

ATTACHMENT B

Proposed Local Law for URAOD ZTA-2023-05

October 20, 2025

On June 27, 2022, the Town Board passed a resolution (2022-610) designating a portion of the Boulevard Central District as an Urban Renewal Area and for the Town Board to act as the Amherst Urban Renewal Agency (AURA). The Urban Renewal Area includes approximately 195 acres and 60 parcels, as shown in the map included as part of this proposed Local Law (see Attachment A). The Urban Renewal Area includes the Boulevard Mall which has been continually declining due to changing national and regional shopping trends leading to the loss of businesses, high vacancy rates, and diminishing property value. This was the impetus for defining an Urban Renewal Area to include the Boulevard Mall and various other declining commercial properties in order to spur redevelopment, increase the tax base, and provide amenities, businesses and transportation options to existing residents, while also creating a place to attract new residents and visitors.

On October 24, 2022, the Town Board passed a resolution (2022-1001) approving the Boulevard Central District Urban Renewal Plan to provide guidelines and a framework for the potential revitalization and/or redevelopment of certain blighted properties within the Urban Renewal Area. Also on this date, the Town Board passed a resolution (2022-124) to use its powers of condemnation in accordance with the provisions of the Eminent Domain Procedure Law of the State of New York (EDPL) to acquire some of these properties by eminent domain, specifically those parcels on which the Boulevard Mall currently sits and surrounding properties, to achieve redevelopment of the area and for public purpose in order to: (i) eliminate blight and transform the properties into a walkable, mixed-use, transit-oriented development acting as a community center for both the Town and the greater Buffalo region; (ii) improve the quality and appearance of non-residential development within the Town; (iii) encourage reinvestment and capital investment (public and private) in commercial corridors and residential neighborhoods; (iv) further the Town's plans of establishing a network of parks, open spaces, and greenway corridors; and (iv) establish the necessary site control required to implement the development goals in the Urban Renewal Plan and the Town's Comprehensive Plan for this area.

On January 30, 2023, the Town Board passed a resolution (2023-125) to adopt the determination and findings and brief synopsis in connection with the acquisition of the properties pursuant to Article 2 of the EDPL. The Town intends to issue Article 4 of the EDPL to vest/acquire the property at a later date.

In order to promote flexibility to achieve redevelopment of certain parcels in the Urban Renewal Area, the Town is creating an Urban Renewal Area Overlay District (URAOD) by using its authority granted by New York Town Law §261-c and the Municipal Home Rule Law. A URAOD is an overlay zoning district and supersedes certain requirements of the underlying base zoning districts in order to incentivize and support appropriate redevelopment that aligns with the Boulevard Central District Urban Renewal Plan. The URAOD will apply to an area and parcels as described in the Local Law (see Map). The Town Board finds that this approach will (a) promote the most appropriate uses in the Urban Renewal Area; (b) improve the design, character and quality of new developments; (c) encourage a harmonious and appropriate mixture of residential, commercial, and non-industrial uses; (d) facilitate the adequate and economic

provision of streets, utilities, and public services; (e) promote architecture that is compatible with the surroundings; and (f) provide suitable design responses to the specific environmental constraints of the site and surrounding area.

The URAOD process as described in the Local Law is identical to the current Site Plan Review Process carried out by the Town apart from for the following exceptions:

1. Information from the Urban Renewal Plan, may be considered, in addition to the Comprehensive Plan, in the Planning Board's ability to render decisions; and
2. Modifications to previously approved Site Plans include higher thresholds in certain cases whereby a review would be considered a Major or Minor Modification.

The URAOD also includes Development Standards language that intends to set the overall vision of the area and lays out aspects such zoning, streets and blocks, pedestrian and multi-use accommodations, parking, use, frontages, height, other design considerations, and open spaces.