

C O D E S T U D I O

MEMORANDUM

TO: Eric Gillert, Town of Amherst Planning Department

FROM: Colin Scarff

DATE: May 09, 2016

RE: Imagine Amherst: Documents Reviewed Memo (NYSERDA Task 3.1)

To familiarize ourselves with the Town of Amherst's current planning and regulatory framework, a variety of documents were reviewed. The Comprehensive Plan and the Zoning Code jointly serve as the Town's primary guidance for future land use and zoning decisions. In addition, a variety of related documents both support and enhance the Comprehensive Plan and the Zoning Code. Below are a list of documents that were reviewed to help us gain a better understanding for the current and future planning and development context in the Town of Amherst:

REGIONAL DOCUMENTS

- » Erie-Niagara Framework for Regional Growth (2006)
- » One Region Forward Plan (2015)
- » Buffalo Green Code (adoption draft)

TOWNWIDE DOCUMENTS

- » Chapter 203. Zoning Code (2006)
- » Context Sensitive Highway Design Report (2009)
- » Chapter 204. Subdivision Regulations (2009)
- » Amherst Creates Regional/Community Scale Zoning Codes Report (2010)
- » Amherst Comprehensive Plan (2015)
- » Amherst Comprehensive Plan Review Report (2012)
- » Proposed Zoning Code Text Amendment: Protecting Residential Property (2014)
- » Zoning Board of Appeals Variances 2010-2016 (2016)
- » Zoning Text Amendments 2006-2016 (2016)

NEIGHBORHOOD/AREA SPECIFIC DOCUMENTS

- » Eggertsville Action Plan (2000)
- » Synder Action Plan (2002)
- » Transit Road Corridor Management Report (2004)
- » Village of Williamsville Design Standards (2011)
 - › R-3M Multiple Dwelling Residential District (2015)
 - › Neighborhood Mixed Use (2015)
 - › Mixed Use
 - › Historic Landmarks
- » Main Street Corridor Market Study (2013)

Some of our initial thoughts after reviewing the background material include:

- » Limited planning work has been done by the Town at the neighborhood level. And what has been done is old and likely out-of-date.
- » The neighboring communities worth keeping an eye on during consideration of new approaches to zoning include the Village of Williamsville Design Standards and the Buffalo Green Code -- both innovative examples in the region.
- » Perhaps the most telling document reviewed was the list of Zoning Board of Appeals Variances granted since 2010. Building and vehicular use setbacks account for approximately 30% of all variances issued since 2010 (263 of 868). Sign-related variances accounted for almost 18% of all variances approved over the same time period (155 of 868). Together, setbacks and signs accounted for almost half all variances granted over the 6-year period. The Town is fundamentally issuing too many variances - this is an indication that there are underlying problems with the Zoning Code or the Zoning Board of Appeals is not following best practices in their consideration of variances.