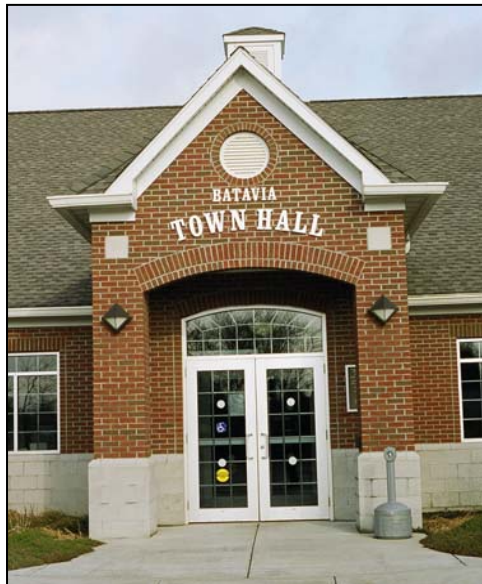


**Town of Batavia**

# **Comprehensive Plan Update**



***ADOPTED: March 28, 2007***

# Town of Batavia Comprehensive Plan

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# Town of Batavia Comprehensive Plan

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# INTRODUCTION

## Purpose

The purpose of the Town of Batavia Comprehensive Plan is to guide local officials and community members in making decisions that will affect the future of the Town. Future Town actions that will be based on the policies and recommendations in the Plan include revisions to zoning and other local laws and regulations, capital budgeting, and providing services to the community. The Comprehensive Plan addresses the full spectrum of issues facing the Town and balances competing needs and interests in the community.

## Legal Basis

The Comprehensive Plan has been prepared pursuant to NYS Town Law §272-a. Town Law §272-a specifies that the Town Board is responsible for preparing and adopting a Comprehensive Plan. As the law also permits the Town Board to delegate this responsibility to an ad hoc committee established for the express purpose of preparing Comprehensive Plans, the Town Board appointed a Comprehensive Plan Committee (CPC) to guide the preparation of the Comprehensive Plan.

The Comprehensive Plan is a policy document that does not, in itself, have the force of law. However, the Plan will influence changes in Town laws and regulations as well as funding decisions and other Town actions during the next 10 to 15 years. In particular, local zoning regulations must be consistent with the Comprehensive Plan.

## Relationship to Genesee County Smart Growth Plan

This Comprehensive Update was prepared in conformance with the “smart growth” principles referenced in the Genesee County Smart Growth Plan. These principles include:

- Promote the efficient use of land resources and infrastructure
- Maximize the benefit of existing infrastructure
- Promote economic development in appropriate areas
- Encourage revitalization within the developed areas, focusing on residential neighborhoods, downtown revitalization and re-use of environmentally damaged lands
- Protect prime agricultural soils and other natural resources and encourage the continued viability of agriculture

Upon its adoption by the Batavia Town Board, this Comprehensive Plan Update is expected to provide the basis for the Genesee County Legislature to continue to authorize the Town to review water system hookups for development in the Town of Batavia outside of designated Smart Growth Development Areas.

## **Summary of Genesee County Smart Growth Plan**

The Genesee County Smart Growth Plan was prepared in order to mitigate potential development impacts that would otherwise result from the extension of water service. The Plan delineates Development Areas within which development and re-development will be encouraged. Outside of the designated Development Areas, access to the County-funded portions of the County's water system<sup>1</sup> is subject to the policies and procedures specified in the Smart Growth Plan.

The Town of Batavia has been authorized by the County Legislature to review requests for water hook-ups that serve non-agricultural development outside designated Development Areas. In order to receive this authorization, the Town demonstrated that its legally adopted comprehensive plan was consistent with the principles of "smart growth."

The Town applies the following criteria to requests for water system hook-ups outside of designated Development Areas:

- Impacts on the viability of agriculture
- Consistency with County economic development goals
- Consistency with other available infrastructure
- Consistency with local comprehensive plans, zoning and other land use controls and development objectives
- Impact on Village/ City revitalization programs
- Does the proposal meet a pressing public health or other community need?

The Town is required to keep records to demonstrate that the criteria described above are applied to each request. The County Planning Department monitors hook-up decisions made by municipalities. The County Legislature may rescind the authority to approve hook-ups if the Town does not follow the principles of the Smart Growth Plan.

The Smart Growth Plan maps and recommendations are reviewed every three (3) years. Development Area boundaries may be revised based on changes in Agricultural Districts, local comprehensive plans and zoning districts, sewer and water service areas, and land development patterns.

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<sup>1</sup> The "County-funded portions of the County's water system" include all water lines that are constructed by the County, financially subsidized by the County, or supplied with water from a source built or subsidized by the County. These include all of the Town of Batavia's public water lines.

## **Previous Comprehensive Plans**

This document represents an update of the previous Comprehensive Plan, which was prepared in 1993 and adopted in 1997 by the Batavia Town Board. In preparing this plan, the CPC and its consultants used the 1993 Plan as a starting point. The CPC reviewed each of the goals and policies to determine whether they represent the Town's policy.

The CPC and its consultants also reviewed the 1967 Batavia Area Plan. This Plan included several recommendations to improve traffic circulation which were carried over into the 1993 Comprehensive Plan and this 2007 Comprehensive Plan Update.

## **Process of Preparing the Plan**

The Town of Batavia Comprehensive Plan represents the culmination of a planning process that began in March 2006. A Comprehensive Plan Committee met regularly between April 2006 and February 2007 to coordinate the preparation of the Plan.

Members of the CPC included Town staff and representatives from the Town Board, Planning Board, Zoning Board of Appeals and the community at large. Representatives from the City of Batavia and Genesee County also participated. The following persons participated in the preparation of the Comprehensive Plan:

- Kathleen Jasinski, Co-Chair
- Clint Worthington, Zoning Enforcement Officer
- Art Munger, Town Bookkeeper
- Paul McCullough
- Paul Marchese
- Gary Diegelman, ZBA Chairman
- Gordon Offhaus
- Mike Cleveland
- Mary Pat Hancock, County Legislature Chairperson
- James Duval, Director, Genesee County Planning Dept.
- Greg Post, Supervisor, Co-Chair
- Dan Underhill, Deputy Supervisor
- Chad Zambito, Town Councilman
- Steve Mountain, Town Engineer
- Rod Cook, Highway Superintendent
- Ray Tourt, City of Batavia Engineer
- Mike Pullinzi
- Dave Winters
- Dana Stringham
- Sharon White, Secretary

The Town retained Stuart I. Brown Associates, a planning and management consulting firm based in Rochester, New York, to facilitate the planning process and prepare the plan document.

## **Introduction**

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Public participation included a public hearing conducted by the Comprehensive Plan Committee on January 31, 2007 and a Town Board public hearing held on March 7, 2007.

Several CPC meetings also included roundtable discussions with representatives of various interest groups. Roundtable discussions were held on the following topics:

- Residential Development
- Economic Development
- Transportation
- Parks and Recreation
- Farmland and Agriculture
- Sewer, Water and other Utilities

## **Plan Organization**

The **Land Use Overview** presents an overview of the community, summarizes the issues addressed in each section, and shows how the individual topical areas relate to one another. It also presents an introduction to zoning and subdivision regulations, which are the primary tools available to the Town to help achieve the land use goals of the Plan.

A **Future Land Use Map** presents the Town policy regarding land use, and will be used as a guide in revising the Town's zoning map.

Topical sections of the Comprehensive Plan address the major issues identified by the community:

- **natural resources and environmental protection;**
- **farmland and agriculture;**
- **housing and residential neighborhoods;**
- **economic development;**
- **transportation and utilities; and**
- **government and community services, including parks and recreation.**

In each section, the Plan presents:

- **goals;**
- **background information;**
- **issues and opportunities;**
- **recommended actions.**

The **Implementation Strategy** summarizes the recommended actions by topic, with a proposed time frame, responsible agency, cost estimate, and potential funding sources. A summary of the recommended actions by time frame provides a year-by-year guide to implementing the Plan.

“**Sidebars**” within the Plan document present additional information that supports and/or provides the context for the recommendations in the Plan.

- Relevant Plans and Programs include summaries of plans prepared by the Town or other government agencies and descriptions of State or County government programs.
- Highlights of Roundtable Discussions summarize the issues and recommendations presented by residents and resource people who met with the CPC.
- Tools and Techniques present options for Town action to address issues of concern.

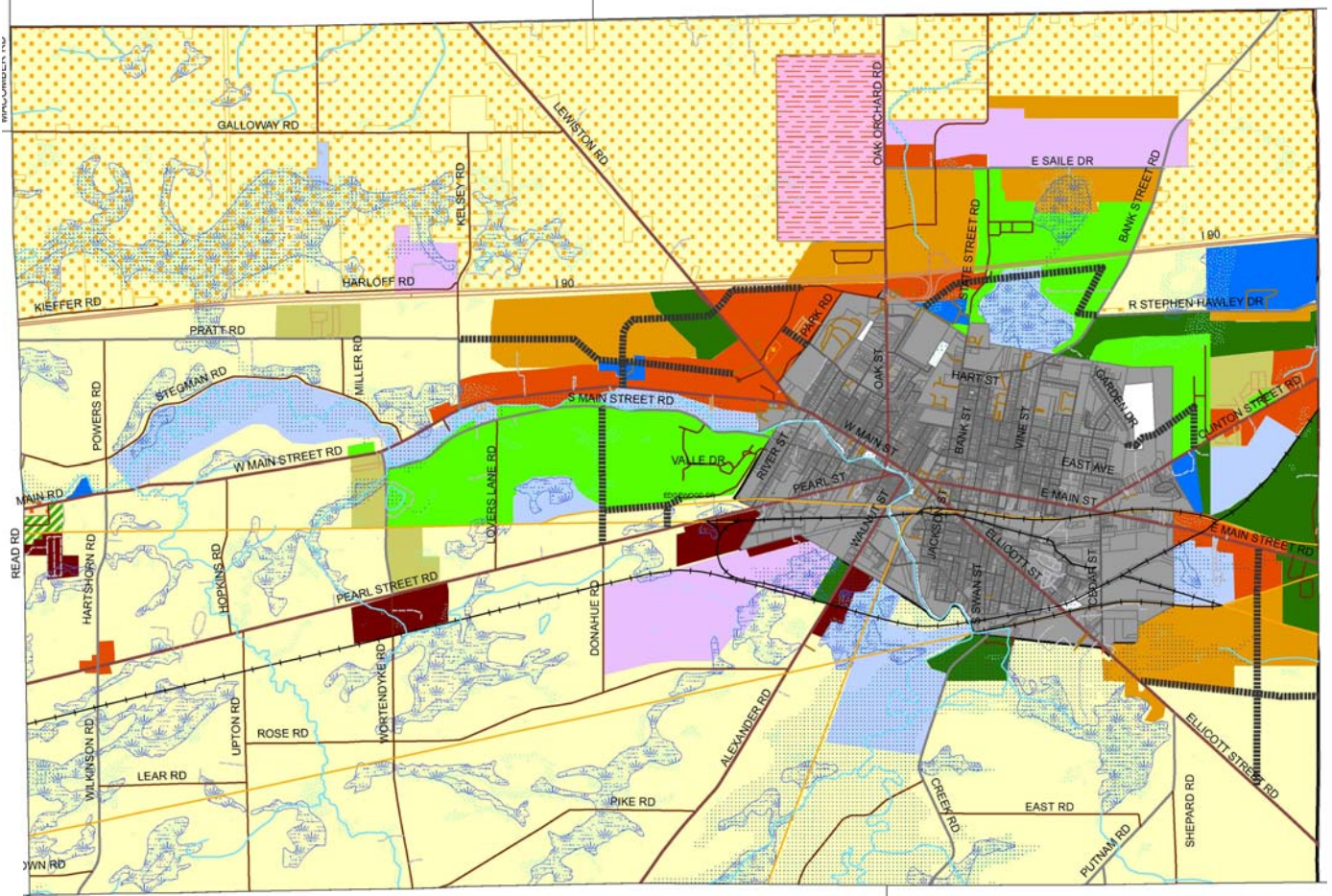
## Monitoring and Updating the Plan

The Town of Batavia is not static, but is in a constant state of flux and change. Over time, changes that occur in the community may render the Comprehensive Plan outdated or inappropriate if the Plan is not updated to take the changes into consideration. Accordingly, it is essential for the Town Board to monitor changes in the community and to reevaluate the relevance and appropriateness of the goals set forth in the Plan as well as the measures recommended to achieve the goals. The Plan should then be updated, as necessary, to appropriately revise the goals and recommended actions so that the Plan may continue to serve as useful and relevant guide for Town officials.

In communities that experience a slow rate of change, reviewing and updating the Plan at 5-year intervals may be sufficient. In communities that experience rapid change, the Plan may need to be reviewed and updated more frequently, perhaps at 2- or 3-year intervals.

The Town Board would be wise to enlist the Town Planning Board and other community representatives to assist with reviewing and updating the Plan, as they may have information and insight to assist the Town Board in determining how the Plan should be revised. As with the initial adoption of the Comprehensive Plan, future amendments to the Plan will require both environmental reviews to evaluate potential adverse impacts and public hearings to provide members of the public to comment on the proposed amendments.

# Land Use Overview



## GOALS

- ◆ Accommodate new development to meet demand, while protecting the Town's natural resources, rural character and agricultural land base.

# **Regional Orientation**

The Town of Batavia is located in central Genesee County, New York (see Map 1: Regional Setting.) The Town completely surrounds the City of Batavia, which is the County seat. The City of Batavia and adjacent land in the Town form a regionally significant hub for commerce, industry, health care and government services.

The New York State Thruway provides access to the cities of Buffalo, located 35 miles to the west, and Rochester, located 35 miles to the east. Thruway Exit 48 is located in the Town of Batavia immediately north of the City of Batavia.

Tonawanda Creek flows through the Town from the southern boundary, through the City and westerly through the western part of the Town. Tonawanda Creek is one of the sources of drinking water for City and Town residents and it frequently floods.

## **Existing Land Use**

Current land uses, based on 2005 tax parcel records, are depicted on Map 2: Existing Land Use. The map depicts the primary use of each parcel of land in the Town, based on the Assessor's classification.

More than one-half of the land area in the Town is occupied by agricultural uses. Agricultural uses include large-scale vegetable, grain and dairy farms, as well as small and part-time farms. Additional information is provided in the Farmland and Agriculture chapter.

Approximately 25% of the Town's land area is devoted to residential uses. The Town has an extensive variety of residential development, including recent subdivisions, manufactured home parks, farm houses, scattered rural residences and hamlet residences. Additional information is provided in the Housing and Residential Development chapter.

Commercial development of the Town of Batavia has occurred along transportation corridors to the west, north and east of the City of Batavia. Large retail businesses and plazas are situated along Veteran's Memorial Drive and West Main Street Road. Several hotels are located near the Thruway interchange. Smaller retail and service businesses are found along East Main Street Road and in the Hamlet of East Pembroke.

Industrial development includes manufacturing operations along Oak Orchard Road and East Saile Drive, O-At-Ka milk products manufacturing, a large mining operation southeast of the City of Batavia and a concrete forms plant in the Hamlet of East Pembroke. Additional information about commercial and industrial development is provided in the Economic Development chapter.

Several governmental and institutional facilities are located in the Town. These include a major Immigration and Naturalization Service (INS) detention facility located northwest of the Thruway interchange, the Town Hall and Highway Garage, the City of Batavia wastewater treatment facility, State Police, and County Highway Department. Numerous churches are also located in the Town. The Government and Community Services chapter provides additional information.

Large areas of the Town contain State or Federally regulated wetlands and/ or are subject to flooding. These areas are most suitable for wildlife conservation and open space uses. Floodplain areas are most suited to agriculture. Additional information is included in the Natural Resources and Environmental Protection chapter.

## Summary of Existing Zoning

Map 3 depicts existing zoning district classifications. The Town's zoning regulations and map were adopted by the Town Board and are enforced by the Town's Code Enforcement Officer.

The **AG-R Agricultural Residential** District covers most of the Town. Permitted uses include one- and two-family dwellings and manufactured homes on 20,000 sq. ft. lots (16,000 where public water is available). Multi-family dwellings, residential care facilities and boarding houses are permitted with a special use permit.

The **AG Agricultural** zoning district is located in the southwestern portion of the Town. This district permits one- and two-family dwellings and manufactured homes on lots with a minimum of 85,000 sq. ft.

The **R Residential** District is intended to accommodate primarily residential uses on lots with a minimum of 20,000 sq. ft., or 16,000 sq. ft. if public water is available. Small areas of residential zoning are located on West Main Street Road, Alexander Road and Clinton Street Road. Animal housing and the storage of manure are prohibited within the R-Residential zoning district and within 500 feet of the R District.

The **Commercial** districts are located along Park Road, Veterans Memorial Drive, Lewiston Road and West Main Street Road west of the City of Batavia, along Oak Orchard Road and West Saile Drive north of the City, and along East Main Street Road and Clinton Street Road east of the City of Batavia. Small commercially zoned areas are located in the Hamlet of East Pembroke and at the intersection of Pearl Street and Wilkinson Roads. A wide variety of business uses are permitted. Automotive uses, outdoor sales, truck terminals, automotive body shops and storage uses require a special use permit.

The **Industrial** districts encompass several large areas south of the City of Batavia, east of Oak Orchard Road, along East Saile Drive, at the intersection of Pearl Street Road and Wortendyke Road and south-east of the Hamlet of East Pembroke. A variety of processing, manufacturing and storage uses are permitted.

The **Industrial Park** district includes the sites of the Gateway I and Gateway II industrial parks.

Areas zoned **Manufactured Home Park** are located along Clinton Street Road east of the City of Batavia, northeast of the intersection of Pearl Street Road and Wortendyke Road, southwest of the intersection of West Main Street Road and Wortendyke Road, and on the north side of Platt Road.

Land along the south side of College Road, across from the Genesee Community College campus, has been zoned for **Planned Unit Development** to accommodate a proposed medical/ technical research/ business development.

A **Wellhead Protection Overlay** zone specifies requirements, to be applied in addition to the underlying zoning district, to protect drinking water supplies.

The zoning regulations include special conditions for several uses. These conditions must be met before the Code Enforcement Officer can issue a building or use permit. Certain uses, such as telecommunications facilities and adult entertainment uses, are regulated by separate local laws.

**Town of Batavia Tax Parcel Summary  
2005**

	# Parcels	Total Area (Acres)	% Total Land Area (Acres)	% Total Assess- ment
<b>Assessor's Property Classification</b>				
105 Vacant, Productive Agricultural Land	157	9,127.26	33.3%	2.2%
112 Dairy	13	1,447.20	5.3%	1.2%
113 Cattle, Claves, Hogs	1	91.50	0.3%	0.1%
120 Field Crops	43	3,657.22	13.4%	1.9%
130 Truck Crops - Muck	1	75.10	0.3%	0.1%
<b>Total Agricultural</b>	<b>215</b>	<b>14,398.28</b>	<b>52.6%</b>	<b>5.4%</b>
210 Single Family Residence	1,417	2,259.63	8.3%	49.1%
220 Two Family Residence	72	110.87	0.4%	2.5%
230 Three Family Residence	9	18.83	0.1%	0.3%
240 Rural Residence (>10 acres)	139	3,945.13	14.4%	5.6%
241 Residential, also used for agriculture	1	114.60	0.4%	0.0%
270 Manufactured Home	15	84.74	0.3%	0.2%
280 Residential Multi-Purpose	5	12.80	0.0%	0.2%
283 Residence w/ commercial use	7	1.15	0.0%	0.4%
411 Apartments/Condominium	8	20.03	0.1%	1.1%
416 Mobile Home Park	6	148.49	0.5%	1.6%
417 Camps, Cottages, Bungalows	1	1.00	0.0%	0.0%
<b>Total Residential</b>	<b>1,680</b>	<b>6,717.27</b>	<b>24.5%</b>	<b>61.0%</b>
300's Vacant	395	4,331.16	15.8%	2.2%
<b>Total Vacant</b>	<b>395</b>	<b>4,331.16</b>	<b>15.8%</b>	<b>2.2%</b>
400 Commercial	3	15.31	0.1%	0.1%
414 Hotel	2	14.39	0.1%	1.2%
415 Motel	11	26.25	0.1%	2.0%
420 Dining Establishments	2	3.09	0.0%	0.1%
421 Restaurants	3	5.82	0.0%	0.2%
422 Diners and Luncheonettes	4	5.24	0.0%	0.2%
423 Snack Bars, Drive-ins, Ice Cream Bars	3	5.77	0.0%	0.1%
424 Night Clubs	1	2.39	0.0%	0.0%
425 Bar	3	2.66	0.0%	0.1%
426 Fast Food Franchise	1	0.22	0.0%	0.1%
430 Motor Vehicle Services	5	24.37	0.1%	0.2%
431 Auto Dealer - Sales & Service	6	45.30	0.2%	0.6%
432 Service and Gas Station	3	1.81	0.0%	0.1%
433 Auto Body, Tire Shops, Other Related A	6	33.58	0.1%	0.3%
434 Automatic Car Wash	2	4.93	0.0%	0.2%
437 Parking Garage	1	2.50	0.0%	0.0%
450 Retail Services	4	14.04	0.1%	0.5%
453 Large Retail Outlets	9	85.03	0.3%	7.5%
455 Dealerships - Sales and Service (other th	2	4.40	0.0%	0.1%
460 Banks and Office Buildings	1	27.60	0.1%	0.1%
461 Standard Bank/ Single Occupant	1	5.50	0.0%	0.4%
464 Office Building	2	2.15	0.0%	0.1%
465 Professional Building	3	1.73	0.0%	0.1%
472 Dog Kennels, Veterinary Clinics	3	31.70	0.1%	0.1%
473 Greenhouses	1	1.14	0.0%	0.0%

**Town of Batavia Tax Parcel Summary  
2005**

481	Downtown Row Type (with common wall)	1	0.43	0.0%	0.0%
482	Downtown Row Type (detached)	1	0.17	0.0%	0.0%
483	Part Commercial/Part Residential	5	150.52	0.5%	0.2%
484	One Story Small Structure	12	15.75	0.1%	0.5%
485	One Story Small Structure (Multi-occupa	4	7.27	0.0%	0.2%
486	Mini-mart	1	0.17	0.0%	0.0%
522	Racetrack	2	14.80	0.1%	0.4%
532	Amusement Parks	1	17.60	0.1%	0.0%
<b>Total Commercial</b>		<b>109</b>	<b>573.63</b>	<b>2.1%</b>	<b>15.8%</b>
190	Fish, Game & Wildlife Preserves	1	11.60	0.0%	0.0%
534	Social Organizations	1	1.02	0.0%	0.0%
552	Public Golf Course	3	215.18	0.8%	0.6%
557	Other Outdoor Sports	1	12.20	0.0%	0.0%
612	Schools	1	28.60	0.1%	2.0%
613	Colleges & Universities	1	238.30	0.9%	5.5%
620	Religious Institution	3	45.80	0.2%	0.3%
650	Government	2	1.82	0.0%	0.0%
652	Government Office Building	2	25.40	0.1%	1.1%
662	Police and Fire Protection	2	16.42	0.1%	0.1%
690	Miscellaneous Community Services	2	0.57	0.0%	0.1%
694	Animal Welfare Shelter	1	1.20	0.0%	0.1%
695	Cemetery	2	32.10	0.1%	0.0%
910	Private Wild & Forest Land	1	40.60	0.1%	0.0%
920	Private Hunting & Fishing Clubs	1	64.80	0.2%	0.0%
963	Public Parks and Recreation Areas	1	8.00	0.0%	0.0%
<b>Total Public &amp; Community Service</b>		<b>25</b>	<b>743.61</b>	<b>2.7%</b>	<b>9.9%</b>
440	Storage, Warehouse, Distribution	3	7.67	0.0%	0.4%
441	Fuel Storage & Distribution	2	4.30	0.0%	0.1%
442	Mini Warehouse (Self-Storage)	1	4.90	0.0%	0.1%
443	Grain & Feed Elevators, Mixers, Sales	2	28.37	0.1%	0.4%
444	Lumber Yard, Sawmill	2	9.12	0.0%	0.2%
446	Cold Storage Facilities	1	7.50	0.0%	0.1%
447	Trucking Terminals	3	29.25	0.1%	0.3%
449	Other Storage, Warehouse, Distribution	8	55.67	0.2%	1.2%
700	Industrial	1	86.75	0.3%	0.1%
710	Manufacturing	7	90.25	0.3%	2.7%
720	Mining & Quarrying	5	178.39	0.7%	0.1%
<b>Total Industrial, Storage &amp; Mining</b>		<b>35</b>	<b>502.17</b>	<b>1.8%</b>	<b>5.7%</b>
822	Water Supply	1	13.60	0.0%	0.0%
833	Radio	11	10.50	0.0%	0.0%
852	Landfills and Dumps	1	97.60	0.4%	0.0%
853	Sewage Treatment and Water Pollution C	1	0.20	0.0%	0.0%
<b>Total Utilities &amp; Transportation</b>		<b>14</b>	<b>121.90</b>	<b>0.4%</b>	<b>0.1%</b>
<b>TOTAL:</b>		<b>2,473</b>	<b>27,388</b>	<b>100.0%</b>	<b>100.0%</b>

SOURCE: Real Property Tax Records provided by the Genesee County Planning Department

### Projected Land Use

Between 1990 and 2000, the population of the Town of Batavia decreased by 2.3%, from 6,055 to 5,915. During the same period, the Town experienced an increase in the total number of housing units, from 2,226 to 2,447. The average household size decreased from 2.8 to 2.5, which is consistent with national trends.

Based on the Census Bureau's estimate of population for 2004, the population of the Town increased by 1.6% between 2000 and 2004. If this trend continues, the population would be 6,069 in 2010 and 6,226 in 2020.

#### POPULATION TRENDS and PROJECTIONS

Year	Town of Batavia		City of Batavia		Genesee County	
	Total Population	% Change	Total Population	% Change	Total Population	% Change
1960	4,325		18,210		53,994	
1970	5,440	25.8%	17,338	-4.8%	58,722	8.8%
1980	5,565	2.3%	16,703	-3.7%	59,400	1.2%
1990	6,055	8.8%	16,310	-2.4%	60,060	1.1%
2000	5,915	-2.3%	16,256	-0.3%	60,370	0.5%
2010	5,954	0.7%	16,005	-1.5%	60,237	-0.2%
2020	5,970	0.3%	15,675	-2.1%	59,772	-0.8%
2030	5,954	-0.3%	15,336	-2.2%	59,274	-0.8%
2040	5,921	-0.6%	15,001	-2.2%	58,753	-0.9%
2004	6,011	1.6%	15,830	-2.6%	59,689	-1.1%

SOURCES: Historical data and 2004 estimate from U.S. Census Bureau; Projections by Genesee/ Finger Lakes Regional Planning Council

Although the population projections prepared by the Genesee/Finger Lakes Regional Planning Council underestimated the current growth trend, they acknowledge that "a good number of city [of Batavia] residents are projected to migrate into the Town of Batavia, which has a slight projected increase in population after losing 140 people between 1990 and 2000." Actual population growth will depend on the market for new housing development in the Town.

If the housing market is strong, the Town should plan to accommodate an additional 35 housing units per year for the next 20 years. At 2.5 persons per household, this would result in an increase in the Town's population to 6,221 in 2010 (5.1% increase) and 6,571 in 2020 (5.6% increase). At an average of one-half acre per housing unit, the Town would require approximately 350 additional acres for residential development. If the housing market is less strong, significantly fewer acres would be needed and the population would remain stable.

# Development Opportunities and Constraints

## Opportunities

The Town of Batavia has many assets that would help to attract the type of development that is desired in the Town. The following narrative summarizes the opportunities and constraints related to land use. More detailed information is provided in the topical chapters.

Land where both public water and sewer service are available offers considerable potential for new development. Such land is located:

- Along both sides of Lewiston Road south of the Thruway
- East of City, along College Road south of GCC
- East of City, between Stringham Drive and City boundary
- East of City, south of Clinton Street near Stafford Town boundary

Undeveloped land where water service only is available is located:

- West of City, area bounded by Woodland Drive, Pearl Street Road, Lovers Lane Road, and South Main Street Road
- Gateway Industrial Park (1 & 2)
- North of Thruway along west side of NYS Route 98

## Constraints

The presence of wetlands, flood hazard areas and soil limitations constrain development in many areas of the Town (see Map 6: Wetlands and Flood Zones and Map 10: Soils Limitations for Development in Chapter 3). The Town's closed landfill will not be available for development until the environmental remediation is complete.

Land within County Agricultural Districts is intended to be utilized primarily for agriculture. The State Agricultural Districts law discourages hookups to new water lines in areas within Agricultural Districts (see Map 12: Agricultural Districts and Smart Growth Development Areas). In addition, Genesee County's Smart Growth Plan includes provisions to limit hookups into the County's water system for properties outside of Development Areas.

The Tonawanda Aquifer and Tonawanda Creek are the sources of drinking water for the City and Town of Batavia (see Map 5: Streams and Watersheds and Map 7: Aquifers). A Wellhead Protection zone has been designated and regulations have been incorporated into the Town's zoning regulations (see Map 3: Zoning Districts).

# **Future Land Use Plan**

The Future Land Use Plan presents the Town’s “vision” for use of land within its borders. It delineates distinct areas within the Town and recommends ways to ensure the most appropriate land uses for each area, consistent with the goals of the Comprehensive Plan.

The Future Land Use Map is intended as a guide to the revision of the Town’s zoning regulations and zoning map. The Future Land Use Map delineates the following categories of land use:

- Agricultural/ Residential
- Agricultural Protection
- Residential
- Higher Density Residential
- Hamlet Residential
- Manufactured Home Park
- Hamlet Commercial
- Industrial
- Business/ Industrial
- Planned Business
- Government/ Community Services
- Transportation/ Utilities
- Open Space/ Conservation

The following narrative describes the location and existing uses within each of the future land use category, the issues affecting these areas, the relation of the future land use areas to existing zoning districts, and recommendations for zoning changes and other actions.

### **Agricultural/ Residential**

More than one-half of the land area in the Town is designated for future Agricultural/ Residential uses. These areas include most of the Town’s productive farmland. Suitable uses include agriculture and farm-related business uses. Residential development is suitable in these areas provided that it is designed to minimize potential conflicts with agricultural uses. Minimum lot sizes of 20,000 square feet or more (16,000 square feet where public water is available) would be suitable for residential development.

### **Agricultural Protection**

Areas designated for Agricultural Protection include large areas of contiguous, high quality farmland. These areas represent the Town’s highest priority locations for farmland protection programs such as purchase of development rights.

### **Residential**

The development of single– and two-family residential dwellings is encouraged to continue in and adjacent to areas that have already experienced the development of residential subdivisions. Areas identified for contin-

ued and/or future single-family residential development include:

- Land between South Main Street Road and Pearl Street Road, including Meadowbrook Estates and Woodland Drive developments and future expansions and land along Lovers Lane Road.
- Land north of Clinton Street Road, including the Stringham subdivision and potential future expansion.
- Land along State Street Road, including the Bennett Heights subdivision and potential future expansion.

Development in areas designated Single-Family Residential is envisioned to occur on lots with a minimum size of 20,000 sq. ft., with the potential to modify lot size to accommodate innovative subdivision designs.

### Higher Density Residential

Land designated “Higher Density Residential” is intended to accommodate existing and future residential development at densities of up to eight units per acre. A variety of residential types would be welcome in these areas, including single-family residences, townhomes, apartments and others. Land designated for “Higher Density Residential” use include:

- Land south of Clinton Street Road and along the west side of Seven Springs Road, including Terry Hills Golf View Estates
- Land along the west side of Seven Springs Road, north of East Main Street Road, including the Rollin’ Acres development.
- Land along the south side of College Road from Bank Street Road to the eastern Town line.
- Land along both sides of Creek Road and south of Lehigh Road, and land along the west side of Alexander Road between the southern City of Batavia boundary and the railroad tracks, provided that the integrity of the floodplain is preserved.
- Land along the west side of Lewiston Road (Route 63), south of the Thruway and northwest of existing and proposed commercial development.

### Hamlet Residential

Residential neighborhoods in the Hamlet of East Pembroke are designated as Hamlet Residential. These areas are developed with residences on lots of approximately 10,000 sq. ft. Zoning regulations for the Hamlet should provide for smaller setbacks, particularly for accessory buildings, than would be required in other residential areas. Future development in and around the Hamlet should be consistent with the historic development pattern.

### Manufactured Home Park

Several areas of the Town are designated for continued use as manufactured home parks. These are located:

- Along the north side of Clinton Street Road
- Along the north side of Pratt Road
- Between West Main Street Road and Pearl Street Road along portions of Wortendyke Road

## ***Land Use Overview***

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### Commercial

Land designated for Commercial use includes existing concentrations of commercial development as well as land proposed for new commercial development. These areas include:

- The triangular area bounded by Park Road east, Lewiston Road and the NYS Thruway, including Veterans Memorial Drive
- Land along West Main Street Road and Arena Parkway
- Land along East Main Street Road
- Land along portions of Clinton Street Road
- Land along the proposed roadway immediately east of the Thruway exit.
- Land along the west side of Oak Orchard Road (NYS Rt. 98) and along the north side of West Saile Drive.
- Land surrounding the intersection of Pearl Street Road with Hartshorn Road and Wilkinson Road

### Hamlet Commercial

Land along Main Road in the Hamlet of East Pembroke is suitable for smaller scale commercial development and a mix of commercial, office and residential uses. Land use regulations in these areas should limit the size of commercial structures and accommodate smaller lot sizes and setbacks than would be required in other commercial areas of the Town. This area would also accommodate a mix of commercial, residential and community service uses.

### Industrial

Areas designated for Industrial uses include:

- Land southeast of the City, including the existing O-At-Ka Milk Products facility, land in the designated Empire Zone
- Land north of the County Airport between State Street Road and Bank Street Road
- Land along the both sides of Wortendyke Road south of Pearl Street Road
- Land southeast of the Hamlet of East Pembroke
- Land northwest of the intersection of Oak Orchard Road (NYS Rt. 98) and the NYS Thruway
- Land along the south side of Pearl Street Road immediately west of the City of Batavia

### Business/ Industrial

Areas designated Business/ Industrial are appropriate for commercial, industrial, office and other business uses and may be able to accommodate a mixed use development. Current zoning includes Commercial, Industrial and Industrial Park. Each of these zoning districts is consistent with the Business/ Industrial classification. These areas include:

- Land along the south side of R. Stephen Hawley Drive, south of Genesee Community College. This area is currently zoned for Planned Unit Development and has been proposed for development as a medical/ technical research park.

- Land along West and East Saile Drive, including Gateway II Industrial park and existing and proposed commercial and industrial facilities
- The site of the proposed O-At-Ka agribusiness park, southeast of the City of Batavia.

Land south of the Thruway, north of existing development along the north side of West Main Street Road and west of proposed development along the southwest side of Lewiston Road.

### Planned Business/ Industrial

The area west of Route 98, north of Federal Drive, is proposed for Planned Business/ Industrial development. Rezoning and development in this area should take place in phases as demand warrants. Curb cuts onto Route 98 should be limited to encourage orderly development of this area from south to north. A mix of commercial, industrial, office and other businesses uses should be considered in this area.

### Government/ Community Service

Areas designated Government/ Community Service are intended for continued use by governments and other institutions. These areas include:

- The campus of Genesee Community College and adjoining lands utilized for College dormitories.
- The Batavia Town Hall and Highway Garage
- The Federal Immigration and Naturalization Service (INS) detention facility
- Board of Cooperative Educational Services (BOCES) facility on the west side of State Street Road immediately north of the City
- Grand View Cemetery, located on the south side of Clinton Street Road immediately east of the City

### Transportation/ Utilities

Areas designated for Transportation/ Utilities include:

- the Genesee County Airport;
- the Town of Batavia transfer station and the former Batavia Landfill; and
- the City of Batavia wastewater treatment ponds.

The Airport, wastewater treatment ponds and transfer station are expected to remain in public use for foreseeable future.

Environmental remediation at the former landfill property is in progress. Development of the site for other uses will not be permitted for several years.

### Open Space/ Conservation

Areas designated Open Space/ Conservation are intended for recreation and natural resource preservation. Most of these areas have significant constraints to development, including flood hazard areas and wetlands.

## ***Land Use Overview***

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These areas include:

- Genesee County Fairgrounds, located east of the City of Batavia south of East Main Street Road.
- Terry Hills Golf Course, located east of the City south of Clinton Street Road.
- Wetlands and flood hazard zones west of Creek Road south of the City.
- Wetlands east of Lovers Lane Road
- Flood-prone land along Tonawanda Creek south of Stegman Road in the western part of the Town
- Large wetlands and flood hazard areas located south of the Thruway east of State Street Road.

### **Infrastructure Plan**

The infrastructure improvements recommended in the Comprehensive Plan include new roads, additional water lines and expanded service areas for sanitary sewers. The proposed roads are intended to improve circulation and provide additional opportunities for economic development. Water line extensions are proposed in areas where existing residents utilize private water supplies that are inadequate due to poor quality and/or insufficient quantity. The expansion of sanitary sewer collection is intended to enhance opportunities for economic development.

### **Recreation and Open Space Plan**

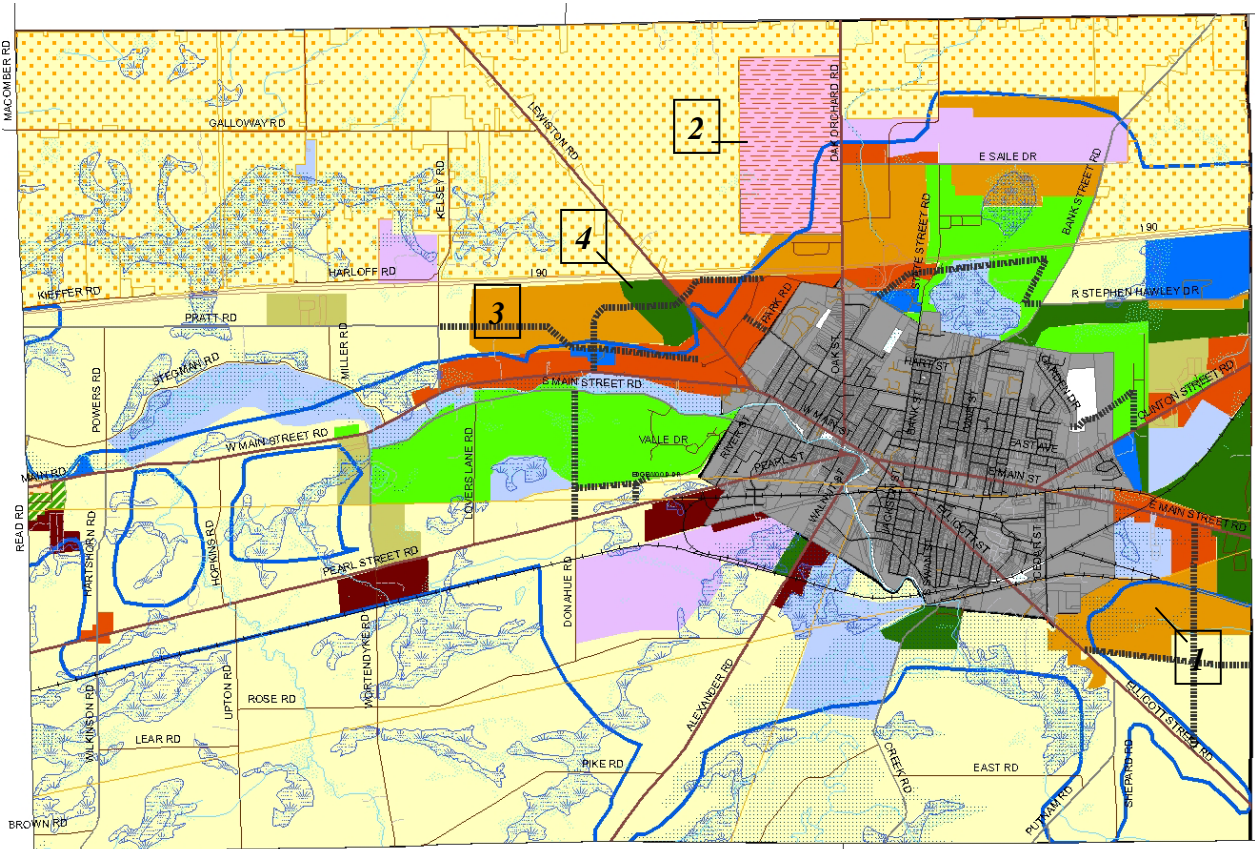
The Comprehensive Plan identifies opportunities for acquisition of land and/or rights-of-way for future recreational opportunities. The Community Facilities and Recreation section identifies existing public parks and private recreation areas, existing and potential trails, and areas or facilities that would be suitable for future public recreation uses.

### Relation to Smart Growth and Zoning

The maps on the following pages depict how the Future Land Use Map relates to existing zoning district boundaries and Genesee County's Smart Growth Development Areas. The following narrative summarizes the recommendations for modifications to the Town's zoning and the County's Smart Growth Development Area boundaries.

The Future Land Use Map designates several areas for future development that are outside existing Smart Growth Development Areas. The Town should work with Genesee County to update the Smart Growth Development Areas map when it is reviewed periodically. The timing of the revision will depend on market demand for development and the extent to which similarly zoned land within designated Development Areas has been developed. At the appropriate time, the Town should seek to modify the Smart Growth Development Areas for the following locations:

- 1) The expansion of the industrial area southwest of the City of Batavia, to accommodate the proposed O-At-Ka agribusiness park. A portion of this area is within of the County's Empire Zone and is proposed for agricultural-related industrial development.
- 2) The Future Land Use map proposes phased development along the west side of Route 98, as market conditions warrant and after land already within Development areas are developed.
- 3) Industrial development south of the NYS Thruway. Development of this area would require access improvements from West Main Street Road.
- 4) Higher-density residential development is proposed along the west side of Lewiston Road.



## **Land Use Overview**

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### **Zoning Implications**

The Future Land Use Map differs from the land use policies incorporated into the Town's existing zoning map in the following areas:

- 1) The existing Agricultural zoning district, located in the southwestern portion of the Town, is proposed to be eliminated.
- 2) A new Agricultural Protection zoning district, with effective regulations to encourage the continued agricultural use of high quality farmland, is proposed to be established north of the NYS Thruway.
- 3) Two new zoning districts are proposed for the Hamlet of East Pembroke. The area designated Hamlet Residential in the Future Land Use Map is currently zoned Agricultural/ Residential. The area designated Hamlet Commercial in the Future Land Use Map is currently zoned Commercial.
- 4) The Future Land Use Maps designates several areas as Residential that are currently zoned Agricultural/ Residential.
- 5) The Future Land Use Maps designates several areas as Higher-Density Residential that are currently zoned Agricultural/ Residential.
- 6) Commercial zoning is proposed to be discontinued along West Main Street Road and on the north side of Harloff Road.
- 7) An area north of West Main Street Road that is currently zoned Commercial is proposed for future Business, Industrial or mixed use.
- 8) Several areas that are zoned Industrial are designated Agricultural/ Residential, Transportation/ Utilities (sewage treatment ponds), and Open Space/ Conservation in the Future Land Use Map.
- 9) Expansion of Commercial areas are proposed along Lewiston Road, southeast of the Thruway interchange, along Clinton Street Road and at the intersection of Hartshorn, Wilkinson and Pearl Street Road.
- 10) The Future Land Use Map designates a large area west of Route 98 as Planned Business/ Industrial. A portion of this area is currently zoned Commercial and the remainder is currently zoned Agricultural/ Residential. Rezoning from Agricultural/ Residential is proposed to occur only after land south of this area is developed or to accommodate a large, economically beneficial development that requires a significant amount of this land.