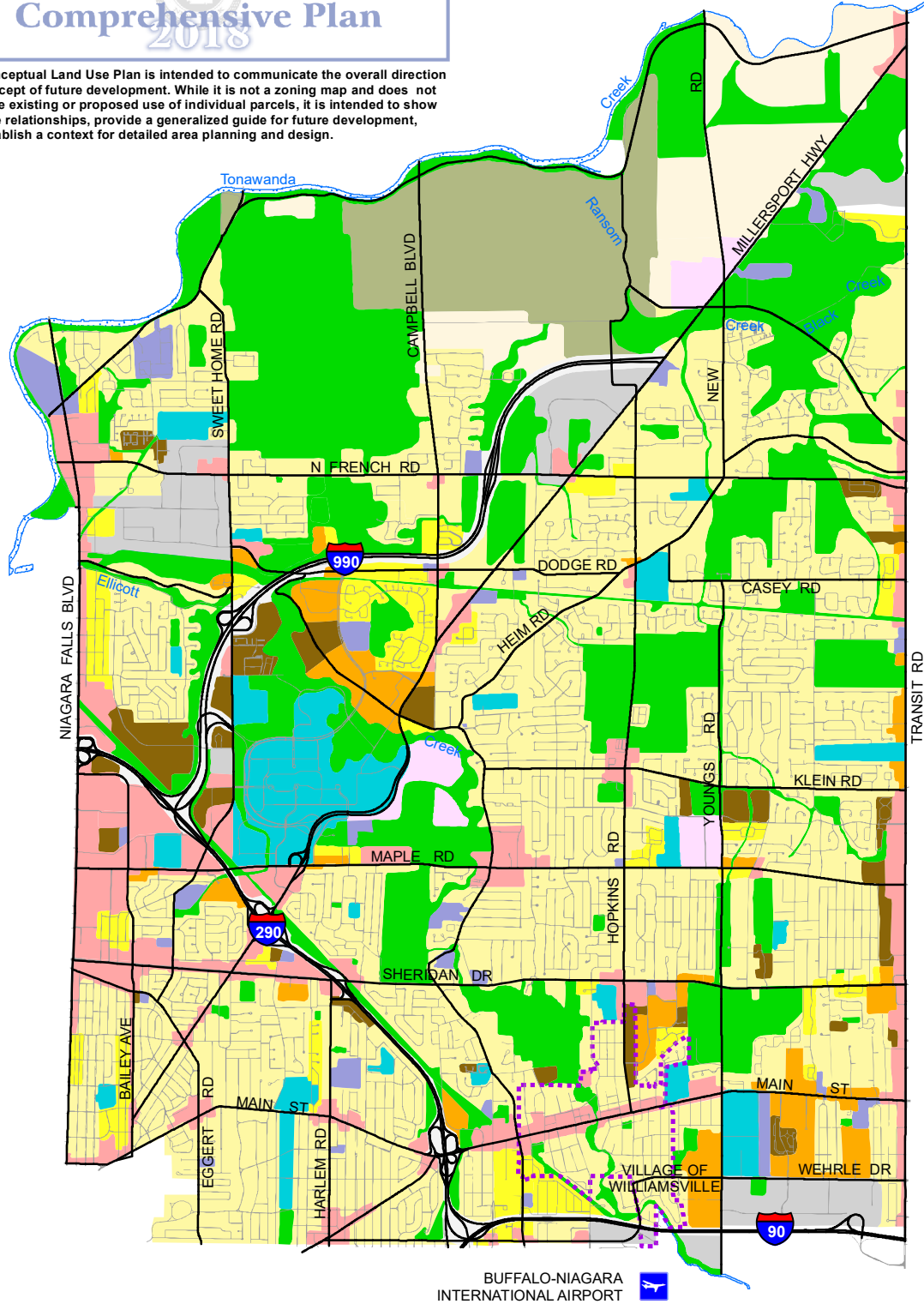
*(Amended 9-3-19; BCPA-2017-01A)*

In a maturing community such as Amherst, changes in the pattern of land use will occur in several ways: through new development at the rural fringe, infill development within largely developed areas, and as redevelopment and revitalization occurs in older parts of town. The Conceptual Land Use Plan map illustrates the desired pattern of land uses to attain the community’s vision for the future. The future land use pattern is influenced by existing land use and zoning and the existing and planned network of roads, utilities, parks, greenways and other factors that shape development and act as form-givers within the overall fabric of the community.

The Conceptual Land Plan is neither a zoning map nor is it meant to show the existing or proposed use of individual parcels of land. It is not meant to dictate land use, nor is it meant to show any phasing or timing of development. The Plan is intended to communicate the overall direction and concept of future development. While it is intended to present a composite picture

# Town of Amherst Bicentennial Comprehensive Plan

The Conceptual Land Use Plan is intended to communicate the overall direction and concept of future development. While it is not a zoning map and does not show the existing or proposed use of individual parcels, it is intended to show land use relationships, provide a generalized guide for future development, and establish a context for detailed area planning and design.



BUFFALO-NIAGARA INTERNATIONAL AIRPORT

## Conceptual Land Use Plan

- |                           |                      |                                    |
|---------------------------|----------------------|------------------------------------|
| Rural Residential         | Special Use Center   | Recreation, Open Space & Greenways |
| Single Family Residential | Commercial - Office  | Agriculture                        |
| Mixed Residential         | Industrial - Office  | Transportation                     |
| Medium Residential        | Community Facilities | Surface Water                      |
| Commercial / Mixed Use*   | Educational Campus   | Village of Williamsville Boundary  |

\* See Map Figure 6-A for Additional Designations

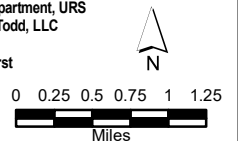
### SOURCE NOTES:

Original Source Data Provided by the Town of Amherst Information Technology Department, URS Corporation and Wallace Roberts & Todd, LLC

Map Compiled by the Town of Amherst Planning Department

Date: December 2020

## FIGURE 6



of the Town at full development, the Plan is designed to be flexible, to show relationships, to provide a generalized guide for future development, and establish a context for detailed area planning and design. Over time the Plan may be amended by the Town Board to reflect changes in social, economic, and cultural trends, so that it remains a relevant guide to community development.

The following text describes the various use categories shown in Figure 6, the Conceptual Land Use Plan. Figure 6-A illustrates the designations of form and type for commercial and mixed-use areas. (*Amended 12-11-17; BCPA-2017-01*)

### 3.3.1 Residential Uses

Residential land uses will continue to dominate the Town's landscape, accounting for nearly 50% of the total developed area. Acknowledging agriculture as an important component of the community, the Plan establishes a form of residential development that is consistent with and complementary to farming. Another important Comprehensive Plan policy is to maintain the economic viability and physical condition of existing residential uses along arterial and collector roadways, thus focusing commercial activity at key intersections and preventing strip development along highway corridors. New residential uses can be located along these corridors, however their design and development should incorporate principles of access management and reverse frontage to preserve highway capacity.

#### ***Residential Use Categories***

- Rural Residential (1 unit/3 to 5 acres)
- Single-Family Residential (2 to 4 units/acre)
- Mixed Residential (4 to 12 units/acre)
- Medium Residential (12 to 60 units/acre)

#### **Rural Residential (1 unit/3 to 5 acres)**

As described in Policies 3.3 and 3.15, the Comprehensive Plan reinforces and expands upon policies established in the 1993 Northeast Plan regarding the northern portion of the Town, which remains largely undeveloped and rural/agricultural in character. This area is predominately zoned "Suburban Agriculture" and has a permitted density of one dwelling per acre, which is not conducive to preservation of its rural character. Instead, the low-density pattern promoted by one-acre zoning could be described as sprawl, one in which the value of the scenic rural area will be lost and the efficiency and fiscal balance of a compact suburban pattern will not be achieved.

Consistent with limiting further extensions of public facilities such as highways and sewers (Infrastructure Policy 7-3), much of this area will remain rural in character. Contributing factors include the area's extensive open space resources, environmental constraints such as wetlands and floodways, and low-density designation, coupled with the encouragement of conservation development (Policy 3-14) and the Town's program to purchase development rights on agricultural lands. The Conceptual Land Use Plan

identifies those areas that should no longer be considered in a “holding zone” for rezoning to suburban character residential or commercial use. They should be reserved for larger lot rural uses with an emphasis on preservation of open land where homes abut agricultural lands, maintaining rural character visible from the adjacent highways, and avoiding strip residential development. Recognition and adherence to right-to-farm practices that protect the long term viability of farming operations on lands surrounding rural residential uses should be emphasized in development design.

The density range of 1 unit/3 to 5 acres set for this category is based upon Erie County Department of Health guidelines that call for three-acre minimum lot sizes on the soil types typically found in the area. Consideration should be given to increasing the permitted net density as an incentive for conservation developments that preserve a substantial amount of open space if not precluded by soil suitability for on-site sewage disposal or other environmental constraints.



*Suburban scale single-family homes.*

**Single-Family Residential (2 to 4 units/acre)**

Consistent with Amherst’s history as a suburban bedroom community, nearly one-half of the Town’s land area will remain in relatively low-density, primarily single-family detached residential use. Policies for Amherst’s single-family neighborhoods are to preserve the neighborhood fabric and quality of life by limiting undesired influences such as commercial intrusions.

Existing single-family residential lands located along traditional and suburban highways, such as Main Street, Sheridan Drive, Maple Road, Hopkins Road and other collectors and arterials help to preserve the residential character and appearance of neighborhoods in Amherst. These areas should be reinforced as residential through the use of design standards and context-sensitive highway design solutions that will help protect them from commercial incursion.

While the bulk of the area depicted as Single-Family Residential on Figure 6 is fully developed, opportunities exist for new and infill development. Such development should be consistent with the scale and character of the existing surrounding residential areas. The design of new subdivisions should include housing and street patterns that complement the character of connecting streets and neighborhoods. New infill development should also be designed to be consistent with the established character of surrounding/connected neighborhoods. Single-family residential development should not be encouraged where its location or access is inconsistent with existing or planned non-residential areas proposed in the Conceptual Land Use Plan.

Where single-family residential land abuts agriculture or rural residential uses, development design connections should reflect a

mutually beneficial transition from suburban to rural character. As an example, to the north of North French Road there exists a large area of large, deep frontage lots that reflects a rural development pattern. While this area is zoned for single-family development at higher densities, the pattern of land parcels does not lend itself to land assembly and efficient subdivision development. Therefore, in spite of the suburban zoning and the availability of utilities and public facilities, the area designated for single-family use north of North French Road should strive to retain much of its low-density rural pattern and character, avoiding long uninterrupted strips of housing.

**Mixed Residential (4 to 12 units/acre)** Within the older sections of the Town (generally south of Maple Road), Mixed Residential designations comprised of small lot single-family, duplex, and other attached dwelling types, represent much of the Town's stock of affordable housing. This type of housing is also attractive for infill development along high access suburban and commercial corridors served by public transportation. Typical locations for this residential category include areas of transition between commercial uses and lower density single-family neighborhoods, as well as along collector or arterial highways or other areas that are generally unattractive for large lot, single-family development. Other areas of the Town designated for concentrations of Mixed Residential use include underutilized areas near designated commercial and mixed-use centers.

**Medium Residential (12 to 60 units/acre)**

Medium Residential comprises the relatively small proportion of the Town's housing stock devoted to multi-family, largely rental apartment housing. Although longstanding policy has tended to favor low-density, single-family residential use, recent development trends have seen a substantial increase in the amount of new multi-family housing. The need for higher density housing will grow along with the component of the population that will increasingly choose smaller housing types, including retirees, empty nesters, singles, and other smaller household types.

As with the Mixed Residential category, location criteria for higher density housing include high access corridors served by public transportation, areas near commercial centers and employment concentrations, areas next to educational campuses, and areas near community facilities. New medium residential development should be focused in designated commercial or mixed-use centers. Properly designed, medium density housing can provide a useful transition between single family and non-residential uses.

A growing form of residence in Amherst is housing for the elderly. Although the density for the Medium Residential category is 12 to 60 units per acre, the more typical range is 12 to 20 units. The higher densities apply to senior housing and assisted living facilities. Many of the location criteria above also apply to this

form of housing. Proximity to proposed mixed-use centers, shopping, libraries and other community facilities help to sustain the resident's active involvement in community life.

Housing for students attending Amherst's colleges and UB may also be developed at medium density. Student housing is best located within walking distance of these educational campuses or within designated mixed-use areas serving these schools.

### **3.3.2 Commercial and Mixed-Use**

*(Amended 9-3-19; BCPA-2017-01A)*

A strong commercial base is necessary to support Amherst's quality of life and to provide community amenities. The maps and graphics in this section illustrate the Town's commitment to strengthening commercial and mixed-use opportunities in appropriate areas. In the future, Amherst's commercial and mixed-use centers must be revitalized and complement their surroundings. Form, type, and scale of development form the basis for organizing and guiding commercial and mixed-use center revitalization.

The success of a commercial or mixed-use center is increasingly related to access (which includes modes beyond automobiles), and quality of place. In addition, typical approaches to retailing are being significantly impacted by on-line shopping with free delivery. Due to these accelerating shifts in the market, zoning must focus more significantly on the built form in each of Amherst's commercial and mixed-use centers. *(Amended 12-11-17; BCPA-2017-01)*

Amherst's centers vary by scale and function. Their location also plays a significant role in shaping the size and character of buildings and parking areas, and providing satisfactory transitions to surrounding areas. Amherst's commercial and mixed-use centers fall within two forms of development which are described below. Map Figure 6-A displays the recommended locations for different commercial and mixed-use centers by form and scale. The following sections describe these form and scale classifications.

#### **FORMS AND SCALES OF DEVELOPMENT**

Amherst's commercial and mixed-use centers have historically been built in one of two forms: "traditional" which represents established areas of Town that will likely see infill development within existing neighborhood context and "suburban" which will likely see retrofitting of existing commercial areas to allow for inclusion of new aspects of development and to create a "sense of place."

The following are characteristics or elements of form that influence how the site and buildings relate to one another:



- Location of buildings on the land/parcel
- Relationship of the building to the adjacent street
- Location of parking on the parcel
- Types of signs
- Posted speeds on adjacent roadways
- Access (pedestrian, bicycle and vehicle)

Within these two forms of commercial and mixed-use centers are various scales of development that have been influenced by the surrounding neighborhood context and physical environment. *(Amended 9-3-19; BCPA-2017-01A)*

The following are characteristics or elements of **scale** which influence how the site relates to its surroundings:

- General location within the Town
- Adjacency of single-family homes
- Type of roadway serving the site
- Size (both width and depth) of typical parcels
- Building height
- Tenant or center size

As centers are infilled or retrofitted, the ability to walk and bicycle safely within both forms of development is critical. While traditional forms of development are typically seen as more pedestrian-friendly, improvements within suburban forms of development should enhance the pedestrian and bicycle experience. These improvements often include bicycle amenities and safe sidewalk connections through parking lots and from adjacent sidewalks to the front door of development.

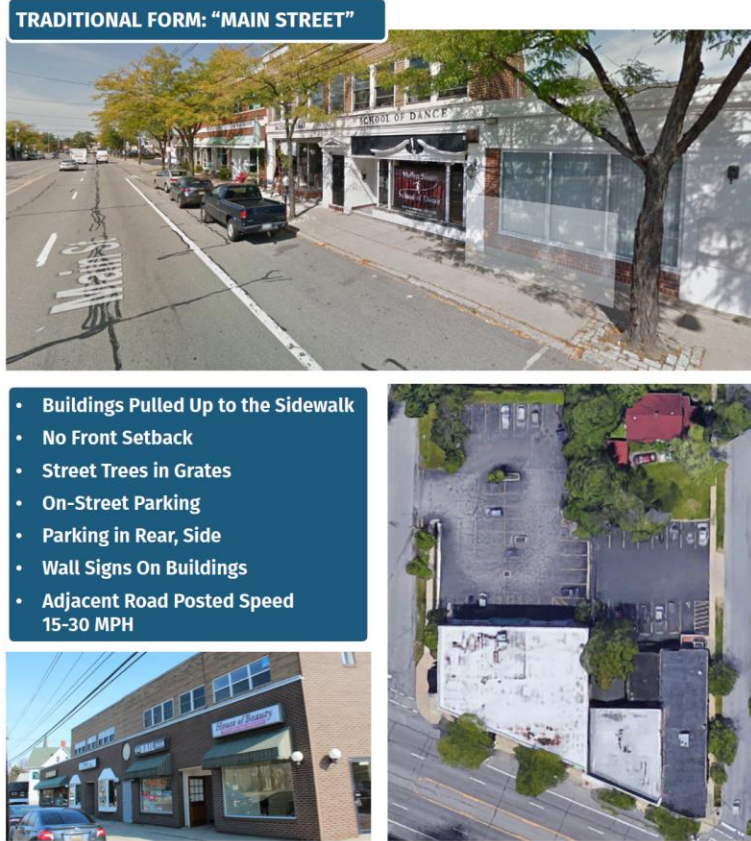
One key technique for achieving improved walkability is to set a standard for the size of a block to ensure there are connections through large tracts of land. As large tracts are redeveloped, new streets should be required within them to provide access. Development adjacent to these new streets should be more traditional in form, with buildings pulled up to new internal streets and parking located in the center of blocks, and not facing streets. *(Amended 9-3-19; BCPA-2017-01A)*

The Town's commercial and mixed-use centers have been generally categorized by form and type (applied only to suburban areas) and are designated on Map Figure 6-A. More description of the forms and varying scales that apply within each form are described in the sections below. *(Amended 9-3-19; BCPA-2017-01A)*

### **Traditional Form & Scale**

The *traditional* form of development in Amherst is that of a "Main Street." In this form, buildings are typically built next to the sidewalk, with little or no front setback. Street trees are often planted in grates within the sidewalk and pedestrian amenities, such

as benches and bike racks, are typically available. There is usually some on-street parking along the curb, although this parking is often supplemented by side or rear parking areas on surface lots. Signs in the traditional form of development are typically mounted on the building wall. Adjacent roadways are typically posted for



speeds at or about 30 MPH. (Amended 9-3-19; BCPA-2017-01A)

Traditional areas have evolved within a given neighborhood context, and generally have shallow, constrained parcels with a smaller scale of development that immediately abuts single-family homes. Therefore, these areas are likely to experience infill and adaptive reuse of existing structures on developed parcels with a more compact building pattern. Traditional areas deserve the highest level of attention to transitions in order to successfully accommodate infill redevelopment while protecting neighborhood context. Therefore, buildings are typically shorter, from 1 to 2.5 stories in height.

The traditional form is walkable and pedestrian-friendly and tends to attract and serve residents from the surrounding neighborhood. Traditional areas usually have a network of human-scaled streets lined with smaller, niche businesses that have established architectural characteristics and design, creating a “sense of place.” Roofs of new development should mimic the style and material of pitched roofs in the surrounding neighborhood.

Revitalization of traditional areas requires careful consideration of both land use and building design to ensure compatibility with the surrounding community – new development should complement existing buildings and neighborhood character.

*(Amended 9-3-19; BCPA-2017-01A)*

The traditional form is most common in older portions of Amherst such as Eggertsville, Snyder, and the areas surrounding the Village of Williamsville. In most cases, these areas are located at an intersection of two roadways to form a “node” of activity, although a few take a more linear form such as Bailey Avenue and Main Street east of the Village of Williamsville. The majority of traditional areas are located in the southern portion of Town, although a few exist in the northern portion such as Swormville, Getzville at Campbell and Dodge, and along Old Niagara Falls Boulevard.

### **Traditional Form and Scale**



In some places, traditional areas can accommodate a larger scale of redevelopment. Some examples include University Plaza, the northwest corner of Eggert and Main, and some parcels just to the west of the Village of Williamsville. These areas tend to have larger parcels which allow them to accommodate higher and larger buildings with wider transition areas to adjacent residential uses. The traditional form in these areas is still desired, with buildings pulled close to the street and a walkable pedestrian realm, yet the scale is able to be intensified slightly because of their unique characteristics.

Map Figure 6-A identifies areas of the Town have been designated as traditional form. *(Amended 9-3-19; BCPA-2017-01A)*

### **Suburban Form & Scale**

The *suburban* form of development in Amherst is that of a “Shopping Center.” Buildings are typically set back further from the street, often with a deep front setback that includes landscaping along the street edge, and parking between that landscaping and the

building. Street trees are often planted in a lawn area located between the sidewalk and the street. There is seldom any on-street parking, therefore larger parking lots are typically constructed. Parking is located on-site, either in front, to the side, or to the rear of the building. Signs in the suburban form of development often occur as monument signs at the street edge along with wall signs on the building. Adjacent roadways are typically posted for 35 MPH or higher. This form has generally been automobile-oriented and attracts people from outside the surrounding area. *(Amended 9-3-19; BCPA-2017-01A)*

**SUBURBAN FORM: "SHOPPING CENTER"**



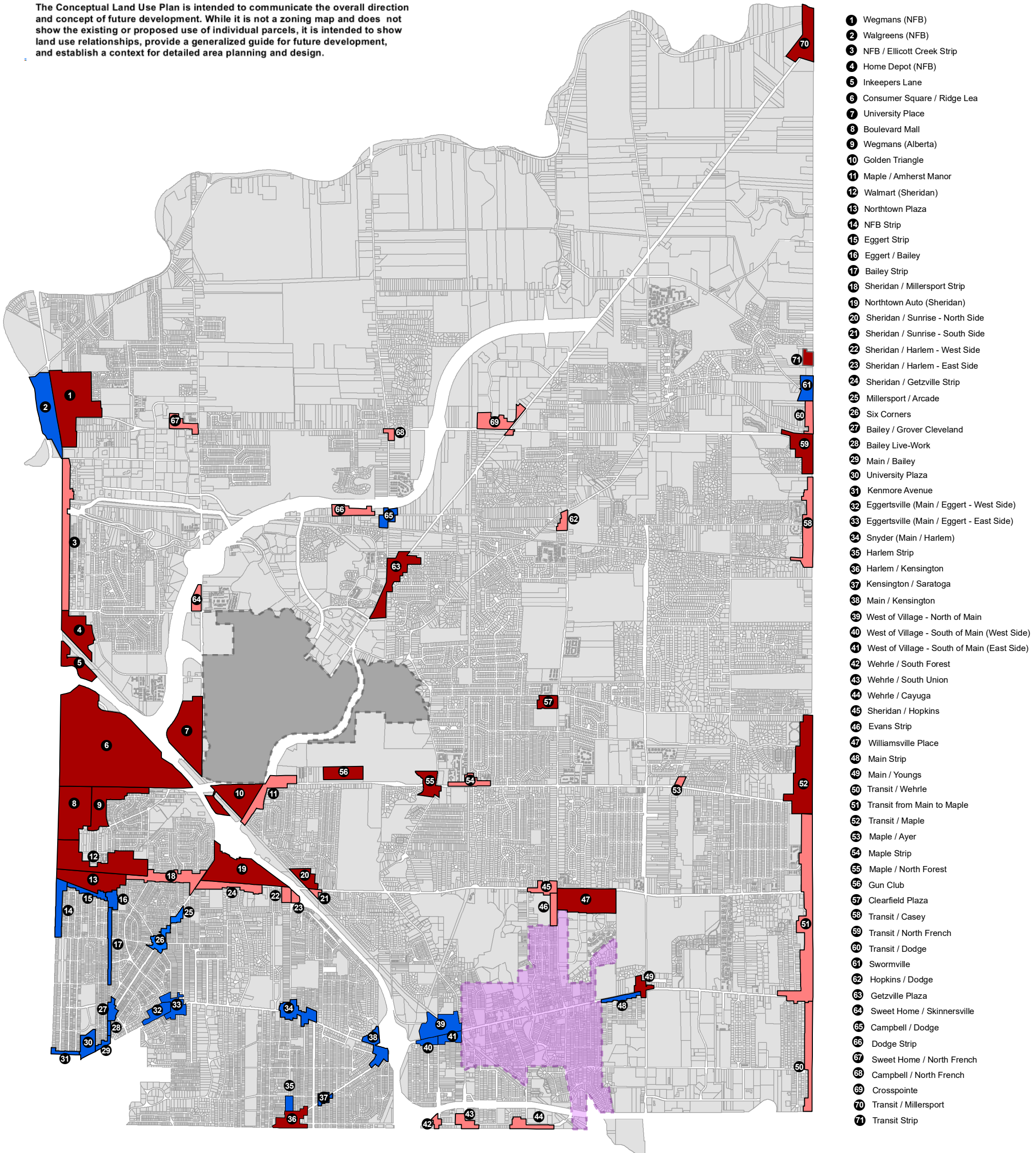
- Set Back From Street
- Front Setback Includes Landscaping, Parking
- Street Trees in Lawn
- No On-Street Parking
- Parking in Front, Side and Rear
- Monument Signs at Street, Wall Signs on Building
- Adjacent Road Posted Speed 35-45 MPH



Suburban areas typically include larger parcels connected by major thoroughfares without many walkable/bikeable connections. The major mode of transportation is the automobile and development patterns are dominated by accommodation for cars. Therefore, there is a lack of pedestrian access, use of public spaces, and streets have little to no place identity. As shopping trends change, suburban areas experience retrofitting of existing development to meet new demands. Retrofit goals should include improving the relationship between streets and buildings, creating opportunities for phased or incremental redevelopment, managing access along major roadways, and creating a vibrant “sense of place” with accommodations for pedestrians and other forms of transportation.

# 1818 Town of Amherst Bicentennial Comprehensive Plan 2018

The Conceptual Land Use Plan is intended to communicate the overall direction and concept of future development. While it is not a zoning map and does not show the existing or proposed use of individual parcels, it is intended to show land use relationships, provide a generalized guide for future development, and establish a context for detailed area planning and design.



- 1 Wegmans (NFB)
- 2 Walgreens (NFB)
- 3 NFB / Ellicott Creek Strip
- 4 Home Depot (NFB)
- 5 Inkeepers Lane
- 6 Consumer Square / Ridge Lea
- 7 University Place
- 8 Boulevard Mall
- 9 Wegmans (Alberta)
- 10 Golden Triangle
- 11 Maple / Amherst Manor
- 12 Walmart (Sheridan)
- 13 Northtown Plaza
- 14 NFB Strip
- 15 Eggert Strip
- 16 Eggert / Bailey
- 17 Bailey Strip
- 18 Sheridan / Millersport Strip
- 19 Northtown Auto (Sheridan)
- 20 Sheridan / Sunrise - North Side
- 21 Sheridan / Sunrise - South Side
- 22 Sheridan / Harlem - West Side
- 23 Sheridan / Harlem - East Side
- 24 Sheridan / Getzville Strip
- 25 Millersport / Arcade
- 26 Six Corners
- 27 Bailey / Grover Cleveland
- 28 Bailey Live-Work
- 29 Main / Bailey
- 30 University Plaza
- 31 Kenmore Avenue
- 32 Eggertville (Main / Eggert - West Side)
- 33 Eggertville (Main / Eggert - East Side)
- 34 Snyder (Main / Harlem)
- 35 Harlem Strip
- 36 Harlem / Kensington
- 37 Kensington / Saratoga
- 38 Main / Kensington
- 39 West of Village - North of Main
- 40 West of Village - South of Main (West Side)
- 41 West of Village - South of Main (East Side)
- 42 Wehrle / South Forest
- 43 Wehrle / South Union
- 44 Wehrle / Cayuga
- 45 Sheridan / Hopkins
- 46 Evans Strip
- 47 Williamsville Place
- 48 Main Strip
- 49 Main / Youngs
- 50 Transit / Wehrle
- 51 Transit from Main to Maple
- 52 Transit / Maple
- 53 Maple / Ayer
- 54 Maple Strip
- 55 Maple / North Forest
- 56 Gun Club
- 57 Clearfield Plaza
- 58 Transit / Casey
- 59 Transit / North French
- 60 Transit / Dodge
- 61 Swormville
- 62 Hopkins / Dodge
- 63 Getzville Plaza
- 64 Sweet Home / Skinnerville
- 65 Campbell / Dodge
- 66 Dodge Strip
- 67 Sweet Home / North French
- 68 Campbell / North French
- 69 Crosspointe
- 70 Transit / Millersport
- 71 Transit Strip

**FIGURE 6-A**

## Commercial and Mixed-Use Designations

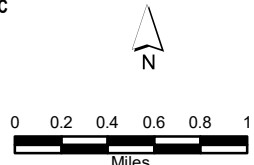
- Suburban Center
- Suburban Corridor
- Traditional Areas
- Village of Williamsville
- University at Buffalo

**SOURCE NOTES:**

Original Source Data Provided by the Town of Amherst Information Technology Department, URS Corporation and Wallace Roberts & Todd, LLC

Map Compiled by the Town of Amherst Planning Department

Date: December 2020



Commercial and mixed-use centers in Amherst with a suburban form have historically been built in one of two types: center and corridor. These are depicted on Map Figure 6-A. These have varying scales which are described in the following sections.

**Suburban Types**



**Suburban Centers**

**Centers** come in varying scales, but at their largest they are the most intense type of commercial or mixed-use development in Amherst. Large suburban centers are typically located away from single-family homes, along major roadways, at higher volume intersections, or near interstate interchanges. The parcels located in these centers are typically large and deep. Parcels can also be combined for substantial redevelopment projects. Given these large parcel sizes, and their distance from surrounding residential areas, buildings can reach up to 8 stories in height. There are a couple of existing buildings taller than 8 stories located along the Interstate 290, however, buildings up to 8 stories or taller should only be permitted where they already exist or in designated locations along the Interstate 290 or within the Boulevard Mall area. Tenant spaces in this scale of center are typically the largest and are intended to serve a regional market. *(Amended 9-3-19; BCPA-2017-01A)*

The majority of suburban centers in Town fall into a slightly less intense scale of development. These centers will have many of the same characteristics of the larger center scale –large parcels, located on major roadways and at higher volume intersections– but buildings may be up to 5 stories in height. Some of these less intense centers abut residential areas and need to be scaled down to lower heights to fit within the surrounding context, including the use of building stepbacks above a certain height as a method to scale down building mass.

**Center Model**



The smallest scale of suburban center is meant to produce a small, more traditional feel but with suburban characteristics and form. Buildings will range from 1 to 2.5 stories on smaller, new interior streets. These small scale centers are typically located the closest to single-family homes and therefore need the most attention given to transitions both in regards to landscaping and building height. Portions of larger scaled suburban centers may utilize this smaller scale of center to transition to residential areas.

Examples of suburban centers include the Boulevard Mall, Northtown Plaza, Niagara Falls Boulevard at North French Road, and Transit Road at the Maple Road and North French Road intersections.

**Suburban Corridors**

**Corridors** are a common commercial and mixed-use center type in Amherst. Corridors are typically located along commercial roadways throughout the Town. The typical corridor features a linear pattern of parcels along a roadway. Depending on the commercial corridor, parcel depths can be shallow or much deeper; this is evidenced by Sheridan Drive near Sweet Home Road where one side of the street has deep parcels while the other side has very shallow parcels. In many cases, corridors tend to have commercial development directly adjacent to single- or multi-family homes. *(Amended 9-3-2019; BCPA-2017-01A)*

Buildings may range from 1 to 5 stories in height. Parcel sizes can vary and are generally either deep or shallow. Shallow corridors have smaller parcels and less land available for redevelopment, therefore affecting adjacent residential properties more directly. These corridors can accommodate heights up to 3 stories. Transition space is smaller but buffering and buildings setbacks should still be provided to reduce the site impact. Smaller businesses tend to locate here and serve the surrounding neighborhood.

Deep corridors have larger parcels and therefore can dedicate more space to landscaped transition areas. These corridors can accommodate heights up to 5 stories, larger building footprints, and larger tenant sizes. Despite the larger scale, building setbacks and landscaped transitions adjacent to residential uses are required. To improve both pedestrian and vehicular access from adjacent commercial roadways and between parcels in deep corridors, new shared access driveways and drive aisles should be provided.

**Corridor Model**



Typical examples of suburban corridors include Niagara Falls Boulevard near Ellicott Creek, portions of Sheridan Drive, Transit Road near Wehrle Drive, and portions of North French Road.

**FOCUS ON FORM**

There are ways that the unique characteristics for each form and type of commercial and mixed use center development can be shaped and managed. (*Amended 12-11-17; BCPA-2017-01*)

There are a variety of tools for managing building mass that can be included in zoning, several are illustrated in the model of form above. In general, building height is one of the most frequently mentioned building characteristic that interest stakeholders and the public. Where appropriate, a key tool for reducing perceived height is the setback. A setback can be used to reduce the appearance of mass along the front sidewalk, and along rear and side lot lines near other structures. Often the setback is above the second or third story of the building. Stepping back the upper floors at that level often means the perception of the height of the building from the street edge or adjacent areas is substantially diminished (see model on page 3-41).



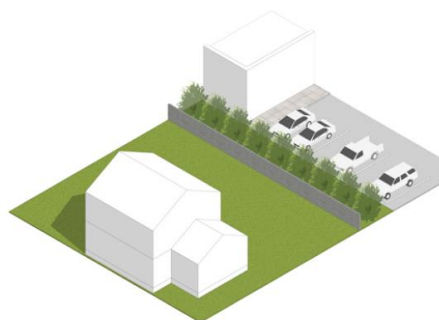


These conceptual models illustrate both building articulation along the street, and modified upper story height using a setback.

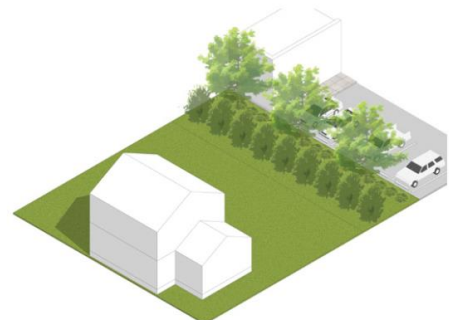
Other concepts used to manage building mass focus on breaking up the building as viewed along the street. This is often accomplished by articulating the building (setting some portions back, using different materials, and often highlighting entrances with architectural features). Another key feature is the addition of windows and doors along the street edge, whether functional or not, eliminating long blank wall areas that are not as pedestrian-friendly. Larger, taller buildings in centers and corridors may require some of these techniques which should be incorporated in the zoning code. *(Amended 12-11-17; BCPA-2017-01)*

**Managing Transitions**

Throughout Amherst, commercial and mixed-use centers immediately abut low-density residential uses. Where this occurs, a variety of strategies to reduce the impact of these transitions are appropriate. *(Amended 12-11-17; BCPA-2017-01)*



A transition option for shallow sites with a wall and landscaping.



A transition option for moderate-depth sites with more substantial buffer depth and landscaping.

A land use transition illustrating the siting of townhouses (orange) to create a land use change, hiding commercial center parking and loading from view from adjacent residential properties.



For large and deep parcels, the best strategy is to create a gradual change in the intensity of land uses. As shown in the model above, the single-family detached homes (low density) could abut townhouses (a denser residential use) which screen the parking and loading areas of the center from view, and can decrease noise and light impacts. Where appropriate, buildings and parking on larger parcels can be pushed as far away as possible from residential uses, creating more green and landscaping space. However, this transition option requires parcels to be at least 200 feet deep.

For shallower parcels, options include more intense landscaping and screening walls or fences. Many corridors in Amherst have shallow parcel depths where the only meaningful transition option is a wall or fence along the property line because there is not much space on the site. Landscaping is placed on the commercial side of the wall, intending to grow up and screen any upper stories from view of adjacent properties (see model below). At moderate parcel depths (deeper than 100 feet), the wall/fence can be replaced by a wider buffer of green space and more intense landscaping. In these cases, the transition may also include a berm, which is a raised green area with shrubs or trees along it (see model below).  
*(Amended 12-11-17; BCPA-2017-01)*

### APPLYING MAPS FOR ZONING

Figure 6-A is intended for use by the Planning Board and Town Board to guide decisions about future development in commercial and mixed-use centers. These maps delimit the intended geographic extent of the various centers. *(Amended 12-11-17; BCPA-2017-01)*

### **Expansion of Existing Centers**

The Town's commercial and mixed-use centers are generally well established; many of the residential neighborhoods have developed around these areas. Expansion and encroachment of commercial land uses into neighborhoods or extension along roadways should rarely occur. Amherst has adequate commercial and mixed-use zoning in place to accommodate anticipated future demand without expanding the amount of land zoned for these purposes.

As commercial market demands are changing it may be appropriate to expand mixed-use development with land currently zoned for office or multi-family purposes where such land abuts an existing center or is substantial enough to function as a center itself.

If additional land area is added to commercial and mixed-use centers in the future, the maps in this section must be amended by the Town Board prior to rezoning the property. This will allow for a community conversation about the proposed expansion of centers before any detailed conversation and design of specific development takes place. *(Amended 12-11-17; BCPA-2017-01)*

### **New Centers**

Based on the pattern of existing commercial and mixed-use centers, there is little reason to designate new commercial or mixed-use centers in Amherst. If a new commercial or mixed-use center is desired in the future, map figures 6 and 6A in this section must be amended by the Town Board prior to applying new zoning to the property. This should only occur after thoughtful consideration. *(Amended 12-11-17; BCPA-2017-01)*

## **LAND INTENSIVE USES**

There are businesses that have large market areas, have similar characteristics in terms of size, traffic and noise, but are not appropriately located within a conventional retail shopping center. These uses are primarily land intensive commercial uses that include automobile-related uses, hotels, and commercial recreation and entertainment facilities. These uses should be located within existing centers located along arterial and collector highways designated as suburban and commercial corridors (See Map Figures 9 and 10).

Also of note are areas not designated for future commercial or mixed-uses on the Conceptual Land Use Plan (Map Figure 6) despite present commercial zoning designation (See Map Figure 3). As noted in Policy 3-4, some areas along Transit Road and Millersport Highway north of North French Road are zoned for commercial use but designated on the Plan map for lower density residential or mixed-use. This change in land use classification stems from the likely reduction in population-driven demand for commercial development, the presence of community/regional scale commercial establishments in surrounding communities (i.e., Lockport and Clarence), and Comprehensive Plan policies to

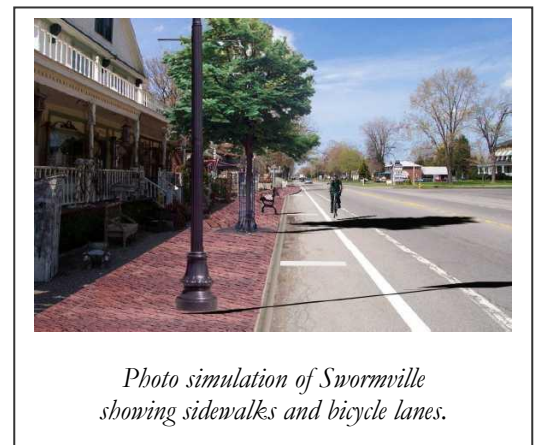
protect rural road corridors and reduce the traffic and other impacts of commercial strip development. (*Amended 12-11-17; BCPA-2017-01*)

### HISTORIC HAMLETS

Getzville and Swormville are historic hamlets in the Town that once functioned as the commercial center for the rural residences and farms of central and northeast Amherst. Many original buildings remain in these areas, and despite their location near contemporary commercial centers, they retain much of their original character. Revitalization of these areas needs to be in a form and type that is consistent with their traditional form. (*Amended 12-11-17; BCPA-2017-01*)

***Swormville:*** This historic hamlet is located along the west side of Transit Road north of North French Road. It possesses the attributes of a “village center” with small shops contributing to its character. Its traditional form and low scale buildings should be reinforced through pedestrian-oriented streetscape improvements and encouragement of compatible mixed and commercial uses. Pedestrian and bicycle connections should be established to surrounding neighborhoods in Ransom Oaks, to the proposed greenway along Ransom Creek, to the shopping center and adjacent residential developments along North French Road to the south, and to the Town of Clarence to the east.

***Getzville:*** Located at the intersection of Campbell Boulevard and Dodge Road, Getzville’s existing land uses include small-scale commercial development focused on the Port of Entry Square, residences, a fire station, and a small park. Designation of Getzville as an historic hamlet is intended to reinforce its traditional form, character and function as a low scale node that is distinct from nearby automobile-related suburban forms of commercial development along Millersport Highway. This character should be reinforced through pedestrian-oriented streetscape improvements and encouragement of compatible mixed and commercial uses typical of a traditional form. Pedestrian and bicycle links could be established to the Audubon Community along the Peanut Line right-of-way west of Millersport Highway.



### 3.3.3 Special Use Centers

Section 3.3.2 provides design guidance for the Town’s commercial and mixed-use centers. Many centers in the Town fulfill specific roles within their neighborhoods or institutions. Commercial and mixed-use development within these areas should include consideration of these roles. The following guidance is provided for special use centers which have slightly different roles and

characteristics. Special Use Centers contain a mix of ancillary uses related to a major civic or institutional presence. The form and type of development in these centers should complement and reinforce the character of the surrounding neighborhood. *(Amended 12-11-17; BCPA-2017-01)*

Special use centers shown on the Conceptual Land Use Plan include:

- Millard Fillmore Suburban Hospital
- John James Audubon Parkway Municipal Complex
- University (East) Center
- Millersport Highway/New Road/Smith Road

***Millard Fillmore Suburban Hospital:*** Located at the intersection of Maple Road and Youngs Road, the Hospital, assisted living facilities, and adjacent office and higher density residential uses constitute an established activity center. Designation of this area as a special use center is intended to recognize, reinforce, and integrate its medical functions, providing a focus for future medically-related development, and limit incursions into adjacent lower density residential areas.

***John James Audubon Parkway Municipal Complex:*** As with the Millard Fillmore Suburban Hospital area, the municipal facilities located on the east side of the John James Audubon Parkway are designated as a special use center in recognition of its established function as a center of community activity. Future policy for this center should be directed toward increasing the integration of uses (e.g., shared use facilities) and improving accessibility and connections to surrounding land uses and to the Town as a whole, including a linkage to the open space and greenways network.

***University (East) Center:*** This area is located on the east side of Millersport Highway across from the UB campus in the University Focal Planning Area (see Section 10.3). It is envisioned as accommodating a mix of residential and non-residential development with a variety of activities serving both the University community and private businesses and residents. Open space and recreational trails should be an integral part of the development. Examples of other potential uses include:

- Off-campus student /faculty housing
- Other housing facilities catering to groups interested in living in a University environment
- Technology, research, and development functions
- Business development incubators
- Life-long and community outreach education programs
- Conference facilities
- Arts and athletic venues

- Hotels and other commercial uses typically found in a community center serving both the University and the Town

As proposed by Economic Development Policy 5-7, the Town should actively engage the University in planning for the appropriate development of this property. This should include shifting some present and planned activities from the campus academic core to off-campus, mixed-use edges where businesses and the community can benefit from the presence of the University. (*Amended 12-11-17; BCPA-2017-01*)

***Millersport Highway/New Road/Smith Road:*** This proposed activity center is located at the intersection of three highways and Ransom Creek in the North Amherst Focal Planning Area (see Section 10.2). It represents one of the Town's most interesting opportunities for creative, mixed-use development. The area is comprised of several parcels that had long been designated for larger-scale commercial development. Zoning of a large parcel there was changed to Traditional Neighborhood Development (TND) to encourage a planned unit development approach. The quantity of retail use permitted by existing zoning in the area may no longer be necessary or feasible to serve the population of the surrounding, largely rural area. However, this area has potential to develop in a low scale form comprised of mixed residential and commercial uses typical of traditional areas. It should be integrated with generous parkland and a greenway along Ransom Creek. This area is destined to become one of the Town's most significant and scenic gateways, marking the transition from “suburban” to “rural” Amherst. (*Amended 12-11-17; BCPA-2017-01*)

### **3.3.4 Office and Industrial**

#### **Office Uses**

While Amherst contains a growing proportion of office development, it is unlike many older communities that have a central business district anchored by high-density office use. As shown on the Conceptual Land Use Plan, there are two primary concentrations of existing/planned commercial office development in Amherst:

- The large suburban “corporate” office development along Audubon Parkway, planned as a key element of the Audubon New Community.
- Office infill development between Wehrle Drive and Sheridan Drive in southeast Amherst. Because office development in this area is occurring in close proximity to residential uses, close attention must be paid to site/design criteria pertaining to buffering and access management to avoid conflicts with established neighborhoods and commercial corridors.

Appropriately scaled business and professional offices can be complementary components of designated commercial and mixed-use centers. These offices can vary in size, be upper story, feature pedestrian or automobile-orientation, and serve local residents, businesses, and institutions, as well as provide the employment component of live-work establishments in mixed-use centers.

The Conceptual Land Use Plan recognizes the location of commercial offices outside of designated office or business parks. These individual office developments may not require large parcels and can therefore be accommodated on sites at locations within Plan-designated Commercial, Office, Industrial and Mixed-Use areas. As existing office parks become filled and fewer large sites are available for new office parks, there is expected to be increased pressure to locate individual offices on smaller sites in developed areas. In addition, the following principles should be used to assist in reviewing such office proposals:

- Located along arterial roads as identified on Figure 9 (Future Thoroughfare System).
- Mid-block locations should be avoided.
- Sited within close proximity to existing office or commercial sites.
- Sites should provide an opportunity for access management with adjacent properties.
- The site should produce minimal impact on residential neighborhoods or uses.
- The site should provide sufficient space for landscape buffers, especially to adjacent residential uses.

### **Industrial Uses**

Due in part to the industrial legacy of the Buffalo region, early planning for the Town designated significant areas for industrial use. With the contraction of primary industrial activity in the region, the nature of these uses changed to smaller-scale manufacturing, distribution, and warehousing activities. The primary existing industrial land concentrations are located in the southeastern corner of the Town near the Buffalo-Niagara International Airport (Wehrle Industrial Park) and in the northwestern corner of the Town north of the I-290/Sweet Home Road interchange (Audubon Industrial Park). Additional locations designated for industrial/office use include:

- The area north of North French Road next to the I-990/North French Road interchange (Crosspointe Business Park).
- North Audubon Parkway: the area generally located at the northern terminus of Audubon Parkway between Dodge Road, Sweet Home Road, Campbell Boulevard, and south of North French Road. This area is envisioned as a location for University-related and research business (see Economic Development Policy 5-7).

These locations exhibit desirable site characteristics necessary for location of industrial uses. These characteristics include: direct access to major transportation routes, location away from residential neighborhoods, and large tracts of land that allow for coordinated development of a park with ancillary uses that can be buffered from surrounding areas. These characteristics should also be used for the location of any new industrial areas.

While excellent truck access will continue to make these areas attractive for industrial, distribution and warehousing uses, office and "flex" uses will likely consume an increasing proportion of this industrially designated land. Design guidelines should be put in place to reduce conflicts in function and aesthetics between industrial/warehousing and office uses, including the screening of storage areas, truck parking, and buffer requirements.

### **3.3.5 Community Facilities**

Community facilities include public schools, police and fire stations, libraries, community centers, post offices and other government and institutional services provided to meet the needs of the local resident population. Generally not included in this category are churches, which are incorporated into the land use designations for the surrounding neighborhoods. When proposed for location within a neighborhood, it is important to ensure that structures associated with churches and other community facilities are designed to maintain the scale and character of the surrounding area. Wherever possible, existing and new community facilities should be multi-purpose and integrated within mixed-use activity centers (see Community Facilities and Services Policy 9-4). In the event a community facility is closed or relocated, redevelopment of the facility and surrounding lands should be pursued pursuant to Policy 3-9. (*Amended 2-28-11; BCPA-10-1*)

Community facilities are discussed in greater detail in Chapter 9.

### **3.3.6 Educational Campuses**

Educational campuses designated on the Conceptual Land Use Plan include the UB North Campus, Erie Community College, Daemen College, and public schools. These institutions are important community assets and are key to the Comprehensive Plan initiative to position Amherst as a "knowledge-based" community.

***Educational campuses** are important community assets and key to the Comprehensive Plan initiative to position Amherst as a "knowledge-based" community.*

Although colleges and universities typically retain control of use patterns within their campuses, these activities have very



significant impacts on the Town. Not only are they centers of employment and major traffic generators, they also create demand for other uses, including off-campus housing and commercial development. In the past, there has been limited collaboration between the Town and these institutions on planning for well-designed edges to the campuses. Nevertheless, there exists a very significant mutual interest to expand such collaboration, particularly regarding the development of campus transition areas and off-campus housing (see Economic Development Policy 5-9).

### **University at Buffalo**

The largest university center in the State University of New York (SUNY) system, UB's North and South Campuses, are significant features on the town's landscape. Progressive universities and host communities throughout the nation are engaging in a wave of joint development activity to more seamlessly merge the "town-gown" transition at campus edges. The design of UB's North Campus, with its internal organization and the "hard edge" at major highways, does not lend itself to such a seamless transition from campus to town development patterns. Nevertheless, there are a number of development opportunities surrounding the campus that could serve both the Town and UB. Despite the University's development of on-campus student housing and efforts to strengthen campus life, a large proportion of students, as well as faculty and staff, will continue to live off-campus. Providing higher density housing available to these groups immediately adjacent to the campus will reduce commuting times, lower traffic levels in the Town, and reduce pressure on older neighborhoods where students seek affordable off-campus rental housing. Such housing can be accommodated in areas designated for Medium Residential and Mixed Residential to the north and west of the UB North Campus including the Sweet Home Road area immediately to the west of the University's Rensch Road entrance.

Another major opportunity for development to serve campus and Town needs is on the presently undeveloped property owned by the University to the east, between Millersport Highway and Ellicott Creek. As discussed above, this designated mixed-use center could accommodate a well-planned "University Village," including additional housing serving the University community. Locating campus functions such as bookstores in this center would take advantage of a much larger community-wide market and revenue potential when placed at University edges and also provide an opportunity for a much-needed University – Town interface. In 2007, the University began a planning process that may provide a campus development strategy that further defines uses that could benefit from such a campus edge location. In accordance with Policy 5-9, the Town should take the initiative to structure an on-going collaboration on campus edge development issues and other campus growth issues which impact the Town, its services and facilities, and its neighborhoods.

While not located within Amherst, UB's South Campus exerts a significant influence on land use in the Eggertsville area of the Town. Because the movement of students and academic functions from the South to the North Campus will affect the stability of this area, the Town and UB should continue to work together on initiatives such as the Main Street/Bailey Avenue/University Plaza activity center to strengthen surrounding residential neighborhoods and businesses in the Town and the City of Buffalo (see Economic Development Policy 5-7).

### **Erie Community College – North Campus**

With the highest enrollment of the three campuses that comprise Erie Community College (ECC), the North Campus makes a variety of educational, vocational, and recreational activities available to Erie County residents. Opened in 1960, the campus is situated among the office and industrial parks in Southeast Amherst in the vicinity of the Buffalo-Niagara International Airport. The campus provides numerous opportunities for knowledge-based activities and collaboration with surrounding businesses. This plan reflects a commitment to its current uses.

The County is conducting an institutional assessment to consider the future of ECC and its facilities. The assessment may conclude that the College should consolidate its facilities or relocate programs. As these discussions evolve, the public should be engaged in the decision-making process. If a decision is made to close the North Campus, the Town will consider the following recommended uses for the Campus property:

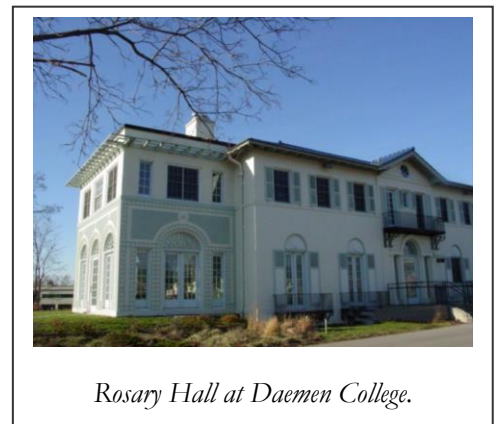
- Community recreation facilities and athletic fields
- Location for a youth and family center in Williamsville/Southeast Amherst
- Mixed-use activity center with office, neighborhood commercial, science technology, and educational uses

*(Amended 09-08-15; BCPA-2014-01)*

Redevelopment of the structures and surrounding lands should also be consistent with Policy 3-9. *(Amended 2-28-11; BCPA-10-1)*

### **Daemen College**

Originally established as Rosary Hill College in 1947, Daemen College is the oldest institution of higher learning located in Amherst. Recent construction of new classroom facilities and replacement of student housing have enhanced the campus and student life. Located across from Amherst High School and within walking distance of the Main Street/Harlem Road activity center, the College is well positioned to support knowledge-based community education initiatives in the Eggertsville-Snyder area and mixed-use commercial activities at the center. The College and the Town should continue to work together to ensure that



new development around the edges of the campus is designed to complement the surrounding neighborhoods.

### **Public Schools**

Public schools within the Town are operated by three school districts – Amherst Central, Sweet Home Central, and Williamsville Central – that consistently rank above average in New York State in student performance. Public schools are important resources as centers of community activity and for their educational contributions to Amherst’s status as a knowledge-based community. The Town should work with the school districts to develop arrangements for sharing facilities and programs that advance this status.

### **3.3.7 Recreation and Open Space**

This broad land use category comprises a variety of lands that will remain predominantly undeveloped. These lands include:

- **Public Parks, Recreation and Open Space**, comprising primarily of active and passive parks
- **Private Recreation and Open Space**, of which private golf courses are a major component
- Lands subject to environmental regulations that will largely preclude their development, including the **Floodways** designated by the Federal Emergency Management Agency (FEMA), and **Wetlands** regulated by the New York State Department of Environmental Conservation (NYSDEC)

Policies 3-13 to 3-15 and the Parks, Open Space and Trail Map (Figure 4) focus on the planned pattern of parks, greenways and other land areas that will remain protected from development through a variety of techniques, as described in the text for these policies. Nevertheless, it is useful to view these resources in the context of other land uses. Several issues are worthy of note:

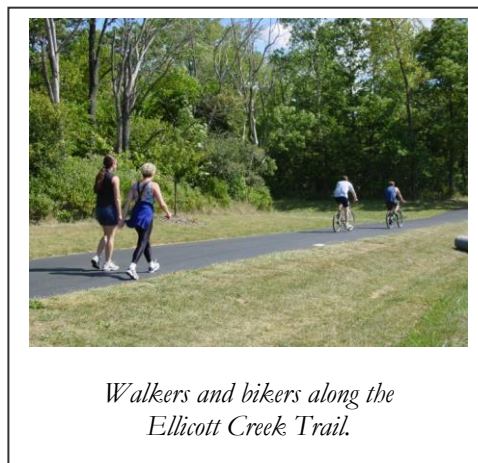
- The total proportion of open space within the Town
- The abundance of open space in north Amherst
- Opportunities to link open spaces as community-wide form-givers and as components of mixed-use centers

**Total proportion and distribution of open space:** The various categories of parks, open space, and environmental resources above represent some 22.5% of the total land area of the Town. This figure compares favorably with typical parks and open space ratios maintained in similar high quality communities. However, the distribution of these lands throughout the Town is uneven. A large proportion of the parks and open space resources lie within a relatively few very large sites, such as Nature View Park, the East Amherst Conservation Area, adjacent agricultural areas, Northeast Amherst between Millersport Highway Transit Road, and the Great Baehre Conservation Area. The bulk of these

designated resources and protected wetlands and floodways lie north of Maple Road. Conversely, there are few parks and other open space resources in the older, more densely developed areas of south Amherst. This reinforces the policy direction to seek opportunities to establish parks in older parts of town and to pursue greater joint utilization of school recreation areas. (*Amended 09-08-15; BCPA-2014-01*)

***Open space in North Amherst:*** Related to the distribution of parks and open space within the Town is the abundance of these uses in the northern part of Amherst. Comprising Nature View Park, the East Amherst Conservation Area, the Smith Road Open Space area, lands reserved for agriculture, the Ransom Creek Floodway, as well as several smaller parks, wetlands and golf courses, the remaining developable land east of Sweet Home Road and north and west of North French Road/I-990/Millersport Highway is limited and highly fragmented. This reinforces the policy direction to retain low density, rural residential patterns with reduced commercial development along roadways that should remain residential in character. It should be noted that the Ransom Creek Floodway traverses areas partially developed and designated in present zoning for residential and commercial use. While the floodway will form a “gap” in the pattern of development, it also provides an opportunity for an important greenway “linkage element” and serves as a natural “edge” to the largely developed suburban patterns to the south. Conversely, the large areas in north Amherst that will remain undeveloped and not served by public sewer reinforce the policy direction to cluster compact, efficient mixed-use development at convenient, highly accessible centers. Examples include the mixed-use centers designated for the vicinity of Millersport Highway/New Road/Smith Road and the North Audubon Parkway property. (*Amended 09-08-15; BCPA-2014-01*)

***Open space linkage opportunities:*** Opportunities should be sought to link parks and open spaces via trails, greenways, stream corridors, and scenic roads, thus integrating open space as a key component of the Town's character and quality of life. These opportunities are comparable in importance to the total proportion of open space and its distribution throughout the Town. Such opportunities are depicted on Figures 4, 5 and 6. Open space linkages may be located on lands that are publicly or privately owned, or a combination of the two. Some of these lands may be publicly accessible, and others may continue to be privately held and inaccessible to the public. While such lands may not be publicly accessible, they contribute to the overall open space network through both environmental and aesthetic benefits. Publicly owned trails and public lands or rights-of-way that could potentially accommodate a trail should not be sold or otherwise disposed of by the Town.



*Walkers and bikers along the Ellicott Creek Trail.*

As shown in Figure 4, two types of trails are proposed as linkages. Multi-use trails, such as the Ellicott Creek and Canal Trailway, are improved, paved paths with amenities such as shelters, water fountains and signs. These paths are active recreational facilities that are regularly maintained and patrolled by public safety officials. A second type of trail, “natural trails,” is also proposed. Natural trails are unimproved, publicly accessible corridors that traverse the Town and can serve as connections between public facilities such as schools and parks, and within recreation areas and neighborhoods. Natural trails, though unimproved, may require basic signage and maintenance to ensure public safety.

### **3.3.8 Agriculture**

Agriculture once played an important role in Amherst’s economy and way of life. While its economic influences have diminished in recent years, farming and agriculture continue to play a significant role in defining the character of Northern Amherst. Coupled with Policy 3-3, which calls for modifying the use of Suburban-Agriculture (S-A) zoning as a holding zone and Policies 7-3 and 7-4, which call for limiting future sewer extensions and creating a special district to maintain septic systems outside the sewer district, designation of areas in North Amherst for agricultural use is an important component in the pursuit of diverse community character. Ensuring the long-term viability of agriculture and farming operations is key to maintaining diverse neighborhoods, including those with rural character. The Plan designates areas where agriculture and associated activities provide a unique setting in the town, including:

- Agricultural Lands, included in Erie County Agricultural District #17
- Lands acquired or designated for acquisition through the Town’s purchase of development rights program, the Farmland Protection Program
- Lands adjacent to such areas where the long-term viability of agriculture may be threatened by inconsistent uses or infrastructure development that represents urban/suburban encroachment.

To support the agricultural area, the Town has developed a zoning district permitting agriculture and associated land uses that are complementary to farming. Additionally, a Rural Residential District designed for lands surrounding agricultural areas is intended to minimize impacts from incompatible uses on farming and are not adversely affected by farm operations. Although these districts are currently in the Amherst Zoning Code, they have yet to be applied in locations that are consistent with the Plan. *(Amended 09-08-15; BCPA-2014-01)*

### 3.3.9 Southeast Amherst

Although not identified as a focal planning area, Southeast Amherst has special planning issues due to the juxtaposition of intense office/commercial and residential uses. The area is surrounded by arterial highways (Sheridan Drive, Main Street, Wehrle Drive, and Transit Road) that have been improved or are programmed for improvement. The increased accessibility resulting from these roadway improvements will promote further pressures for growth and change in the area. (*Amended 09-08-15; BCPA-2014-01*)

*Southeast Amherst* has special planning issues and is the highest priority area for development of a Neighborhood Improvement Plan.

A plan for Southeast Amherst was last prepared in the 1980s and is now out-of-date. In recognition of the special challenges facing the area, Southeast Amherst should receive the highest priority for development of a Neighborhood Improvement Plan as discussed in Housing and Neighborhoods Policy 8-9. Key issues that should be addressed by the plan include:

- Transitions and buffers/landscaping between residential and nonresidential uses
- Increased street and pedestrian connectivity within and between residential neighborhoods, combined with measures to prevent “cut-through” traffic associated with nonresidential uses
- Increased recreational opportunities, including neighborhood parks and greenway/trail connections

As a “model” for the Town’s Neighborhood Improvement Program, the plan for Southeast Amherst should address compliance with the Conceptual Land Use Plan and the goals and policies of the Amherst Bicentennial Comprehensive Plan. It should contain an implementation element that specifies the actions to be taken to implement the plan and their time frames. These actions should include both regulatory changes and capital improvement projects to be implemented by the Town.

### 3.3.10 New Community District

The Audubon New Community was established in the 1970s through a contract between the Town of Amherst and the New York State Urban Development Corporation (now Empire State Development Corporation (ESDC) to accommodate development supporting the UB North Campus. Currently, New Community District (NCD) zoning extends north from the campus and undeveloped land across Millersport Highway to well north of North French Road between Sweet Home Road and Campbell Boulevard (see Figure 3). The Conceptual Land Use Plan indicates the proposed pattern of land uses within this area, including the establishment of University-related mixed-use centers on the two largest undeveloped properties in the District exclusive of Nature

View Park. The proposed land use pattern is intended to update the original Audubon New Community Plan in response to current conditions and the objectives of the Comprehensive Plan. As part of plan implementation, the Town should initiate discussions with the ESDC regarding the future status of the New Community District zoning and the termination of the current contract. A mechanism should be developed to ensure an orderly transition that eliminates the ESDC role in land use decision-making.