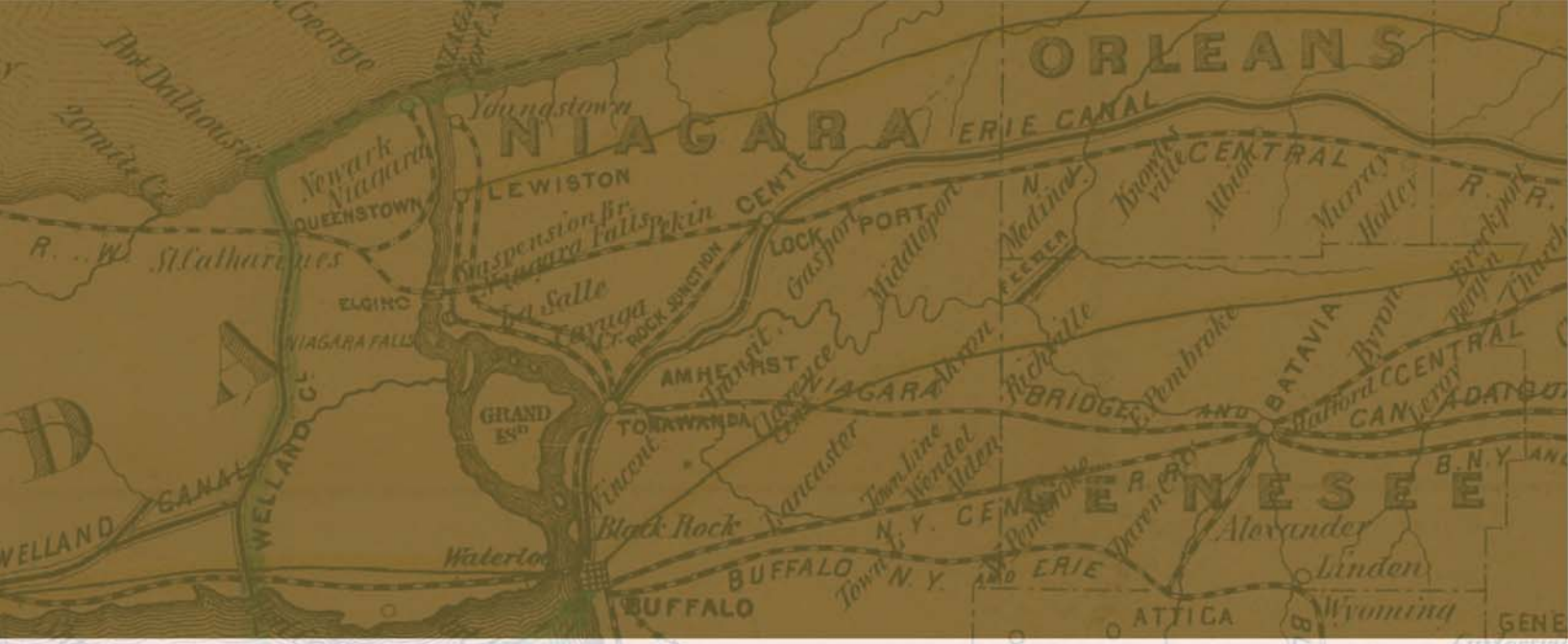

Framework *for* Regional Growth

ERIE + NIAGARA COUNTIES, NEW YORK

Final Report

October 2006

Table of Contents

FRAMEWORK *for* REGIONAL GROWTH

Chapter 1. Introduction	**1**
Chapter 2. Context & Challenges	**6**
Chapter 3. Guiding Growth & Investment	**30**
Chapter 4. Taking Action	**53**

LIST OF MAPS & FIGURES

Figure 1. Bi-National Context Map
Figure 2. Local Governments Map
Figure 3. Last Regional Plan Graphic
Figure 4. Expansion of Developed Areas Map
Figure 5. Population Change Map
Figure 6. Household Density Map
Figure 7. Household Density Change Map
Figure 8. Abandoned Housing
Figure 9. Undeveloped Lands Map
Figure 10. Vacant Retail Space
Figure 11. Rush Hour Traffic
Figure 12. Roadway Levels of Service Map
Figure 13. Rural Subdivision
Figure 14. Planning Policy Areas Map
Figure 15. Centers & Corridors Map
Figure 16. Natural Systems Map
Figure 17. Heritage Assets Map
Figure 18. Brownfield Site
Figure 19. Streetscape Improvement
Figure 20. Trail Sign
Figure 21. Retail Shops
Figure 22. Rural Housing
Figure 23. Outdoor Cafe
Figure 24. Fire Hydrant in Farm Field

LIST OF TABLES

Table 1. Western New York Population Change, 1999-2000
Table 2. Population Change by Development Area, 1900-1940, 1940-1960, and 1960-2000
Table 3. Changes in Population, Households and Urbanized Areas, 1980-2000
Table 4. Change in Households by Area, 1980-2000
Table 5. Sites Available for Industrial and Commercial Investment, 2006
Table 6. Sites Being Prepared for Investment Including Brownfields. 2006.
Table 7. Change in Number of Farms and Farm Acreage, 1987-1997
Table 8. Comparisons of Revenue-to-Expenditure Ratios for New York Communities
Table 9. Existing & Targeted Distribution of Households
Table 10. Density Assignments & Land Area Requirements
Table 11. Estimated Infrastructure Costs by Concept

1. Introduction

FRAMEWORK *for* REGIONAL GROWTH

1.1 FILLING A VOID

The absence of a region-wide vision for conservation, development, and public investment has become an increasingly central concern of the Region's leaders. For the past two to three decades—the last regional plan was completed in 1974—local and regional actions have occurred without the benefit of reference to a larger policy or planning framework. Important decisions regarding the location and pace of development, investments in economic development, the extension of sewer and water service, improvements to parks and major public facilities, and investments in transportation infrastructure have been made without a clear sense of how individual actions influence the Region's livability and economic vitality.

To fill this void, Erie & Niagara Counties have partnered to develop the Framework for Regional Growth. As envisioned by County leaders, the Framework establishes basic policies and principles to guide the future growth and development of the Region. Specifically, the Framework provides:

- a vision for how we wish the region to grow and redevelop over the next 15 years;
- direction regarding growth and redevelopment matters to county decision-makers and other regional organizations linked to the two counties via funding, membership, or other relationships;
- information on the ways local governments, private sector, and non-profit actions and initiatives can reinforce the overall regional vision; and
- mechanisms to insure that the goals, concepts, and recommendations of the Framework for Regional Growth are implemented in an efficient and accountable manner.

1.2 ADDRESSING CHALLENGES

Over the past 30 years, the region's economic vitality, community livability, and environmental quality have been seriously challenged. In addition to the effects of national and international-level influences—global competition and free trade, unfunded mandates from state and federal governments, and the rise of the sunbelt—decisions about the pace, pattern, and form of development have affected the region's ability to attract investment and retain talent. The combined effects of disinvestment and sprawling development has reduced the livability of older neighborhoods, eroded the competitive position of traditional centers of commerce and industry; increased fiscal stress; isolated low income, minority and elderly residents; and threatened the resources that make the region an attractive place to live—river and lake fronts, historic city, town, and village centers, and rural landscapes.

Framework Mission Statement

The Framework for Regional Growth is a document prepared and supported by Erie and Niagara Counties. It is to be utilized as a blueprint to support the actions of county and regional agencies relating to the area's physical development. It will also be used to inform state and local governments, private developers, and non-profit organizations about the process and actions County government could undertake when making decisions affecting the region's development.

The Regional Framework will help the Erie and Niagara Counties region make decisions about its growth and development on a coordinated and consistent basis. It will establish a framework for development within the region, and describe policies, programs, and projects that will encourage and facilitate development that is consistent with such framework. The Plan will help local officials coordinate their decisions so they can anticipate how one decision may affect another.

1.3 WORKING TOGETHER

Framework recommendations build on the recognition that the Region's communities cannot effectively plan in isolation or independently address important issues. Almost every challenge faced by a locality has a regional dimension. Local decisions and initiatives—economic development, transportation, education, public safety, environmental stewardship, land use, open space and farmland conservation, and housing affordability—influence and are influenced by the actions of other regional actors.

The Framework grows out of a formal agreement entered into by the counties in the Fall of 2002. At the direction of the Erie County Executive and Chairman of the Niagara County Legislature, a Steering Committee was formed and directed to lead an intensive planning and public engagement process. With assistance from County staff and a team of planners led by The HOK Planning Group, the Steering Committee studied regional patterns of growth and development, analyzed County powers and authorities, explored best practices from across the state and the country, and evaluated alternative scenarios for the Region's future.

The process involved collaboration with numerous regional entities and close coordination with ongoing planning and economic development initiatives, including the Regional Economic Development Strategy. The process also benefited from intensive engagement with community and regional stakeholders—through interviews and focus groups meetings, a web-based survey, dialogues with civic and community groups, and in large-scale public workshops, the Region's citizens shared their issues, concerns, and ideas for the future.

(A regional economic development strategy is being prepared as part of a separate effort. As that effort nears completion, the counties will ensure Framework and emerging economic development strategies are fully integrated and mutually-supportive.)

1.4 HOME RULE CONTEXT

The Framework recognizes both the different forms of government in effect in each County as well as the limits imposed on counties under New York State law. With traditional planning authority granted to municipal government, including the regulation of land use through zoning and land subdivision, the counties' direct influence on the region's development pattern is limited. While the counties review and comment on many local land use decisions, the authority to approve or disapprove proposals is in the hands of the Region's 64 independent municipal governments—the 3 cities, 25 towns, and 16 villag-

es in Erie County and the 3 cities, 12 towns, and 5 villages in Niagara County—and the two Indian reservations. For this reason, the Framework's recommendations focus on ways the counties can exercise their authorities to ensure more integrated and effective approaches to area-wide growth, development, conservation, and reinvestment.

The Framework is not intended to serve as a conventional zoning or land use plan or capital improvement program—recommendations regarding future residential or commercial zoning districts are not a part of the Framework nor are detailed recommendations concerning the extension of public utilities or investments in the transportation network. The Framework, however, is designed to help County and regional leaders make better policy and investment decisions, more effectively leverage limited resources, and provide more consistent direction and useful support to municipalities.

1.5 NOTES ON DATA SOURCES

The report draws heavily on land use and development data from the Geographic Information Systems (GIS) of the Erie County Department of Environment and Planning and the Niagara County Center for Economic Development. Additional information was gathered from both primary sources such as the US Census Bureau and US Geological Survey (USGS) and secondary sources such as the Greater Buffalo Niagara Regional Transportation Council, the University at Buffalo's Institute for Local Governance and Regional Growth, Empire State Development's State Data Center, the New York State GIS Clearinghouse, and the Library of Congress. The Institute for Local Governance and Regional Growth's State of the Region Report and Western New York Regional Information Network were particular useful sources, providing analyses of relevant data and gateways to additional datasets and studies. Recent reports prepared on behalf of the Erie Niagara Regional Partnership, Buffalo-Niagara Enterprise, the New York State Quality Communities Task Force, and the League of Women Voters Education Campaign on Sprawl also provided background for this report.

1.6 ACKNOWLEDGEMENTS

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2. Context & Challenges

FRAMEWORK *for* REGIONAL GROWTH

This chapter of the Framework offers an overview of the planning-related issues facing the region as it enters the early years of the 21st Century. Provided are a review of the regulatory and organizational context for regional planning, a review of the region's context, development history and demographics, and summaries of challenges addressed in subsequent chapters.

2.1 CENTRAL PLACE IN THE REGION

Although the counties do not directly influence patterns of development and public investment beyond their borders, understanding the region's place in the Western New York and Bi-National regions is important.

Bi-National Context. Erie and Niagara Counties occupy a strategic position at the center of a dynamic region. As emphasized in recent reports by Niagara Bi-National Region Economic Roundtable and the Urban Design Project/Waterfront Regeneration Trust, the counties benefit from their location in the middle of an internationally significant regional community and marketplace extending over 3,700 square miles from Toronto to Rochester and home to 3.2 million people.

According to the Roundtable report, the border location presents a host of advantages:

- access within a half-days drive to half of the U.S. and Canadian populations;
- the presence of industry leaders in information technology and data process, banking and financial services, telecommunications, automotive manufacturing, and food processing;
- a cluster of over 60 colleges and universities with enrolment of more than 300,000 students; and
- a unique and often under appreciated collection of significant historic and natural resources and cultural events and activities.

Figure 1. The region's Bi-National context.

Western New York. Erie and Niagara Counties serve as the urban centers of an eight county region referred to as Western New York. The region includes Erie and Niagara Counties and the surrounding counties of Chautauqua, Cattaraugus, Wyoming, Genesse, Allegany, and Orleans. With the exceptions of Wyoming and Orleans County, the region has experienced a drop in population over the last decade with declines most pronounced in Erie and Chautauqua County.

Table 1. Western New York Population Change, 1990-2000

			% Chg 90-2000	
	1990	*2000*	*#*	*%*
Allegany County	50,470	49,927	-543	-1%
Cattaraugus County	84,234	83,955	-279	0%
Chautauqua County	141,895	139,750	-2,145	-2%
Erie County	968,532	950,265	-18,267	-2%
Genesee County	60,060	60,370	310	1%
Niagara County	220,756	219,846	-910	0%
Orleans County	41,846	44,171	2,325	6%
Wyoming County	42,507	43,424	917	2%
Western New York	1,610,300	1,591,708	-18,592	-1%

Source: US Census Bureau

2.2 INFLUENCE BUT LITTLE DIRECT CONTROL

In New York State, traditional planning authority resides with municipal government. While New York State public authorities and counties have opportunities to influence regional patterns of growth and development in several important ways, their power to directly affect land use and development is limited.

The state's Municipal Home Rule, City, Town, and Village Laws delegate the power to regulate land use and authorize land subdivision to municipal governments. In the Erie-Niagara Region, such powers are exercised by 64 independent municipal governments—the 3 cities, 25 towns, and 16 villages in Erie County and the 3 cities, 12 towns, and 5 villages in Niagara County. Counties have the ability to review and comment on many local land use decisions, but not the authority to approve or disapprove proposals.

Though counties are not delegated authority to directly regulate land use, their exercise of other powers has an important influence on regional patterns of growth and development. As reported in John Nolan's Well Grounded: Using Local Land Use Authority to Achieve Smart Growth, state law provides for the following:

- General Municipal Law Section 239-c empowers counties to create and fund county planning boards or, in conjunction with other counties or municipalities, regional planning councils;
- General Municipal Law Section 239-c(3) authorizes county planning boards to conduct planning and research activity and to adopt a comprehensive plan;
- General Municipal Law Section 239-c(3) authorizes the county planning board to recommend to local governments how those municipalities should zone certain lands;
- General Municipal Law Section 239-c(3) also authorizes county planning boards to provide technical services, including the drafting of comprehensive plans and land use regulations, to local governments. (Additionally, this section provides counties with the authority to enter into intermunicipal agreements with local governments to perform on behalf of a city, town or village ministerial functions related to land use planning and regulation);
- General Municipal Law Section 239-e authorizes counties to adopt official maps showing present and proposed county roads, rights of way, and facilities, and to restrict private construction on lands proposed for public facilities. (The county official map can serve as the official map of a municipality that has failed to adopt one).
- General Municipal Law Sections 239-m and 239-n require local governments to refer certain land use matters to county or

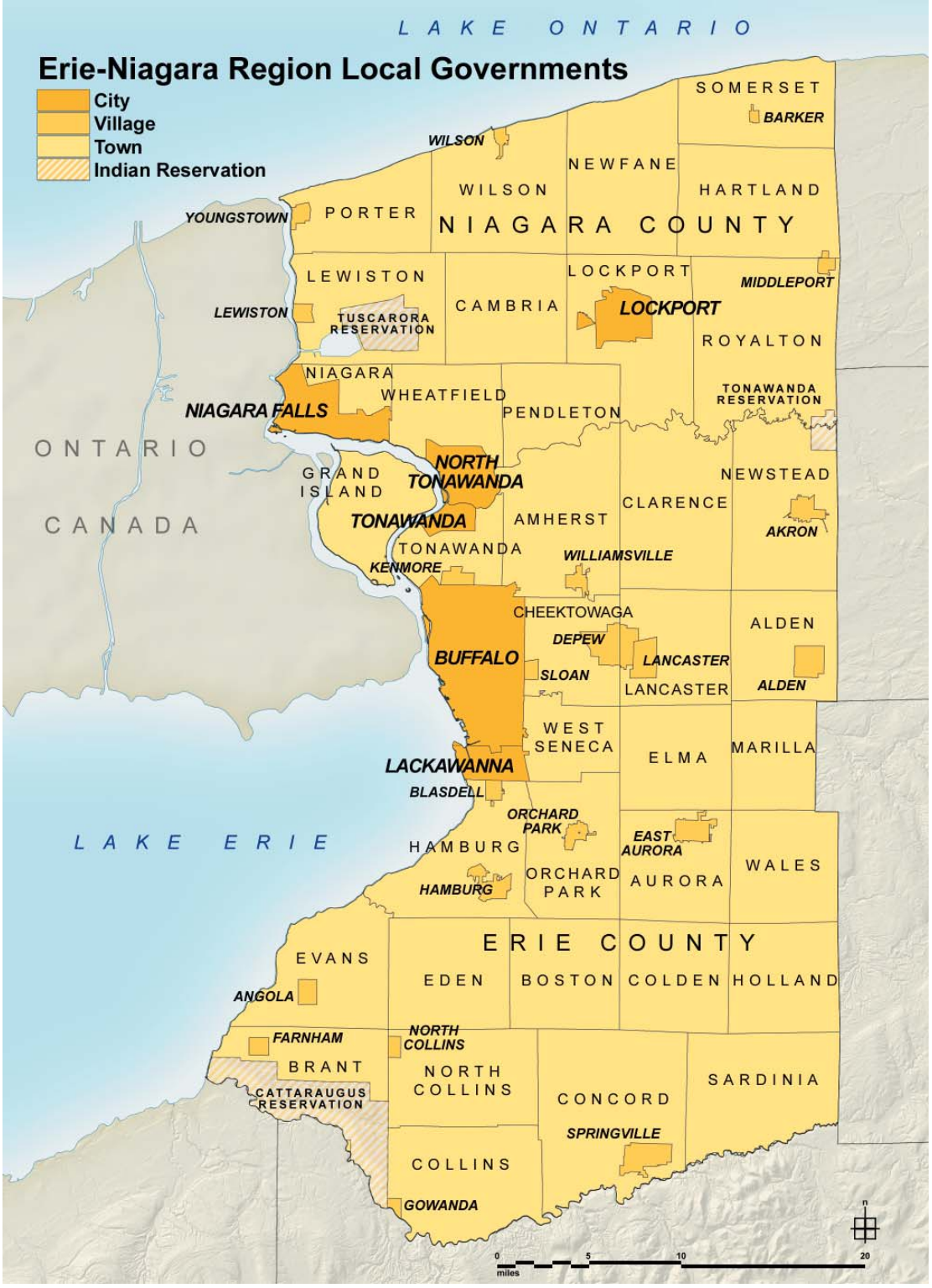

Figure 2. Erie-Niagara Region local governments and reservations.

regional planning board in their area before taking final action on them;

- County Law Sections 250 et seq. authorizes counties to create water and sewer districts, condemn land for their projects, and create taxing districts to pay the capital and operating costs of the facilities;
- Public Health Law Section 1116(1) provides county health departments with binding authority to approve water facilities of proposed subdivisions within the county. (The law prohibits the sale of any subdivided lots until such approval is obtained);
- Soil and Water Conservation District Law Section 5 enables counties to create and assist soil and water conservation districts for the purpose of conserving soil and water resources, improving water quality, and preventing soil erosion and land inundation by floodwaters;
- A 1992 Informal Opinion of the Attorney General describes the authority counties have to assist in the planning, development and construction of affordable housing for low- and moderate-income persons.;
- Environmental Conservation Law Section 24-0501(4) and Section 34-0106 give counties authority to adopt, respectively, wetlands and coastal erosion regulations enforceable in municipalities that fail to adopt their own regulations in these areas;
- General Municipal Law Section 119-o(1) provides municipal corporations, including counties, with express statutory authority to enter into, amend, cancel, or terminate intermunicipal agreements for the performance of their respective functions, powers, and duties;
- General Municipal Law Section 119-u(2)(b), General City Law Section 20-g(2)(b), Town Law Section 284(2)(b), Village Law Section 7-741(2)(b), and County Law Section 239-d authorize municipalities to enter into intermunicipal agreements with counties to receive professional planning services and administrative assistance from county planning agencies;
- NYCRR, Title 6, Part 617, Sections 1, 11, and 12 defines the environmental authority of involved and interested agencies, including county governments under the State Environmental Quality Review Act (SEQR); and
- Article 47 of the Environmental Conservation Law authorizes counties to establish environmental management councils that are empowered, among other functions to maintain and inventory open space and natural resources, to recommend ecologically sound methods of planning to use the county's resources, and to assist in the review of proposals.

Communities in New York also have extensive authority to cooperate with one another to accomplish their land use objectives. State enabling legislation, Articles 12-B and 5-G of the New York State General Municipal Law,

provides authority for localities to undertake the following:

- create regional or metropolitan planning boards and joint-purpose municipal corporations;
- adopt multi-jurisdictional comprehensive plans, zoning laws, and land use regulations;
- combine local land use agencies; and
- enter into joint enforcement and monitoring programs.

State law also allows for counties and regional planning boards to review certain local actions, collaboratively administer programs and deliver public services, and provide technical assistance and advisory services to constituent municipalities.

State law also provides counties with the option to operate as charter counties under the County Charter Law. Under this law, Section 33 of the Municipal Home Rule Law, counties may adopt charters to create unique administrative structures and programs and to adopt laws to meet their particular circumstances. (Erie County's adoption of a charter resulted in the creation of the county executive form of government. Niagara County is a non-charter county and, as such, operates under a county legislature.)

Unlike a non-charter county whose laws must be consistent with general state laws, a charter county has the authority to enact laws inconsistent with the general laws of the state but consistent with the state constitution. For example, as a charter county, Suffolk County allows its Planning Commission to veto town zoning changes, even though this directly conflicts with the provisions of General Municipal Law section 239-m. In Westchester County, the County passed a home rule law eliminating the requirement that local governments approve actions that were disapproved by the county planning board.

2.3 ABSENCE OF A REGIONAL PLATFORM

Since the early 1990s, when the Erie-Niagara Counties Regional Planning Board was dismantled, the region has not had a single, bi-county authorized platform to address regional planning, development and conservation issues. Although important regional work is done by a number of existing organizations and ad hoc partnerships, several important planning functions have fallen through the cracks.

In the last 10 years, several organizations have filled segments of the void left by the closure of the Regional Planning Board. The county legislatures jointly created the Erie Niagara Regional Partnership (ENRP) to conduct special studies and administrate regional programs. The Institute for Local Governance and Regional Growth's (ILGRG) State of the Region initiative and other research has elevated the quality of public debate around planning issues and the

Western New York Regional Knowledge Network has become a valuable repository and clearinghouse for regional information.

Despite the success of these and other bi-county and multi-jurisdictional initiatives, the region's communities do not enjoy access to the full range of services and assistance available in other metropolitan areas. The Erie-Niagara region is one of a just a few metropolitan regions in the country without an active regional planning organization. Items not being accomplished include:

- coordination of bi-county planning initiatives and advocacy for region-wide planning, conservation and development programs and initiatives;
- provision of technical assistance including the preparation of model regulations and guidelines, training of local planning officials, preparation of special planning and design studies, assistance with grant-writing and program administration, and assistance with development review;
- coordination of the extension, improvement, and maintenance of regional utility and transportation systems;
- tracking, evaluation, and reporting of development and conservation activity and support for regional projections of population and employment; and
- education and awareness activities focused on planning, development and conservation issues, including research and reporting on issues of regional significance.

Figure 3. Land Use Concept Map from the last regional plan.

2.4 FEWER PEOPLE, MORE DEVELOPED AREA

A Century of Dramatic Change

Since the turn of the last century, the regional pattern of development has changed dramatically. As population doubled over the course of the 20th century, the pattern evolved from a loose network of relatively independent urban and agrarian centers into a single metropolitan region of interconnected communities.

- ***19th Century Settlement.*** As illustrated in historic maps, the region's early settlements were established at strategic locations on the region's rivers, lakes, and the evolving network of canal, rail, and surface travel routes. The earliest settlements developed as compact centers of commerce, industry, and culture with relatively dense neighborhoods surrounding mixed-use cores. By 1900, the region's population reached 500,000, with residents clustered in early settlements and on small farmsteads distributed across rural areas.
- ***1900-1940: Early 20th Century Compact Development.*** During the early years of the 20th century, the region's population boom continued—from 1900 to 1940, the combined populations of the counties increased by 88%, from 509,000 to 958,000. Growth during this period was accommodated in compact extensions to traditional settlements, including early 20th century suburbs with a mix of housing types; industrial, civic and institutional districts; and neighborhood-serving commercial centers and corridors.
- ***1940-1960: Mid Century Suburban Expansion.*** The region's mid-twentieth century suburban neighborhoods developed to meet rising demand for housing following World War II. From 1940 to 1960, the region added 348,000 residents and reached a total population of just over 1.3 million. The post war population boom coupled with flight from inner-city neighborhoods fueled the development of numerous new neighborhoods built at lower densities than older neighborhoods and with less direct access to central business districts and traditional commercial corridors. The region also witnessed the first wave of suburban commercial development—strips of commercial uses along major roads with buildings set back from the road, front-yard parking, and minimal provisions for pedestrians.
- ***1960-2000: Late Century Growth & Decline, Continued Expansion.*** Suburban areas continued to expand through the 1970s, 1980s, and 1990s despite an overall decline in population. Between 1960 and 2000, the region lost 137,000 residents or 10.5% of its total population, with cities and villages experiencing significant losses. Late-century development followed conventional suburban patterns with curvilinear streets, segregated commercial and residential uses, few interconnections between adjacent neighborhoods, and little diversity in housing. Newer neighborhoods are served by commercial, civic, and institutional uses

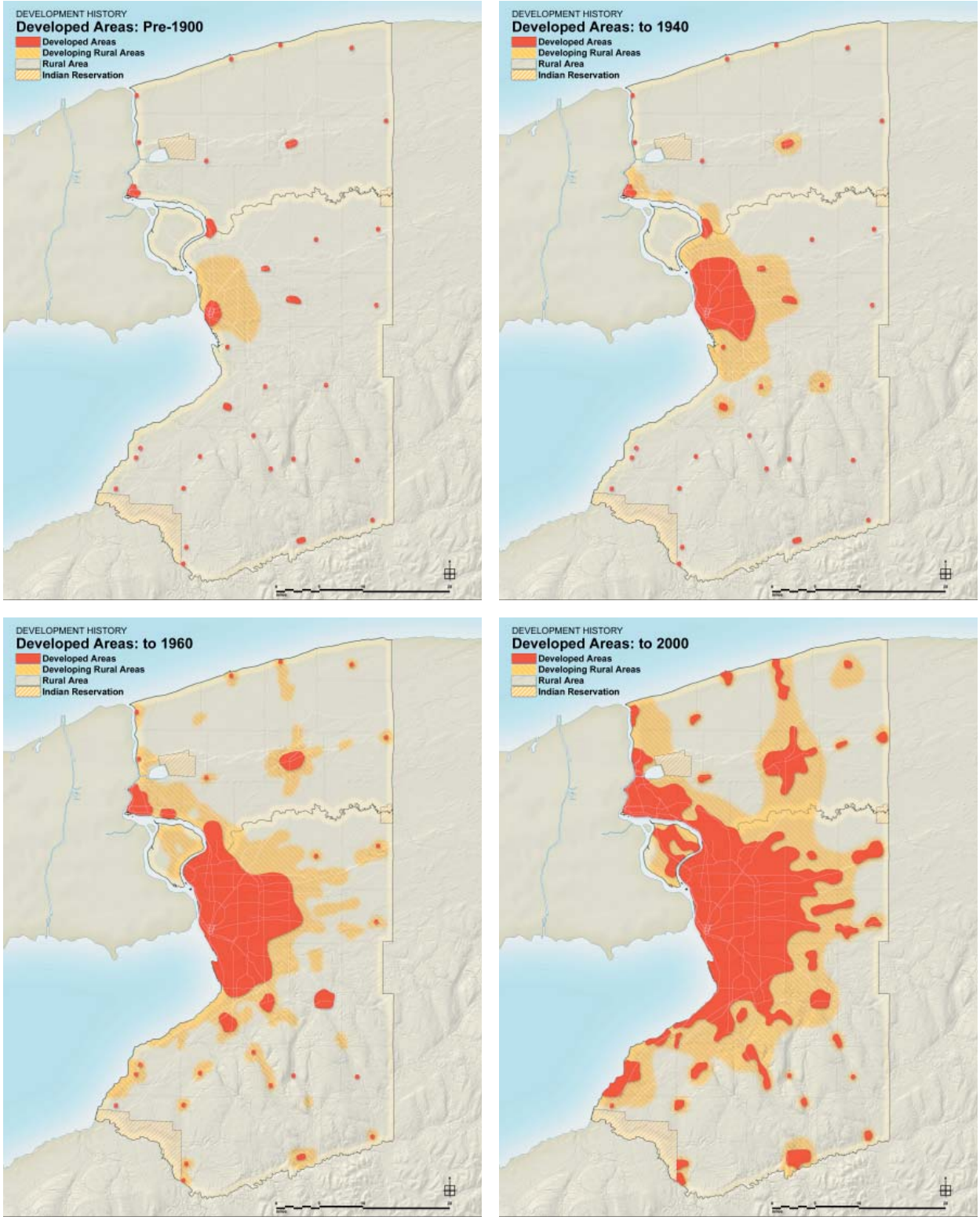

Figure 4. Maps illustrating the expansion of the region's developed areas. (The HOK Planning Group)

Table 2. Population Change by Development Era, 1900-1940, 1940-1960, and 1960-2000

	1900	*1940*		*1960*		*2000*	
	#	*#*	*% 00-40*	*#*	*% 40-60*	*#*	*% 60-00*
Erie County	433,686	798,377	84.09%	1,064,688	33.36%	950,265	-10.75%
Niagara County	74,961	160,110	113.59%	242,269	51.31%	219,846	-9.26%
Region	508,647	958,487	88.44%	1,306,957	36.36%	1,170,111	-10.47%

Source: US Census Bureau.

lining major roads. Unlike traditional commercial districts, with mixed uses and buildings oriented towards public sidewalks, this new form development tends to be less dense, less well connected to adjacent neighborhoods and commercial areas, and more reliant on automobile travel for access.

Little Growth, Lots of Sprawl

In the last half of the 20th Century, the region's urbanized area (as defined by the US Census Bureau) nearly tripled in size, expanding from 123 square miles in 1950 to 367 square miles in 2000. Despite only a modest increase in population over the same 50 year period, a little over 7 percent, residential, commercial, and institutional uses spread outward from the region's traditional centers to occupy large areas of the Towns of Niagara, Lockport and Wheatfield in Niagara County and Amherst, Clarence, Lancaster, Orchard Park, and Hamburg in Erie County.

During the last two decades, expansion of the urbanized area has occurred at a pace much greater than the rates of change in population and households. Since 1980, the region's urbanized area increased 38 percent, while households increased by only 5.5% and population declined by 5.8%.

The increase in number of households is due to a drop in average household sizes over the past 20 years. Though this phenomenon of fewer people per household contributes to higher demand for housing, it doesn't fully explain the pace and extent of the urbanized area's expansion.

An important research document prepared by the Brookings Institution in December 2003 entitled *Vacating the City: An Analysis of New Homes vs. New Households* cites that in the 1990s housing construction exceeded household growth by nearly four to one. The report stresses that the more new housing occurs without household growth the greater the abandonment of units within inner city areas. This is occurring in the cities of Buffalo and Niagara Falls.

Baby Boomer Downsizing

A looming issue within the region over the next ten years is the possible value decline of

Table 3. Changes in Population, Households and Urbanized Area, 1980-2000

	1980	*1990*	*2000*	*1980-2000*	
	#	*#*	*#*	*# chg*	*% chg*
Population (total persons)	1,242,826	1,189,340	1,170,111	-72,715	-5.85%
Households	445,193	460,324	469,719	24,526	5.51%
Urbanized Area (square miles)	266	286	367	101	37.97%

Source: US Census Bureau, 1980-2000.

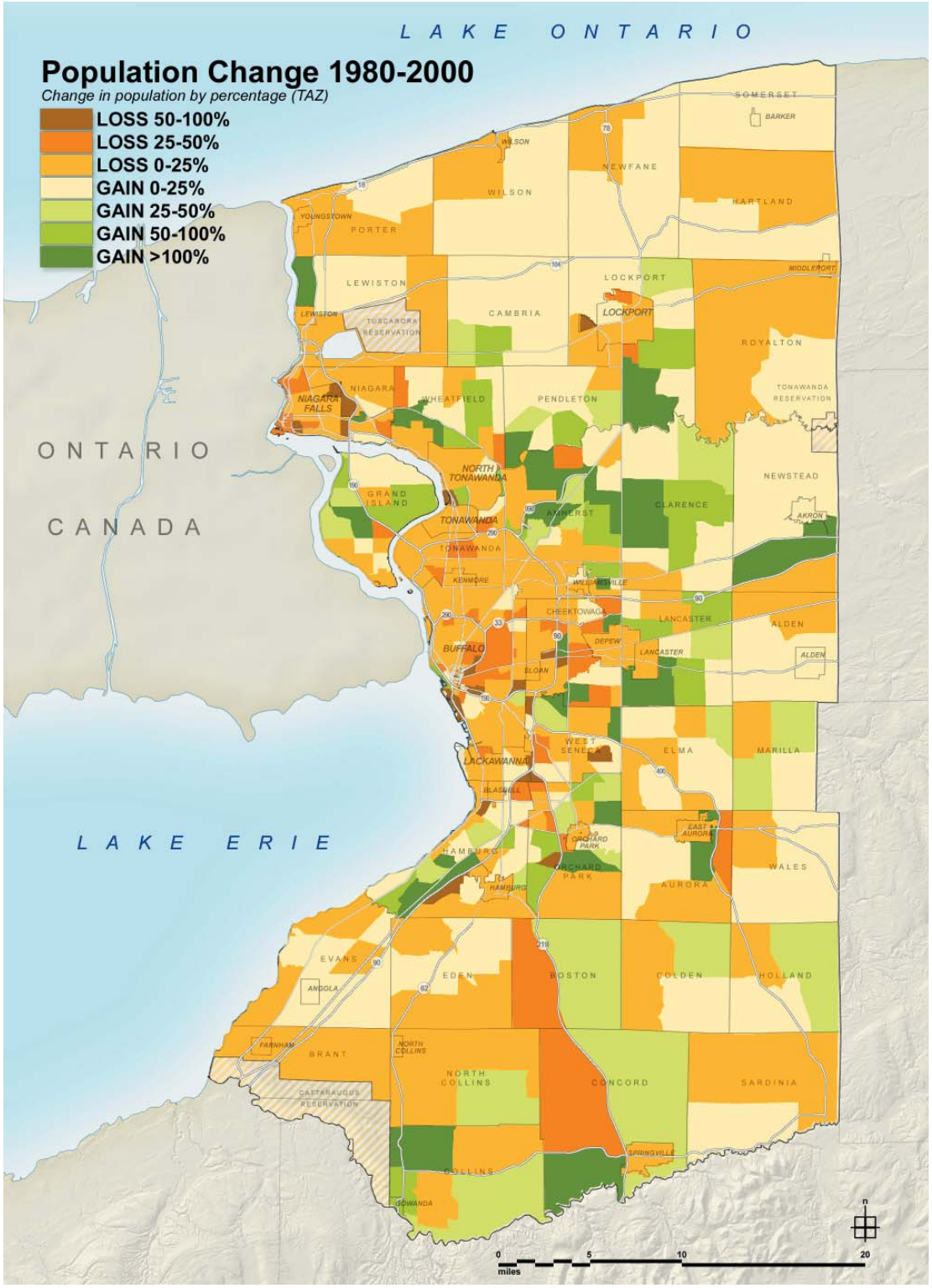

Figure 5. Change in population from 1980 to 2000. (Census Bureau and GBNRTC)

large, newer homes in the developing area. This could result from a desire to downsize by existing homeowners as their household size decreases and there is an increase in homes available for sale. Weaker demand for the large homes due to a declining market base and rising gas prices could stress the property tax base within developing communities over the next ten- to fifteen-year period.

2.5 DECLINING DENSITY & DISINVESTMENT

The progressive shift of population and households from the region's traditional urban and rural centers is having a direct effect on the livability and economic vitality of the region's older communities. Where population and household decline is greatest, housing values are dropping, demand for retail and commercial services is eroding, and in the most extreme cases, housing stock is deteriorating and being abandoned.

Development Density

In the region's urban and suburban communities, household densities vary greatly—from 5 or more households per acre (3,200 or more households per square mile) in the most densely settled areas to 1 household per acre (640 households per square mile) in the least densely settled. Density tends to correspond to the age of development, with the earliest settled residential areas in Buffalo, Niagara Falls, Lockport and their first ring suburbs having the highest densities and the more recently developed areas having the lowest. In terms of individual localities, the City of Buffalo tops the list with just over 3,500 housing units per square mile, the villages of Williamsville and Sloan are next with a little over 2,000 per square mile each, and Niagara Falls ranks fourth most dense with 1,980 per square mile.

Change in Households by Area

To better understand the broad patterns of disinvestment and development in the last 20 years, changes in the regional distribution of households were analyzed using U.S. Census data and the geographic Policy Areas described in Chapter 3. Between 1980 and 2000, the number of households in the region's Developed Areas increased

Table 4. Change in Households by Area, 1980-2000

	1980	*1990*	*2000*	*Chg 1980-2000*	
Developed Area	#	#	#	#	%
Erie County	323,048	328,287	325,199	2,151	0.7%
Niagara County	59,839	61,594	60,465	626	1.0%
Developed Area	382,887	389,881	385,664	2,777	0.7%
Rural Area					
Erie County	42,114	47,732	55,674	13,560	32.2%
Niagara County	20,530	23,094	27,381	6,851	33.4%
Rural Area	62,644	70,826	83,055	20,411	32.6%

Source: US Census Bureau, GBNRTC, the HOK Planning Group.

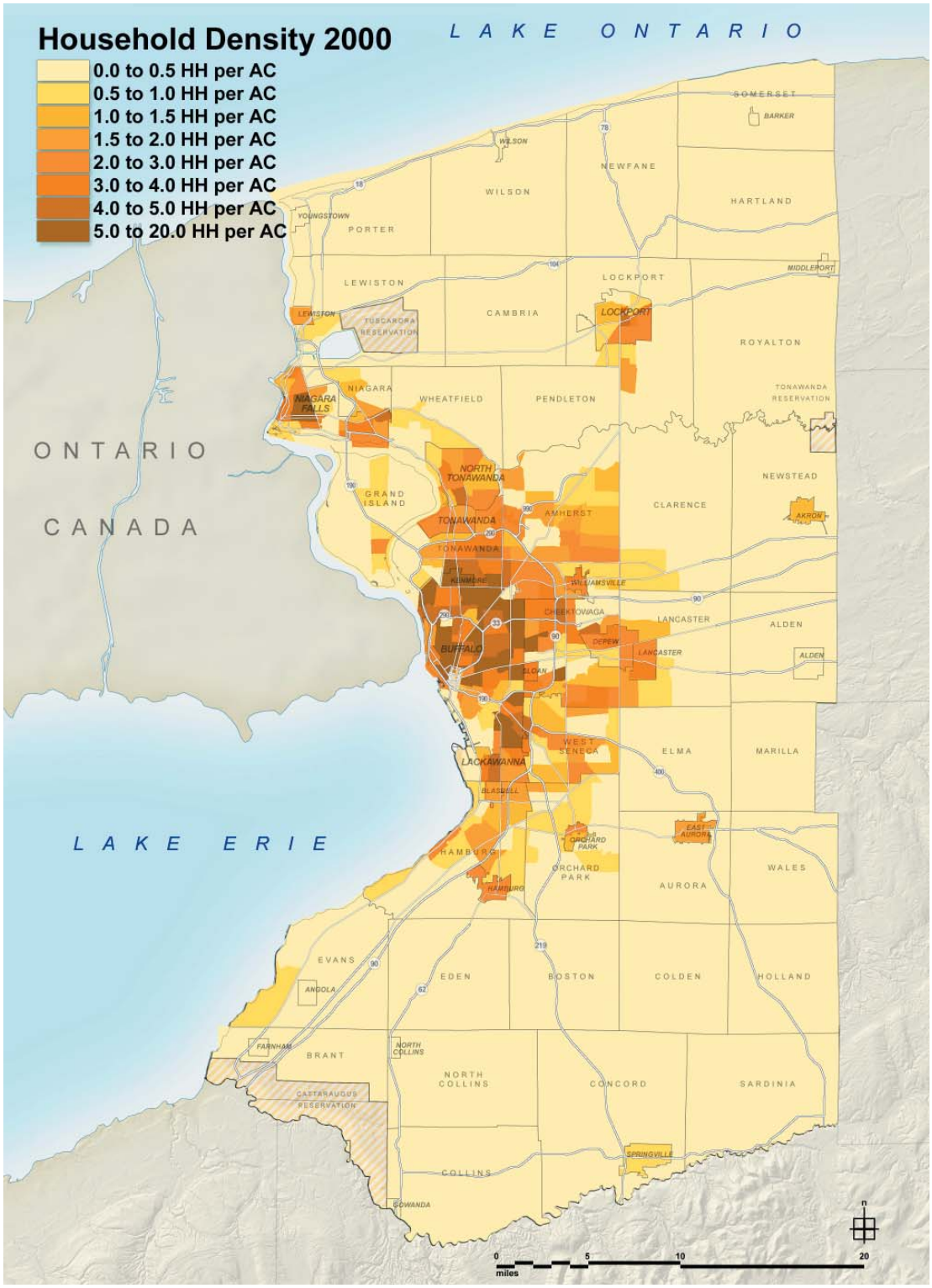

Figure 6. Household density in 2000. (Census Bureau and GBNRTC)

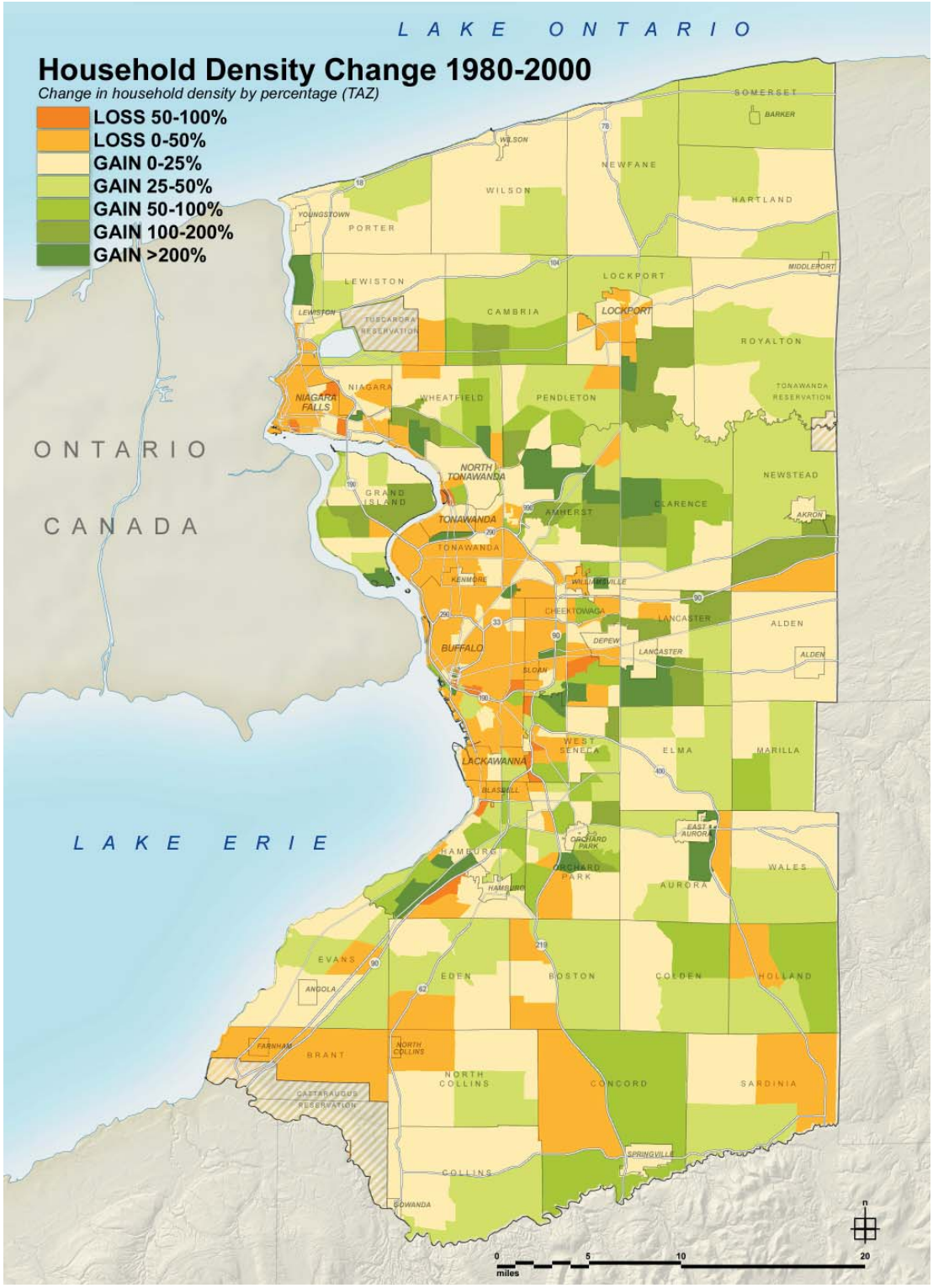

Figure 7. Change in household density from 1980 to 2000. (Census Bureau and GBNRTC)

by little more than 0.5% while the number in the regional Developing and Rural Areas increased by 40% and 23% respectively. As indicated in Figures 6 and 7, areas experiencing the fastest increases are located along the boundary between the fringe of developed areas. Areas with increases in density of 5% or more above the regional average include portions of the towns of Wheatfield and Lockport in Niagara County, and areas of the towns of Amherst, Clarence, Cheektowaga, Lancaster, Orchard Park, and Hamburg in Erie County. These areas are the region's most recently built neighborhoods with relatively low overall densities.

Areas losing households include the region's most densely settled, inner city neighborhoods and the least densely settled rural village and town centers. The urban areas experiencing decline include neighborhoods in the cities of Buffalo, Niagara Falls, Lockport, Tonawanda, and North Tonawanda along with others in the town of Niagara in Niagara County and Amherst, Cheektowaga and West Seneca in Erie County. Rural communities experiencing losses include the northernmost towns in Niagara County and the southern tier of towns in Erie County.

The consequences of these shifts in population and households for the region's older neighborhoods are obvious and serious: deterioration and abandonment hurts an area's ability to attract residential and commercial investment; property and sales tax revenues drop as property values decline and retail markets weaken; crime rates are highest in neighborhoods with concentrations of vacant and abandoned properties; and the people left behind tend to be those requiring the greatest amount of public assistance and services.

2.6 FIRST SUBURBS UNDER STRESS

Neighborhoods in the region's early suburban communities, those developed during the decades following World War II, are starting to experience challenges similar to those faced by older communities—declining population, aging housing, vacated and underutilized commercial buildings and sites, and deteriorating infrastructure.

In areas experiencing low or no population growth, neighborhoods with both high percentages of elderly residents and an aging stock of mid-century housing can be especially vulnerable to change. In the absence of a very strong regional housing market, replacement demand for older housing can be weak. Even with inherent locational advantages, the perceived shortcomings of housing in many early suburban neighborhoods can be difficult to overcome.

Mid-20th century housing often lacks the amenities offered in newer properties—attached garages, new appliances and systems, large closets, and open floor plans—or provides the benefits of properties in historic settings—design character, construction quality, and neighborhood amenities. The neigh-

Figure 8. Abandoned Housing in the City of Buffalo

borhood context also is important. School quality, crime rates, conditions of public streets and parks, vitality of nearby commercial corridors all play a part. Even small signs of deferred maintenance in surrounding properties or a perceived shift in tenure (from owner to renter occupied) can affect a property's competitiveness in the market. Once an area's competitiveness declines, repositioning is difficult.

Early commercial corridors are at a similar disadvantage to properties in more newly developed areas. Accessibility, code compliance, parking deficiencies, and declining population and income put mid-century commercial properties in a difficult competitive position.

2.7 ABUNDANT LAND RESOURCES BUT FEW SITES READY FOR INVESTMENT

The availability of land and buildings to support growth and development is an important regional concern. To gauge availability at the regional scale, current land use and land cover data were evaluated to determine the area of undeveloped land without environmental constraints. To document the area of land ready for investment, the counties compiled lists and prepared maps showing sites requiring very little or no investment to support development.

Undeveloped Lands

A preliminary analysis of land use and land cover data resulted in the identification of 175,000 acres (274 square miles) of undeveloped land in the region, with approximately 55,000 falling within Niagara County and 120,000 falling within Erie County. For the purpose of this analysis, areas identified as undeveloped included the following:

- land outside areas identified as public parklands, cemeteries, quarries, wetlands, floodplains, or steep slopes;
- land outside of designated Agricultural Districts; and
- land not identified by HOK as residential, commercial or industrial in the land cover analysis.

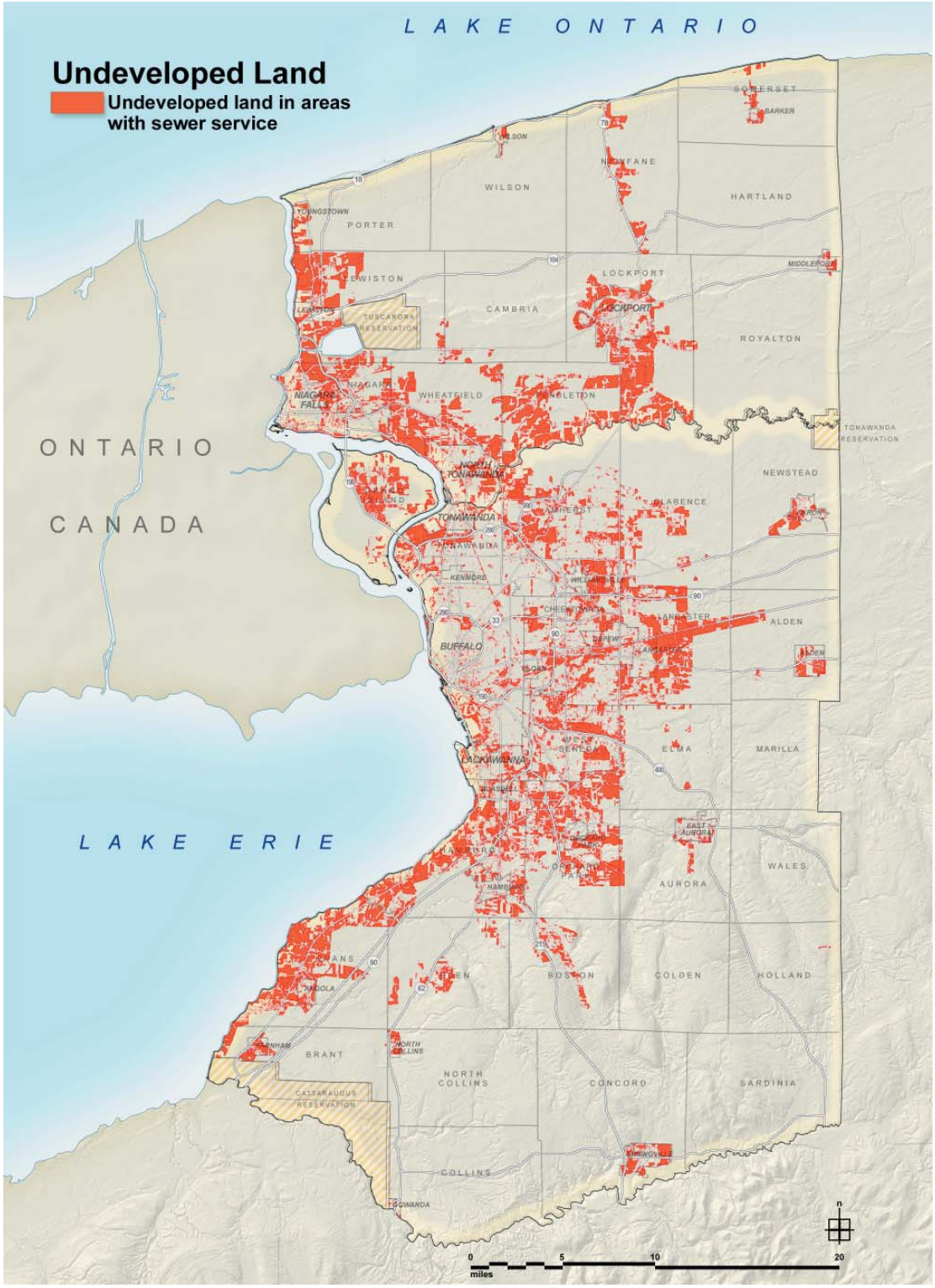

Figure 9. Undeveloped land in areas with sewer service. (The HOK Planning Group, 2005)

Figure 10. Vacant retail along Transit Road.

Approximately 50% or 84,000 acres (131 square miles) of the total land identified as undeveloped exists within areas served by public sewer. As a point of reference, this is ten times the area of the City of Niagara Falls, which has a population of 55,000, and nearly three times the area of Amherst, which has a population of 117,000. If developed at a modest gross density of 3 dwelling unit per acre, this area could accommodate over 250,000 homes or a population of over 500,000.

It's also important to note that the assessment summarized above does not include vacant buildings, for which there is no region-wide inventory. In Buffalo alone, according to the city's Comprehensive Plan, 22,854 or 15.7% of the city's housing units were vacant or abandoned in 2000. According to the Plan, there were "10,170 vacant residential lots and 8,684 abandoned structures, leaving the city with a substantial clearance and reconfiguration problem."

Investment-Ready Sites

The counties have identified only 2,220 acres of land available for industrial and commercial development and only 9 of the 38 individual sites identified are more than 100 acres. These properties include vacant sites in existing industrial parks like the Vantage International Business Park in Niagara County and urban sites like the Buffalo Niagara Medical Campus. With another 2,000 acres expected to come on-line in the next 3 to 5 years, the portfolio of investment sites improves but remains a concern. While the lists offers options for potential investors, local economic development officials are working to both improve the market position of many sites on the list and expand the region's portfolio of properties available for larger-scale commercial and industrial development.

Table 5. Sites Available for Industrial and Commercial Investment, 2006

Site Location/Name	*Locality*	*Available Acres*
College Park	Amherst	25
Crosspoint Business Park	Amherst	100
Buffalo Niagara Medical Campus	Buffalo	10
Central Park Plaza	Buffalo	10
Northland Commerce Center	Buffalo	10
Steel Fields Industrial Site	Buffalo	90
Buffalo Lakeside Commerce Park	Buffalo	20
Airbourne Business Park	Cheektowaga	60
Commerce Green Industrial Park	East Aurora	20
Eden Industrial Park	Eden	5
Ravenwood Park North	Hamburg	20
Albright Court/Amadori Site	Lackawanna	24
Transit Road at Exit 49	Lancaster	70
WNY Commerce Center	Lancaster	117
Adelphia Vacant Land	Lewiston	35
Pletcher Road Site	Lewiston	23
6764 South Transit Road	Lockport	50
Oakhurst Street	Lockport	26
Town of Lockport Industrial Park	Lockport	104
Whiting Industrial Park	Newstead	20
3401 Military Road	Niagara	26
47th Street	Niagara Falls	74
Highland/Hyde Park Business Park	Niagara Falls	17
Johnson Property	Niagara Falls	36
Roblin Steel	North Tonawanda	24
OP Commerce Center	Orchard Park	40
Quaker Centre	Orchard Park	30
Campbell Blvd at Pendleton Center	Pendleton	13
Lewiston Porter Industrial Park	Porter	42
Colvin Woods Business Park	Tonawanda	15
River Road - Isle View	Tonawanda	100
Lancaster Village Industrial Park	Village of Lancaster	10
North America Center	West Seneca	220
Forest City Property -Commercial	Wheatfield	155
Forest City Property - Industrial	Wheatfield	210
Summit Business Park	Wheatfield	187
Vantage International Pointe	Wheatfield	75
Woodlands East	Wheatfield	120
	Total Region	*2,233*

Source: Erie and Niagara Counties, 2006.

Table 6. Sites Being Prepared for Investment Including Browfields, 2006

Site Location/Name	*Locality*	*Acres being Prepared for Investment*
Muir Woods	Amherst	300
Steelfields	Buffalo	140
Kuglers Junkyard	Cambria	17
Walden Commerce Exchange	Cheektowaga	35
Bethlehem/Mittal Steel Site	City of Lackawanna	300
Dussault Foundry	City of Lockport	6
Spaulding Fibre	City of Tonawanda	45
Grand Island Commerce Center	Grand Island	150
TriCon Property	Lewiston	224
Porter Road Brownfield Site	Niagara Falls	48
Durez Property	North Tonawanda	58
Eden Site	Town of Eden	20
Evans Airport Site	Town of Evans	130
Camp Road Uniland Site	Town of Hamburg	70
Lake Erie Industrial Park	Town of Hamburg	144
Lancaster Rail	Town of Lancaster	120
North Youngmann Commerce Center	Town of Tonawanda	90
River Road	Town of Tonawanda	100
	Total Region	*1,997*

Source: Erie and Niagara Counties, 2006.

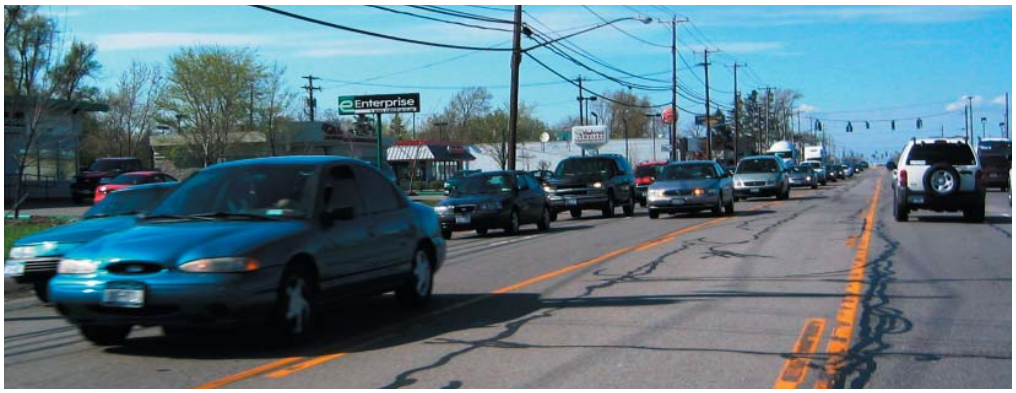

Figure 11. Despite population decline, congestion has worsened on many of the region's arterials.

2.8 FEWER PEOPLE, MORE MILES TRAVELED

Regional settlement patterns strongly influence travel behavior. The density, distribution, and interconnectedness of land uses affects a host of individual travel decisions, from mode of travel to number and length of individual trips. These decisions, in turn, affect the region's livability, environmental quality, and economy.

As reported in recent research on environmental quality in Western New York, the number of miles traveled by area residents has increased substantially in the past 10-15 years. As reported in the Institute for Local Governance and Regional Growth's State of the Region report, the average number of daily vehicle miles traveled (VMT) by each person in Western New York increased 50% between 1984 and 1999, from 10 VMT per capita to 15, with Erie and Niagara Counties registering sharp increases between 1997 and 1999.

Although several factors besides development patterns contribute to the per capita rise in VMT, including drops in household sizes and fluctuations in gas prices, the combined effects of declining densities in the developed area, low density, single use development in rural areas, and fragmentation of employment centers have increased the region's reliance on motor vehicles, placing ever greater stress on the existing road network. The emerging pattern is especially difficult to serve with public transit, thus decreasing mobility for the transportation disadvantaged and limiting the ability of residents of close-in neighborhoods to access jobs and services in suburban locations.

Increases in VMT also result in greater stress on the environment. Pollution from motor vehicles contributes to declines in air quality, paved surfaces increase urban runoff and threaten water quality, and transportation infrastructure can fragment agricultural and forested lands and wildlife habitat. In addition, higher levels of congestion on the region's arterial roads limit both the attractiveness of traditional centers like Williamsville and the revitalization potential of older strip commercial areas.

Figure 12. Roadway Levels of Service. (GBNRTC 2004)

2.9 THREATS TO NATURAL SYSTEMS & LOSS OF AGRICULTURAL LANDS

The loss of rural, agricultural, and environmentally-sensitive lands has long been a matter of local, regional and state concern. As low density development moves into rural areas and brings with it higher levels of impervious surfaces, less forest cover, increased reliance on septic systems and wells, and longer commutes, the health and diversity of the region's most significant and sensitive resources is threatened. Without careful management, the region places at risk the region's best agricultural lands, major riparian corridors, wetlands, floodplains, and forests. While topographic challenges and distance to employment centers historically have protected rural areas from rapid urbanization, current trends may upset this balance. Farming is not as stable a source of income as it once was and many people seem willing to trade longer commutes for larger lots and newer homes in rural and developing areas.

According to a 1993 study by the American Farmland Trust, the number of farms in New York State decreased 70% between 1950 and 1992, with the acreage of land in farms dropping approximately 50%. The Erie-Niagara region has experienced similar rates of change. As reported in the 1997 Census of Agriculture, the number of farms dropped by a little over 20% between 1987 and 1997, and 42,069 acres (or 65 square miles) of farmland was converted to other use. To put this in perspective, this loss is just under the combined area of the cities of Buffalo (52.5 square miles) and Niagara Falls (16.8 square miles).

The loss of agricultural lands and the associated effects on rural economies and landscapes warrants attention for several reasons. Agriculture plays an important role in the region's and state's economies, contributing directly through sales, job creation, support

Table 7. Change in Number of Farms and Farm Acreage, 1987-1997

	1987		*1997*		*% Chg 87-97*	
	# of Farms	*Farm Acres*	*# of Farms*	*Farm Acres*	*# of Farms*	*Farm Acres*
Erie County	1,201	166,121	973	143,234	-18.98%	-13.78%
Niagara County	923	146,537	687	127,355	-25.57%	-13.09%
Region	2,124	312,658	1,660	270,589	-21.85%	-13.46%
New York State	37,743	8,416,228	31,757	7,254,470	-15.86%	-13.80%

Source: USDA National Agricultural Statistics Service, 1997 Census of Agriculture.
Note: Land in farmland includes all land operated by farms, including active and idle cropland, livestock acreage, pasture, and conservation lands on farm properties.

Figure 13. Subdivision activity in Erie County's rural area.

services and businesses, and secondarily through markets for processing and agricultural and heritage tourism.

Agriculture also generates very low levels of demand on public services and infrastructure. A series of studies conducted in the communities across the state show that agricultural lands have a positive fiscal impact. These studies show that for every dollar of public revenue generated by properties in agricultural use, only 17 to 74 cents of costs are incurred to provide the same property with public infrastructure and services. Well-managed, privately held agricultural land also has environmental and social benefits—providing food and cover for wildlife, conserving environmentally sensitive lands, and maintaining scenic, cultural and historic landscapes.

Table 8. Comparisons of Revenue-to-Expenditure Ratios for New York Communities

Community	*Residential including Farmhouses*	*Commercial & Industrial*	*Working & Open Farmland*	*Source*
Amenia	1 : 1.23	1 : 0.25	1 : 0.17	Bucknall, 1989
Beekman	1 : 1.12	1 : 0.18	1 : 0.48	American Farmland Trust, 1989
Dix	1 : 1.51	1 : 0.27	1 : 0.31	Schuyler Co. League of Women Voters, 1993
Farmington	1 : 1.22	1 : 0.27	1 : 0.72	Kinsman et al., 1991
Fishkill	1 : 1.23	1 : 0.31	1 : 0.74	Bucknall, 1989
Hector	1 : 1.30	1 : 0.15	1 : 0.28	Schuyler Co. League of Women Voters, 1993
Kinderhook	1 : 1.05	1 : 0.21	1 : 0.17	Concerned Citizens of Kinderhook, 1996
Montour	1 : 1.50	1 : 0.28	1 : 0.29	Schuyler Co. League of Women Voters, 1992
Northeast	1 : 1.36	1 : 0.29	1 : 0.21	American Farmland Trust, 1989
Reading	1 : 1.88	1 : 0.26	1 : 0.32	Schuyler Co. League of Women Voters, 1992
Red Hook	1 : 1.11	1 : 0.20	1 : 0.22	Bucknall, 1989

Source: Cost of Community Services Studies, American Farmland Trust, November 2002.

3. Guiding Growth & Investment

FRAMEWORK *for* REGIONAL GROWTH

At the heart of the Framework, this chapter sets forth principles for the region's growth, development and conservation; a description of planning areas and sub areas; and county policy and strategy statements designed to advance a regional agenda for improving community livability, economic vitality and environmental sustainability. The policy and strategy statements will form the basis for specific actions by Erie and Niagara County government and assist local government and regional agencies in formulating their plans, programs, and capital budgets.

3.1 PRINCIPLES

As the broadest, biggest picture statements regarding the region's future, the following principles serve as the primary foundation for the Framework's policies and strategies.

FRAMEWORK PRINCIPLES

A Vital Economy

Improving the competitive position of the region's centers of commerce, industry, and education is among the highest priorities of Erie and Niagara Counties. The region's prosperity is dependent on the vitality of its downtowns and urban waterfronts; commercial, industrial, and institutional districts; and emerging centers of employment and commerce.

Sustainable Neighborhoods

To serve the increasingly diverse needs of the region's households, Erie and Niagara Counties promote efforts to improve the livability of the region's urban neighborhoods and create more compact, walkable communities in developing areas. Through carefully planned reinvestment, infill development, and new compact development, the region can accommodate anticipated growth on a smaller "footprint," slow the pace of rural land conversion, ease pressure on the road network, lessen demand for new public infrastructure and facilities, and reduce long-term infrastructure operation and maintenance costs.

Strong Rural Communities

Erie and Niagara Counties support the stabilization and conservation of the region's rural communities by encouraging rural economic development; the revitalization and modest expansion of rural villages and hamlets; the conservation of agricultural lands; and the protection of sensitive scenic and natural areas, wildlife habitat, and open spaces.

Improved Access & Mobility

The region's transportation infrastructure should be designed to promote reinvestment in developed areas, improve interstate and cross-border connectivity, strengthen alternative modes of transportation, and enhance the livability of neighborhoods. The counties favor development that supports transit use, walking, ride-sharing, and more efficient commuting patterns.

PRINCIPLES (continued)

Efficient Systems & Services

The location, quality and capacity of the region's public infrastructure and facilities has a powerful influence on the pattern and pace of development. Erie and Niagara Counties support public investment to maximize the use of existing infrastructure and facilities, improve the competitive position of underutilized lands and buildings, promote the reuse of brownfield and grayfield sites, and encourage the preservation and adaptive reuse of historic sites and buildings.

Effective Regional Stewardship

Erie and Niagara Counties recognize as a liability the absence of a forum for addressing the pace and quality of regional development, the fiscal health of county government, the efficiency and effectiveness of infrastructure investment and service delivery, and the conservation of sensitive resources. County and local governments; federal, state, and regional agencies and authorities; property owners and developers; interest groups; and residents are encouraged to work together to support actions consistent with the Framework.

Conserved Natural & Cultural Assets

The region's unique natural, historic, and cultural heritage represents an important though under-appreciated asset. Erie and Niagara Counties support efforts to preserve historic sites and landscapes, conserve and improve access (as appropriate) to natural systems and resources, and interpret history, and celebrate regional culture. The counties encourage the conservation and protection of the region's most sensitive natural systems—the lakefronts and escarpments; rivers, creeks, and streams; wetlands and floodways; and forested lands are recognized as regionally significant resources worthy of protection and conservation.

3.2 GEOGRAPHIC FRAMEWORK

The Framework's core policies and strategies offer guidance regarding the type and pattern of development for three broad geographic areas—developed, developing and rural—as well as more specific direction for the future of sub areas—centers and corridors and conservation overlays. For each geographic area, the Framework offers:

- high level policy direction for regional decision-makers;
- guidance for municipal officials and community stakeholders regarding regional preferences for future development and conservation; and
- a baseline to compare future conditions with existing conditions and Framework growth targets.

Unlike a conventional land use plan, with detailed maps specifying permitted uses and intensities for individual properties, the boundaries of the geographic areas in the Framework are conceptual, intentionally drawn loosely, and do not follow municipal boundaries or property lines.

Planning Policy Areas—Developed, Developing & Rural

The policy areas shown in Figure 14 provide overall direction for the Framework, defining in broad terms where county policies encourage development and public investment, where development and public investment may be appropriate subject to careful evaluation, and where conservation strategies generally take precedence over plans for development and public investment.

- ***Developed Area.*** The region's Developed Area extends outward from the cities of Buffalo, Niagara Falls, and Lockport and includes contiguous blocks of urban and suburban development served with public sewer, water, and transportation infrastructure.
- ***Developing Area.*** The Developing Area includes both recently developed and sparsely settled areas experiencing development pressure and increasing demand for the extension of public sewer, water, and transportation infrastructure.
- ***Rural Area.*** The Rural Area includes the region's least intensely developed areas with large, contiguous blocks or farmland and forested property as well as the compact commercial, public and residential uses clustered in incorporated villages and hamlets.

The limits of these areas were established based on the review of several sources, including land cover data from the U.S. Geological Survey's National Land Cover Dataset (The National Land Cover Dataset reports generalized land use based on an interpretation of Landsat satellite imagery from 1992); land use and development data available through the counties' Geographic Information Systems; and data from the 2000 census.

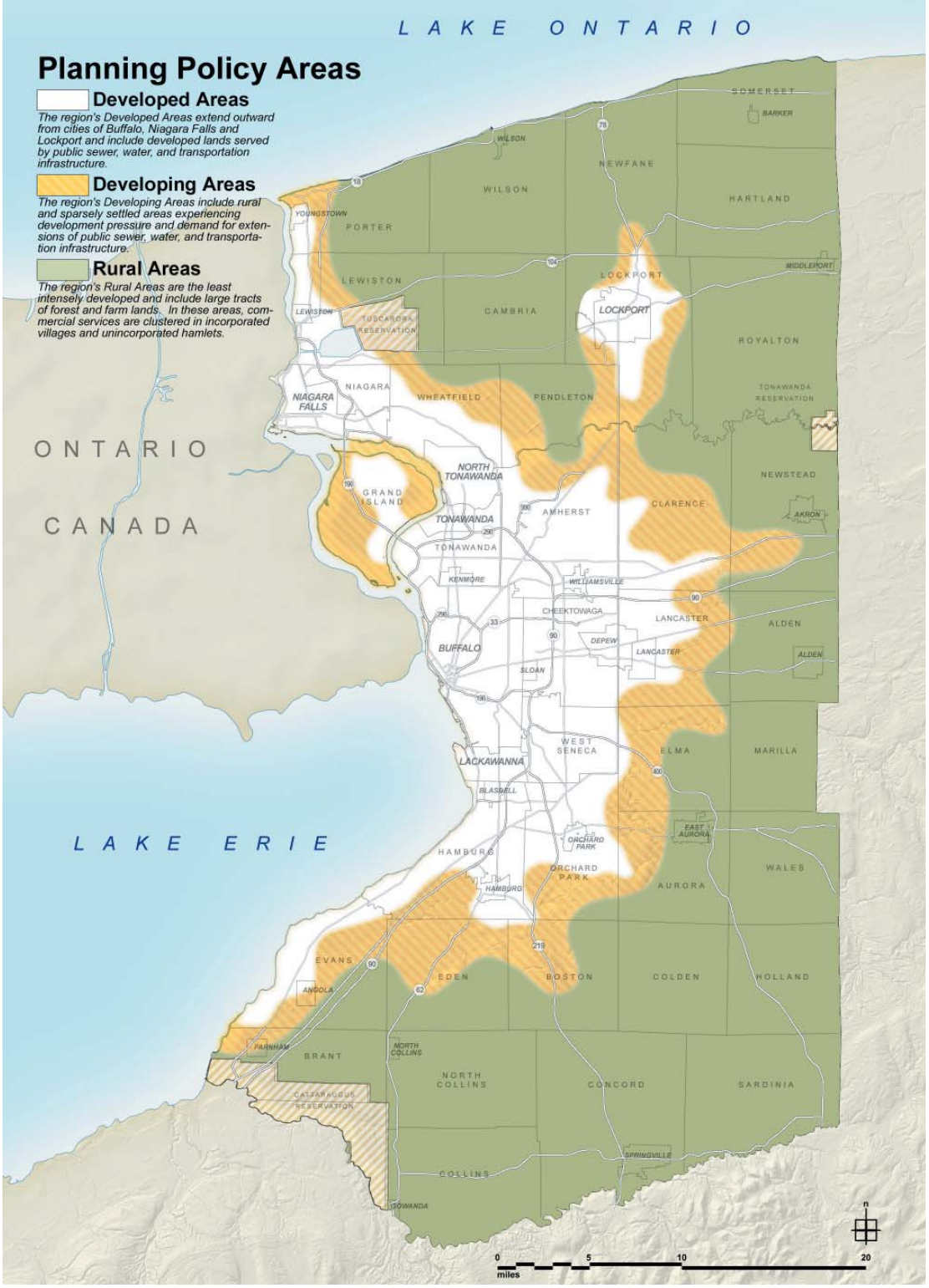

Figure 14. Planning Policy Areas.

Centers & Corridors—Regional Centers, Growth Corridors, & Rural Centers

Within the primary policy areas, the Framework defines sub areas most favored for future development and public investment. For these areas, defined as Regional Centers, Growth Corridors, and Rural Centers and shown in Figure 15, county planning and growth management strategies are designed to promote appropriate reinvestment, redevelopment, conservation, adaptive reuse, and infill development. As envisioned by the Framework, the Regional Centers and Growth Corridors will capture a high percentage of growth projected for the Developed and Developing Area, and Rural Centers will capture a high percentage of growth projected for the Rural Area.

- ***Regional Centers.*** Regional Centers include the downtowns of the region's major city centers—Buffalo, Niagara Falls, Lockport, and the Tonawandas—along with a number of regionally significant centers of activity in the Developed Area. Though accounting for only a small percentage of the region's land area, these places are home to most of the region's residents and jobs, and virtually all of the region's most important cultural and educational institutions. Regional centers are recognized for their existing and potential economic vitality, diverse mix of land uses, concentrations of public facilities and services, and potential as locations for higher intensity, mixed use development and enhanced public transportation service.

- ***Growth Corridors.*** Growth Corridors include the region's existing and emerging areas of commerce and industry. Designated Growth Corridors have relatively high employment densities; the presence of vacant, underutilized, and shovel-ready sites; concentrations of brownfield property; and good access to regional road and rail networks.

Regional Centers

Downtown Buffalo
Downtown Niagara Falls
Downtown Lockport
Tonawanda/North Tonawanda
Kenmore
Amherst
Williamsville
Lancaster/Depew
Lackawanna

Growth Corridors

Niagara River Corridor (North/South)
Niagara Falls Airport
West Lockport
Amherst/990 Corridor
Main Street/UB Corridor
Buffalo-Niagara Airport/Cheektowaga
Walden/Broadway Corridor
Seneca/400 Corridor
Erie Lakefront/ Route 5 Corridor
219 Corridor

- ***Rural Centers.*** Rural Centers include the rural area's incorporated villages as well as several unincorporated hamlets that serve as the social, cultural, economic, and often historic heart of the region's rural communities. These designated centers provide varying combinations of essential commercial and public services—post offices, branch banks, libraries, schools, and government offices, some level of public infrastructure, and clusters of historic sites and buildings.

  The Framework recognizes 15 villages and 17 hamlets as having regional significance as Rural Centers. The unincorporated centers include those with at least two of the following characteristics or uses: sewer district, post office, bank, government center (Town or Village Hall), or library and at least one of the following characteristics or uses: retail use, highway intersection, or historic buildings.

Niagara County Rural Centers

Barker (Village)
Lewiston (Village)
Middleport (Village)
Newfane
Ransomville
Sanborn
Wilson (Village)
Wrights Corner
Youngstown (Village)

Erie County Rural Centers

Akron (Village)
Alden (Village)
Angola (Village)
Athol Springs
Boston Center
Clarence Hollow
Clarence Center
Colden Center
Collins Center
East Aurora (Village)
Eden Center
Evans Center
Farnham (Village)
Gowanda (Village)
Hamburg (Village)
Holland Center
North Boston
North Collins (Village)
Orchard Park (Village)
Chaffee
Springville (Village)
Swormville
Wanakah

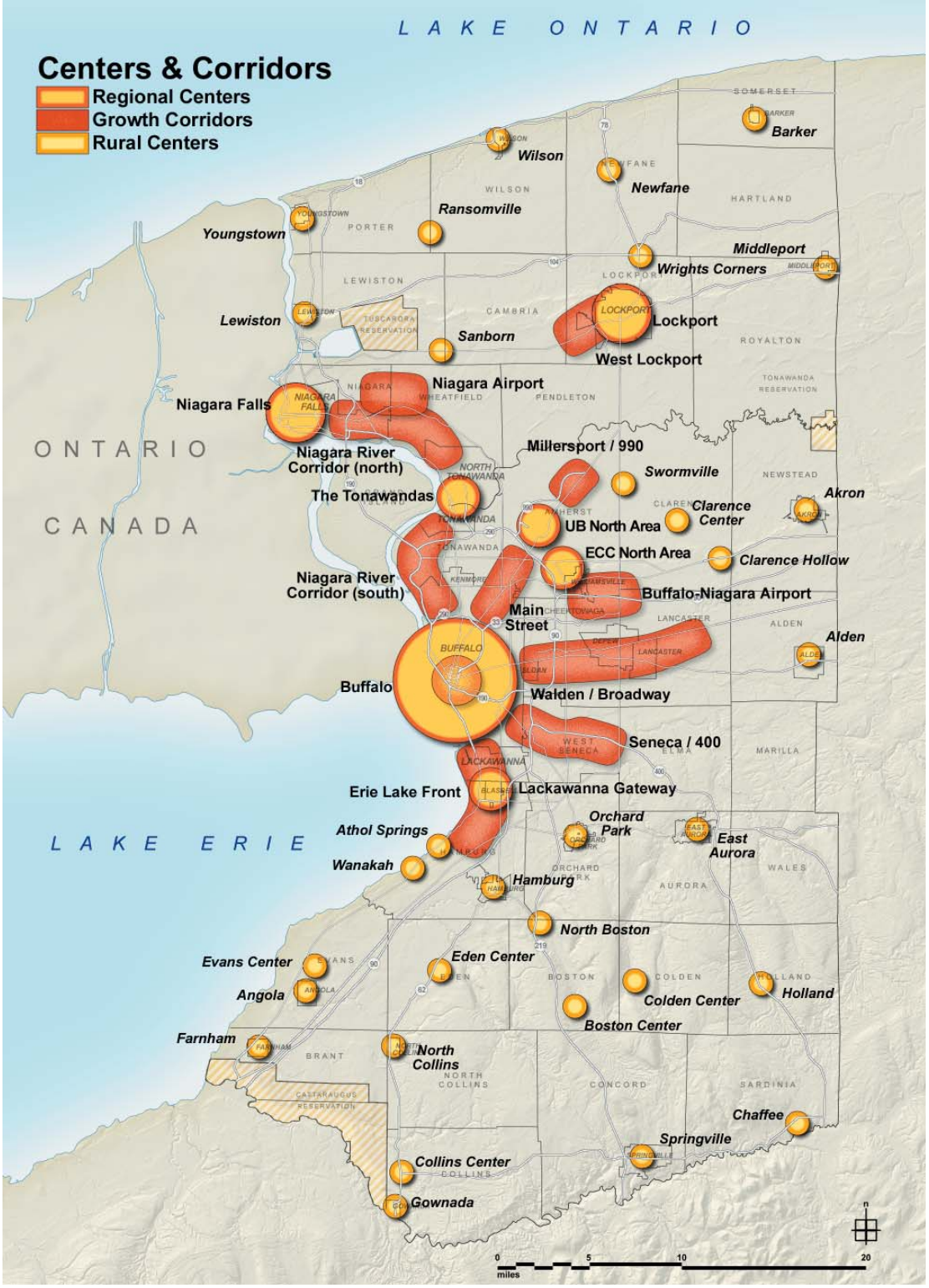

Figure 15. Centers & Corridors.

Conservation Overlays—Natural Systems & Heritage Assets

In addition to the Primary Policy areas and Policy Sub areas, the plan defines two kinds of conservation overlays: a Natural Systems and a Heritage Assets Overlay. The Natural Systems Overlay (Figure 16) identifies sensitive environmental resources—wetlands, floodplains, streams, and steep slopes—and adjacent lands. The Heritage Assets Overlay (Figure 17) provides a preliminary definition of areas with unique concentrations of natural, recreational, scenic, and cultural resources. These areas include major lake and riverfronts, the Erie Canal Corridor, and the Niagara Escarpment.

Figure 16. Conservation Overlay: Natural Systems

Figure 17. Conservation Overlay: Heritage Assets

3.3 GROWTH TARGETS & ALTERNATIVE FUTURES

To advance the vision and ideas expressed in the principles, the Framework establishes broad targets for future development in the region. These targets, if achieved, could result in increased reinvestment in the Developed Area, controlled growth in the Developing Area, substantially lower rates of land consumption in the Rural Area, and significant savings for the region's localities and tax payers.

Below is a review of the Framework growth targets followed by a summary of comparisons between alternative concepts for regional development.

Targeted Distribution of New Households from 2000 to 2025

70%
DEVELOPED AREA

15%
DEVELOPING AREA

15%
RURAL AREA

Reinvestment Targets

Framework recommendations are designed around a broad vision for a region with strong urban and rural centers; safe, sustainable neighborhoods; compact forms of new development; and conserved rural landscapes and natural systems. To achieve this vision, the Framework calls for a significant shift in the region's development trends. Rather than have most new households locate outside existing developed areas, as has been the case during the past 30 years, Framework policies and strategies calls for most new housing to occur in the developed area with only modest increases in households in the developing and rural areas. Specifically, the Framework target for the distribution of new households, consistent with the Reinvestment Concept discussed below, calls for 70% to locate in the Developed Area, 15% in the Developing Area, and 15% in the Rural Area.

Table 9 shows the preferred distribution of new households in the region and the effect on the overall regional distribution of households. The following sections of the chapter show how the preferred reinvestment concept compares to two alternative concepts for the region's development.

Alternative Futures

The growth targets described above were based on an assessment of three alternative concepts for the regional distribution of households—a trend concept, a strategic investment concept, and a reinvestment concept. The three alternative concepts were prepared to reflect different assumptions regarding the distribution and density of development in the planning policy areas and explore differences in the region's potential urbanized footprint and the costs of infrastructure.

As a basis for the concepts, GBNRTC's forecasts of population and households were used. These forecasts, developed and refined in collaboration with county and local officials, have served as the foundation for a range of local and regional planning studies, including the region's 2025 Long Range Transportation Plan and many local government comprehensive plans. GBNRTC's forecasts call for the region to add 58,553 households by 2025, an increase of 12% over

Review of Alternative Development Concepts

Concept	*Development Pattern*	*Distribution of New Households by Area*	*Density of New Development by Area*	*Relative Concentration of Development*
Trend	Concept assumes the continuation of recent development trends. In developed areas, the concept assumes continued declines in older urban centers and new moderate density development in newer suburban areas with public sewer and water service. In developing and Rural areas, the concept assumes the continuation of low density, dispersed development resulting in the conversion of rural and agricultural lands and continued demand for extensions of public sewer, water, and transportation infrastructure.	25% Developed Area 40% Developing Area 35% Rural Area *(Distribution derived from analysis of 1980-2000 change in households)*	4 HH/a Developed Area 2 HH/a Developing Area 0.5 HH/a Rural Area	Density assignments based on a review of development densities between 1980 and 2000 with highest densities achieved for infill projects in developed areas, lower average densities in the developing area, and very low densities in rural areas.
Strategic Investment	Concept assumes most new households would locate in the developed and developing areas with 25% locating in rural areas. Concept assumes moderate density development in developed areas (areas currently served with public sewer, water, and transportation infrastructure). In the developing area, the concept assumes moderate density development resulting in the need for only modest extension of public sewer, water, and transportation infrastructure. In rural areas, the concept assumes a mix of 1) compact development in and around rural centers and 2) dispersed low density development requiring modest investment in public sewer, water and transportation infrastructure and modest disturbance of rural and agricultural lands.	50% Developed Area 25% Developing Area 25% Rural Area *(Distribution based on the average distribution under the Trend and Reinvestment Concepts)*	6 HH/a Developed Area 4 HH/a Developing Area 1 HH/a Rural Area	Density assignments assume modest increases in densities in Developed areas and developing areas and new housing in and around rural centers in rural areas.
Reinvestment (Preferred)	Concept assumes most new households would locate in existing developed areas with modest increases in developing and rural areas. Concept assumes moderate density development in developed areas (areas currently served with public sewer, water and transportation infrastructure) and assumes development in developing and rural areas occurs in and around areas with sewer and water service requiring minimal investment in infrastructure and minimal disturbance of rural and agricultural lands	70% Developed Area 15% Developing Area 15% Rural Area *(Derived from GBNRTC projections)*	6 HH/a Developed Area 4 HH/a Developing Area 2 HH/a Rural Area	Density assignments assume modest increases in densities in developed and developing areas and concentration of new housing in and around rural centers in rural areas.

Table 9. Existing & Targeted Distribution of Households Under Reinvestment Concept

	Households 2000		*Households 2000-2025*			
	2000 HH	*Dist of Total*	*#*	*% Chg*	*2025 HH*	*Dist of Total HH*
Developed Area						
Erie Co	330,480		37,155	11.24%	367,635	
Niagara Co	60,803		4,690	7.71%	65,493	
Subtotal	**391,283**	**83.46%**	**41,845**	**10.69%**	**433,128**	**82.13%**
Developing Area						
Erie Co	19,496		4,965	25.47%	24,461	
Niagara Co	10,525		3,259	30.97%	13,784	
Subtotal	**30,021**	**6.40%**	**8,224**	**27.40%**	**38,245**	**7.25%**
Rural Area						
Erie Co	30,897		6,307	20.41%	37,204	
Niagara Co	16,630		2,177	13.09%	18,807	
Subtotal	**47,527**	**10.14%**	**8,484**	**17.85%**	**56,011**	**10.62%**
TOTAL	**468,831**	**100.00%**	**58,553**	**12.5%**	**527,384**	**100.00%**

Source: The HOK Planning Group, GBNRTC Forecasts of Population and Employment, 03.11.03.

the year 2000 or an average annual increase of 0.50%. According to the rationale provided in the 2025 Long Range Plan, the increase in households is based on projections that the region will reverse job and population losses experienced during the 1980s and 1990s and average household sizes will continue to modestly decline from 2.41 persons per household in 2000 to 2.34 in 2025.

Each concept was based on a different spatial distribution of the same number of new households. The trend concept was based on an assumption that the distribution will follow the pattern experienced between 1980 and 2000, the strategic investment concept is based on the average distribution under the trend and reinvestment concept, and the reinvestment concept generally follows the distribution employed by GBNRTC.

Basing the concepts on different regional distributions and densities of households was recommended for several reasons. For regional analyses, households are a useful proxy for housing units—one household equals one occupied housing unit—and housing often is a leading indicator of shifts in a region's pattern of commercial development. Commercial and industrial land uses not dependent on ready access to rail or highway, especially retail and office uses, tend to follow trends in housing development. As development economists often advise: "retail follows rooftops." In addition, housing uses have much lower occupancy levels and much higher land consumption rates than commercial and industrial uses, thus making housing the central subject of many regional planning efforts. While a typical 10,000 square foot residential lot may generate two workers or 5,000 square feet of land per worker, only 1,000 square feet of land per worker may be required at the employment site. As residential densities decline or employment densities increase, the ratio of residential land consumption to commercial and industrial land consumption becomes even greater.

Table 10. Density Assignments & Land Area Requirements

	Trend Concept			Strategic Investment Concept			Reinvestment Concept		
	New Households 2000-2025	*Density Factor (HH/acre)*	*Land Need (acres)*	*New Households 2000-2025*	*Density Factor (HH/acre)*	*Land Need (acres)*	*New Households 2000-2025*	*Density Factor (HH/acre)*	*Land Need (acres)*
Developed Area									
Erie County	12,235	4.00	3,059	21,106	6.00	3,518	37,155	6.00	6,193
Niagara County	2,203	4.00	551	7,035	6.00	1,173	4,690	6.00	782
Subtotal	14,439		3,610	28,142		4,690	41,845		6,974
Developing Area									
Erie County	14,057	2.00	7,029	11,733	4.00	2,933	4,965	4.00	1,241
Niagara County	9,006	2.00	0	3,911	4.00	978	3,259	4.00	815
Subtotal	23,063		7,029	15,644		3,911	8,224		2,056
Rural Area									
Erie County	13,914	0.50	27,828	11,076	1.00	11,076	6,307	2.00	3,154
Niagara County	7,137	0.50	14,275	3,692	1.00	3,692	2,177	2.00	1,088
Subtotal	21,051		42,103	14,768		14,768	8,484		4,242
TOTAL	58,553		57,244	58,553		23,369	58,553		13,272

Source: The HOK Planning Group, GBNRTC Forecasts of Population and Employment, 03.11.03.

Land Consumption Comparison

Once the regional distribution was established, density factors (expressed as households per acre or HH/a) were applied to determine land area requirements. For each concept it was assumed that the density of new households would be highest in the developed area and lowest in rural area, with the highest overall densities assigned for the Reinvestment Concept and the lowest for the Trend Concept. (Refer to the Review of Alternative Development Concepts inset for a summary of assumptions regarding the relative concentration of development for each concept.) This exercise resulted in projections of demand for 57,000 acres of land under the Trend Concept, 23,000 acres under the Strategic Investment Concept, and 13,000 acres under the Reinvestment Concept.

Table 11. Estimated Infrastructure Costs by Concept

	Trend Concept			Strategic Investment Concept			Reinvestment Concept		
	New Households 2000-2025	*Density Factor (HH/acre)*	*Infra-structure Costs ($ millions)*	*New Households 2000-2025*	*Density Factor (HH/acre)*	*Infra-structure Costs ($ millions)*	*New Households 2000-2025*	*Density Factor (HH/acre)*	*Infra-structure Costs ($ millions)*
Developed Area									
Erie County	12,235	4.00	28	21,106	6.00	25	37,155	6.00	43
Niagara County	2,203	4.00	5	7,035	6.00	8	4,690	6.00	5
Subtotal	14,439		32	28,142		33	41,845		49
Developing Area									
Erie County	14,057	2.00	74	11,733	4.00	26	4,965	4.00	11
Niagara County	9,006	2.00	47	3,911	4.00	9	3,259	4.00	7
Subtotal	23,063		121	15,644		35	8,224		19
Rural Area									
Erie County	13,914	0.50	501	11,076	1.00	199	6,307	2.00	33
Niagara County	7,137	0.50	257	3,692	1.00	66	2,177	2.00	11
Subtotal	21,051		758	14,768		266	8,484		45
TOTAL	58,553		911	58,553		334	58,553		112

Source: The HOK Planning Group, GBNRTC Forecasts of Population and Employment, 03.11.03.

Infrastructure Cost Comparison

The chart above compares expected infrastructure costs associated with the three development concepts, expressed in millions of current dollars. For all three concepts, potential costs associated with the provision of roads, water and sewer/septic systems, schools, parks, recreation facilities, and libraries, were assigned relative to anticipated densities of development. Generally, where household densities are lowest, per household infrastructure costs, including those paid the homeowner or builder for on-site septic systems, are highest. Where household densities are higher and existing infrastructure is available, per households costs are lower. Consequently, the costs borne by the regional economy, regardless of whether paid by developers, homeowners or localities, tend to be lower where infrastructure is readily available and densities are relatively high.

The source data underpinning the infrastructure cost estimates reflect a compilation of findings from fiscal impact analyses performed on residential developments proposed in similar regions. The figures include both costs clearly related to a specific site—roadways, water mains, sewer lines/septic

systems—and the capital burdens associated with increasing capacity off-site, as with schools, public safety facilities and treatment plants. For the sake of this assessment, costs of approximately $18,000 per household were used for densities of 1 household per acre or less. At higher densities associated with urban and suburban infill opportunities, generally at 6 households per acre and higher, the infrastructure cost per new household used in the calculations stands at around $6,000. (To simplify the analysis and conservatively estimate impacts, other costs associated with regional development patterns—facility operating and maintenance costs, personal costs associated with congestion and commuting times, and the economic impacts associated with resource losses—were not included in the assessment.)

As shown in Table 11, the savings available to the regional economy increases as the footprint of regional development shrinks and infill development and redevelopment predominate. In the areas where these opportunities are typically found, infrastructure costs associated with new development shift from building new to refurbishing dated or outmoded facilities. So while costs in urban areas decrease as density increases, the amount of decrease become less and less substantial at densities greater than 6-8 households per acre. Who bears the initial costs of sprawl varies based on local government practices and density. In general, taxing jurisdictions are typically responsible for all of these costs except those passed through to the first round of homebuyers as developers recapture site preparation expenditures.

As the chart reveals, expected infrastructure costs associated with the strategic investment and reinvestment concepts pale in comparison to the trend concept. The approximately $800 million in capital costs available to the regional economy if it can exert discipline in its development patterns is a potentially important resource available to Erie and Niagara Counties.

3.4 FRAMEWORK POLICIES & STRATEGIES

The following policy and strategy statements, organized by policy area, provide guidance to county decision-makers as they consider actions and investments affecting the region's growth, conservation, and development.

The actions subject to Framework review are often major in their scope. Erie and Niagara Counties strongly recognize the need for citizen involvement in these actions and support the continued adherence to public notice and review timetables within existing regulatory statutes.

Developed Area Policies & Strategies

Spark reinvestment, attract new households and businesses, and improve the livability and economic vitality of the region's existing communities. Support a) the conservation and stabilization of existing neighborhoods; b) new compact, pedestrian-oriented, mixed use development on vacant and underutilized sites; and c) higher density, employment intensive, mixed use development in Regional Centers and Growth Corridors

Economic Development & Public Investment Strategies

- Expand on previous "shovel-ready site" assessments and develop a regional inventory and marketing strategy for vacant, underutilized, and brownfield properties; and support the preparation of conceptual development plans and marketing strategies for sites best positioned to support regional economic development objectives.
- Encourage localities to preserve and properly zone larger-scale vacant and underutilized sites with potential to accommodate research and development, technology, manufacturing, and distribution enterprises.
- Explore the feasibility of creating a regional "Main Street" organization modeled after successful programs of the National Main Street Center.
- Identify a mechanism for generating and deploying a shared source of revenue to support regional initiatives to improve neighborhood livability and support reinvestment.
- Encourage major government and educational facilities, sport and entertainment venues, and cultural facilities and attractions to locate in Regional Centers.

Mobility & Accessibility Strategies

- Support GBNRTC's "maintenance first" policies focusing on the preservation, repair, and restoration of existing infrastructure to provide safe and efficient transport and continued economic development and do not support major capacity expansions nor the construction of new highway facilities on new right-of-way, unless such projects are identified on GBNRTC's Long Range Plan.
- Support efforts to a) plan and zone for employment-intensive commercial and industrial development on sites with ready access to the region's highway and rail networks, b) recognize areas well served by public transportation as catalysts for higher density development and reinvestment in regional centers and growth corridors; and c) improve access to, between, and within

regional centers and growth corridors.

- To improve local accessibility, a) encourage localities to develop networks of interconnected local streets, sidewalks, and pedestrian/bicycle trails; b) ensure pedestrian facilities and aesthetic enhancements are considered as part of all transportation improvement projects; and c) continue to work with the GBNRTC, NFTA, and localities to promote public transit/bus use, walking, and biking as alternatives to automobile use.
- Support efforts to improve the efficiency and reliability of truck and rail freight movements within and through the region and improve multi-modal facilities and system connectivity.
- Review criteria for the approval of curb cuts on county roads and revise if necessary to encourage effective access management and parcel-to-parcel connectivity.
- Employ context-sensitive design principles for the reconstruction and rehabilitation of county roadways.
- Support mixed land uses that encourage walkable neighborhoods and mixed income housing. This will reflect the region's diversity and changing demographics.

Public System & Service Strategies

- As part of the counties' annual budget review processes, evaluate the consistency of proposed capital and operating expenditures with Framework policies and assess the geographic distribution of proposed expenditures and levels of planned support for revitalization, neighborhood stabilization, and economic development efforts.
- Favor the development of vacant and underutilized sites with existing sewer and water service over those where extensions are required.
- Support local policy and planning provisions that channel growth to areas with existing sewer and water service.
- Encourage new public facilities and services to locate close to existing and planned bus and light rail transit corridors, and expand efforts to encourage ridesharing and transit/bus use, especially among public employees.
- Identify isolated capacity deficiencies and condition issues in the Developed Area, especially in locations where higher density residential and commercial/industrial development is encouraged.
- Continue support for intermunicipal agreements that increase cost savings in the delivery of public services.
- Support the rehabilitation and improvement of existing parks, recreation and community facilities and cultural institutions in Developed Areas over the development of new facilities in Developing and Rural Areas.
- Assist localities in the assessment of economic, fiscal, and environmental costs and benefits of extending sewer and water service beyond current limits.

Developing Area Policies & Strategies

Support a balance of conservation and quality development in the developing area. Align policies and investments to encourage a) the conservation of agricultural and rural lands; b) new compact, pedestrian-oriented, mixed use development on vacant and underutilized sites and c) higher density, employment intensive, mixed use and transit oriented development in regional centers and growth corridors.

Economic Development & Public Investment Strategies

- Encourage public investments in existing infrastructure and public facilities and services—schools, roads and public transportation systems, parks, and sewer and water systems—to support commercial and industrial development in regional centers and growth corridors and the modest expansion of existing residential communities.
- Limit capacity improvements to roads and sewer and water infrastructure.
- Support protection of right-of-way for future infrastructure but discourage investment until warranted by demand.

Development Guidance Strategies

- Support local comprehensive planning policy that designates areas appropriate for development and conservation, minimizes conversion of agricultural lands and natural areas, and avoid leap frog patterns of development.
- Work with localities to identify and minimize regulatory and planning barriers to mixed use, pedestrian oriented development.
- Minimize conversion of significant open space, agricultural lands, and natural systems.
- Support mixed land uses that encourage walkable neighborhoods and mixed income housing. This will reflect the region's diversity and changing demographics.
- Support local planning and zoning to protect sites deemed most suitable to employment-intensive uses.

Mobility & Accessibility Strategies

- Support GBNRTC's "maintenance first" policies focusing on the preservation, repair, and restoration of existing infrastructure to provide safe and efficient transport and continued economic development and do not support major capacity expansions nor the construction of new highway facilities on new rights-of-way, unless such projects are identified on GBNRTC's Long Range Plan. The GBNRTC shall be encouraged to analyze the impact of traffic calming measures to State and County roads on adjacent local street traffic volumes. In certain cases this may warrant local street capacity improvements within the developing area.
- Support efforts to a) plan and zone for employment-intensive commercial and industrial development on sites with ready access to the region's highway and rail networks, b) recognize areas well served by public transportation as catalysts for higher density development and reinvestment in regional centers and growth corridors; and c) improve access to, between, and within regional centers and growth corridors.
- To improve local accessibility, a) encourage localities to develop networks of

interconnected local streets, sidewalks, and pedestrian/bicycle trails; b) ensure pedestrian facilities and aesthetic enhancements are considered as part of all transportation improvement projects; and c) continue to work with GBNRTC, NFTA, and localities to promote public transportation use, walking, and biking as alternatives to automobile use.

- Review criteria for the approval of curb cuts on county roads and revise if necessary to encourage effective access management and parcel-to-parcel connectivity.
- Work with localities to restrict "strip" commercial and industrial development along arterials and highways in the developing area.

Public System & Service Strategies

- Favor the development of vacant and underutilized sites with existing sewer and water service over those where extensions are required.
- Support local policy and planning provisions that channel growth to areas with existing sewer and water service.
- Encourage authorities to evaluate the feasibility of contracting sewer district boundaries where such boundaries extend into areas designated for conservation or agricultural use.
- In cases where the extension of public sewer and water service is recommended to address health issues associated with failing wells or septic systems, restrict tap-ins for new development in areas designated for conservation or agricultural use.
- Continue support for intermunicipal agreements that increase cost savings in the delivery of public services.
- Assist localities in the assessment of economic, fiscal, and environmental costs and benefits of extending sewer and water service beyond current limits.

Rural Area Policies & Strategies

Encourage limited development and reinvestment in rural centers and discourage the conversion of rural and agricultural lands. Align policies and investments to strengthen rural economies, conserve agricultural and rural lands, and revitalize rural centers.

Economic Development & Public Investment Strategies

- Expand efforts to strengthen the region's rural economy, including efforts to support conservation of agricultural lands, protection of rural character, and enhancement of initiatives targeted toward rural economic development.

Development Guidance Strategies

- Identify and conserve agriculture and forested lands and in areas designated for "rural" and "agricultural" use in local plans, support zoning that reduces permitted development densities, requires cluster development to maintain rural character and protect resources, and discourages continued subdivision of rural road frontages.

- Where limited expansion of a rural center is deemed appropriate, encourage development as seamless extensions to the existing center rather than as isolated projects with poor connections to surrounding development.
- Work with localities to identify regulatory and planning barriers to infill development and the preservation and adaptive reuse of older and historic buildings.

Mobility & Accessibility Strategies

- Work with localities to restrict "strip" commercial and industrial development along arterials and highways in rural areas.
- For county roads in rural areas consider revising access management, bridge maintenance, and road design standards, and assess the feasibility of decommissioning facilities in areas with little development potential.
- Support efforts to improve mobility within rural centers and explore the feasibility of providing public transportation service between rural centers and developed area destinations.

Public System & Service Strategies

- Favor the development of vacant and underutilized sites within villages and hamlets with existing sewer and water service.
- Encourage authorities to evaluate the feasibility of contracting sewer district boundaries where such boundaries extend into areas designated for conservation or agricultural use.
- In cases where the extension of public sewer and water service is recommended to address health issues associated with failing wells or septic systems, restrict tap-ins for new development in areas designated for conservation or agricultural use.
- Continue support for intermunicipal agreements that increase cost savings in the delivery of public services.
- Assist localities in the assessment of economic, fiscal, and environmental costs and benefits of extending sewer and water service beyond current limits.

Natural & Cultural Overlay Policies & Strategies

Encourage local, county, regional, and state investments that advance the planning, management, and conservation of waterfront lands, river and stream corridors, regional greenways, and significant natural and cultural sites and resources.

- Establish priorities for the conservation of regionally, nationally and internationally significant natural and cultural heritage resources including the Lake Erie and Lake Ontario waterfronts, the Niagara River Greenway, the Erie Canal National Heritage Corridor, and the Buffalo Olmsted Parks System.
- Establish priorities for the conservation of regionally significant riparian corridors and related wetland areas including Eighteen Mile Creek (NC); Tonawanda Creek; Buffalo River and Creeks; Eighteen Mile Creek (EC); Cayuga Creek; and Cattaraugus Creek.

- Support regional initiatives to identify potential greenway, open space, and trail linkages within and between regionally significant natural and cultural heritage corridors; support public and private efforts to preserve rights-of-way and complete appropriate improvements (trail and trail heads, interpretive stations, etc.); and encourage communities to incorporate policies and priorities the conservation of regionally significant trail and greenway corridors in local comprehensive plans.
- Investigate opportunities to provide public access to private lands that contribute to the development of a region-wide system of open space, trails, and wildlife movement corridors.
- Encourage localities to identify in their comprehensive plans policies and priorities for the preservation and improvement of regionally significant trail and greenway corridors.
- As part of the SEQR and 239 review processes for private development and public actions, evaluate impacts and identify potential enhancements to natural and cultural resources of county and regional significance. Assemble a Natural & Cultural Resources Inventory to support regional decision-making, conservation investment, and awareness-building.
- Expand partnerships, intermunicipal agreements, and other efforts to attract resources and assistance, including continued support for volunteer efforts by citizens and community organizations.

Regional Stewardship Policies & Strategies

Support effective local and regional decision-making through the integration of data systems, development of region-wide assessment and reporting systems, and expanding public knowledge of planning and development issues. Align public investments in facilities, services and amenities to support regional planning, conservation and economic development initiatives.

- As part of the counties' annual budget review processes, evaluate the consistency of proposed capital and operating expenditures with Framework policies and assess the geographic distribution of proposed expenditures and levels of planned support for revitalization, neighborhood stabilization, and economic development efforts.
- To ease fiscal stress on municipalities and capitalize on economies of scale, continue support for intermunicipal agreements that increase cost savings in the delivery of public services.
- Continue efforts to integrate county and regional data systems to provide for the analysis, tracking, and reporting of physical, environmental, demographic, socio-economic and market conditions.
- Raise public awareness of the environmental, fiscal, and social benefits of promoting reinvestment, stabilization, infill development, and appropriate redevelopment in developed areas of the region; and encourage the region's educational, community service, and philanthropic institutions to support planning education initiatives.

4. Taking Action

FRAMEWORK *for* REGIONAL GROWTH

This section of the Framework outlines County actions to implement the Framework. Actions are presented in four sections—the first section reviews the steps required to build a stronger platform for Framework-related collaborations, the second recognizes the importance of expanding existing regional economic development initiatives and advocacy efforts, and the third and fourth sections provides short term and longer term actions to implement the Framework.

4.1 FIRST STEPS: A STRONGER FOUNDATION

The success of the Framework hinges on the counties taking early and decisive action on several of the plan's most fundamental recommendations. To put Framework ideas in motion, the counties must endorse the plan's principles and policies, integrate Framework recommendations into existing decision-making processes, and take the initial steps towards the creation of an Erie County Planning Board as well as a regional entity having planning and monitoring functions within the two-county region. The latter would be the primary vehicle for maintaining the Framework and reporting back to County officials on adherence to same.

The following four-step strategy outlines the immediate and early work required to implement the Framework.

Step One: Endorse Framework Principles & Policies

Endorsement of the Framework's principles and policies is the first step towards achievement of the region's vision for a more livable, economically vital, and environmentally sustainable region. Upon the plan's completion, the Steering Committee will transmit the final Framework report to the counties for their review and endorsement.

In Erie County, the County Executive will review the final Framework report and upon acceptance submit it to the Erie County Legislature for adoption. Following adoption, the County Executive will issue an Executive Order to department heads and County representatives on various regional boards and commissions directing that all actions affecting the County's physical development be consistent with the Framework. Local governments will be given copies of the document for their use in future decision-making.

It also is recommended that the Erie County Executive forward a copy of the Framework to the Charter Revision Commission. This will insure that any discussions underway by the Commission relative to County government and its functioning relative to physical development issues consider the recommendations contained in the Framework document.

In Niagara County, the Legislature with written support of the Niagara County Town Supervisors' Association and city governments, will endorse the Framework's principles and policies and direct staff to ensure programs and initiatives are aligned with Framework principles and policies.

Step Two: Establish Working Group for a Regional Planning Entity

The Erie County Executive and chairman of the Niagara County Legislature will appoint a working group to begin determining the appropriate structure for a regional planning entity. The working group should be comprised of representatives from local government,

County departments, area economic development agencies, county planning boards, GBNRTC, other appropriate organizations, and the general public that can lend staff time and expertise to the analysis. Key tasks of the group will be to review existing regional planning organizations such as the GBNRTC to determine if an expanded land use role is appropriate for them, how staff from existing agencies could be utilized to diminish operational costs of a regional planning entity, and possible work programs.

The working group's recommendations will address such matters as membership and representation, roles and authorities, resource requirements, the potential for new partnerships and expanded roles for existing organizations, the need for new or revised County or state legislation (if required), and Canadian involvement. Upon review of the recommendations, the counties will consider actions necessary to establish and support the work of the new regional entity. Specific steps involved in the review and implementation of the recommendations, such as the establishment of an intermunicipal agreement establishing the regional entity, will be determined by each County in collaboration with potential partner organizations.

The regional planning entity's preliminary work program, subject to County approval, could include the following:

- tracking of development patterns and their relation to Framework policy areas;
- conducting workshops/training for local governments in innovative land use control techniques such as cluster development, mixed use zoning, agricultural zoning;
- preparing in-depth studies that advance Framework principles and policies (Such work may address open space conservation, farmland preservation, greenway and watershed planning, and the provision of input to the 2030 Regional Transportation Plan);
- updating the Framework every 5 years;
- reviewing capital budgets of both counties and establishing a Framework-consistent regional capital improvements program;
- commenting on major 239-l and -m reviews and SEQR referrals;
- hosting joint meetings of the County Planning Boards; and
- analyzing the feasibility of modifying sewer/water districts and service areas in accordance with Framework policies.

This step recognizes the counties' desire to maintain control over reviews authorized under Section 239-l and -m of the New York State General Municipal Law. It is anticipated that the regional entity will be among the agencies/organizations offering comments on projects defined as regionally significant by each County but decision-making authority will reside with each County's planning board.

Step Three: Establish an Erie County Planning Board

Concurrent with its endorsement of Framework principles and policies, Erie County will begin the process of establishing a Planning Board. This action, among the most

critical in the implementation process, is required to take full advantage of the County's ability to influence land use and development activities as authorized under state law. It also will engage a broader spectrum of development, conservation, and municipal interests in Erie County's planning processes and better mirror the structure of planning programs in counties across the state and country, including Niagara County.

The newly established Planning Board for Erie County will undertake traditional activities authorized in New York State Municipal Law and assist the County Executive in implementing and preparing updates to the Framework document. Other functions could include, in collaboration with the regional planning entity, establishing a system for tracking development activity; providing comments on referrals from local governments under Section 239-l and -m of the New York State General Municipal Law; and developing priority lists of park, trail, and resource conservation projects for use in the review and preparation of grant applications.

While membership and specific functions will be defined in local law, it is recommended that the newly established Board include a broad spectrum of individuals, both elected and professional. It is also recommended that ex officio members be defined in the local law creating the Board that includes at a minimum the executive directors of the GBNRTC and ECIDA.

To establish the Board, the Erie County Executive should forward a recommendation to the newly established Erie County Charter Review Commission requesting that any proposed Charter changes provide for the creation of an Erie County Planning Board.

Step Four: Joint Meetings of the Planning Boards

Following step three—the creation of the Erie County Planning Board—joint meetings of the County Planning Boards will be convened. During these meetings, members will hear reports on regional development activity, public investments, and conservation initiatives; learn of state and national best practices in planning and conservation; review progress towards achieving Framework principles and policies, and discuss strategies for attracting greater state support for bi-county planning, economic development, conservation, and resource protection efforts.

Initial meetings of the Planning Boards will focus on the review and discussion of findings from the Working Group regarding the establishment of a regional planning entity. In addition, early meetings will focus on the review of the region's Long Range Transportation Plan, the refinement of the Framework action plan, and the review of reports and assessments of regional development activity. To formalize the proposal for joint meetings, a Memorandum of Agreement will be established between the County Executive and Chair of the Niagara County Legislature.

4.2 ONGOING INTEGRATION & ADVOCACY

Integration of Economic Development Initiatives & Policies

The counties recognize the importance of the following regional economic development initiatives and will work together and with the future regional planning entity to ensure consistency between the Framework's recommendations and the following programs and initiatives:

- ***GBNRTC Reinvestment Policy.*** GBNRTC's current policies and practices favoring revitalization, repair, and improvement of existing infrastructure over the construction of new facilities is among the most influential regional initiatives consistent with Framework principles and policies. The counties will continue to support these policies and advocate for their continuation in future transportation improvement programs.
- ***Shovel-Ready Sites.*** Ongoing efforts to identify priority economic development sites and get them ready for industrial and commercial investment are vitally important to the Framework's implementation. This prioritization should be based on an assessment of the sites' relationship to regional planning and land use priorities. The counties will continue to assess buildings and sites for inclusion on the list and align regional policies and initiatives to attract investment.
- ***"Pre-Permitted" Sites.*** This effort to undertake site plan approval and complete SEQR compliance activities for priority sites prior to development has the potential, depending on the location of the sites, to be a powerful tool to advance Framework goals. Completion of a Generic Environmental Impact Statement (GEIS) could set forth acceptable locations, uses, and impact thresholds, and allow proposals meeting the conditions of the GEIS to move more quickly to construction. "Pre-permitted" sites will have a distinct advantage over sites subject to more

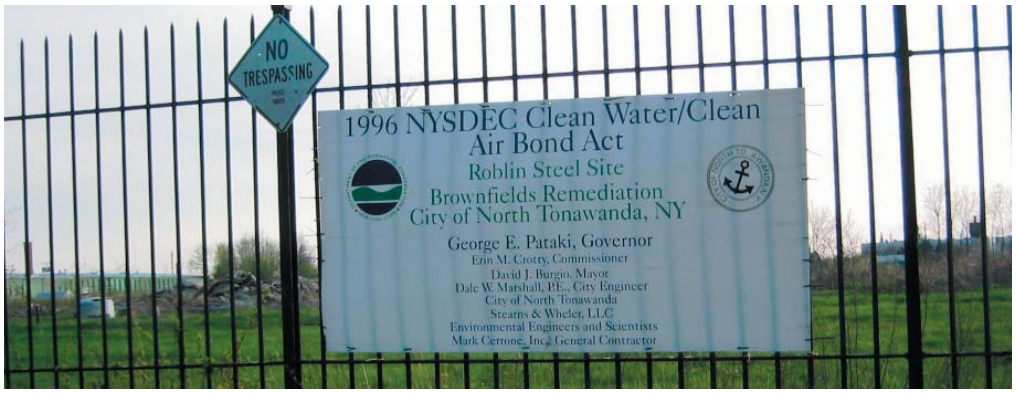

Figure 18. Brownfield remediation projects like this one in North Tonawanda are planned or underway throughout the region.

Figure 19. Streetscape improvements on Lancaster's Central Avenue have sparked reinvestment.

lengthy approval processes, so investment can be steered to locations consistent with Framework principles and policies.

- ***IDA Support for Revitalization & Rural Economic Development.*** To better leverage public resources and coordinate the efforts of the region's Industrial Development Authorities (IDA's), formal policies favoring reinvestment and infill development should be carefully considered. To ensure consistency with the Framework, IDA's are encouraged to adopt policies and practices to channel development to regional centers, growth corridors and rural centers, and expand initiatives to support rural economic development.
- ***Tourism & Heritage Development.*** Framework policies can be very important to preserving the quality of life and "sense of place" that help create an appealing tourism product. Revitalization of Niagara Falls; preservation of regionally significant environmental features, historic landscapes, and architecture; and reuse of heritage sites all help improve the asset base for tourism.

A regional economic development strategy is being prepared as part of a separate effort. As that effort nears completion, the counties will ensure Framework and emerging economic development strategies are fully integrated and mutually supportive.

Increased Advocacy for Support & Assistance

The counties are committed to taking a more active approach to the setting of regional priorities and the positioning of regionally beneficial projects for State and Federal funding. The current practice of locally driven grantsmanship—municipalities developing concepts for projects and directly applying for funds—leaves prioritization in the hands of granting entities in Albany and Washington. In addition, the lack of a strong regional endorsement for applications diminishes their potential to attract funding. Projects of regional significance, such as the Lake-to-Lake Trail, could benefit from more direct regional support and advocacy.

The counties, working through a regional planning entity, will focus on bringing state and national attention to projects of regional significance. Such efforts may involve the establishing of a grants rating system favoring projects applications consistent with Framework principles and policies. For example, some regions of the State prepared very comprehensive lists of projects for the State Open Space Plan and the State Comprehensive Outdoor Recreation Plan (SCORP). Having a project listed in these state planning documents automatically increases their attractiveness to funders. The counties will increase existing efforts to identify projects of regional significance and ensure they are referenced in relevant state planning documents.

The counties will take a more active role in securing assistance for regionally significant initiatives under the following programs:

- Quality Communities Initiatives (DOS);
- Parks (acquisition/ development) (State Parks);
- Regional trails initiatives (DOS, State Parks, TEA-21/TEA-LU);
- Historic Preservation (State Parks);
- Brownfields (DEC, EPA);
- Waterfront Redevelopment (DOS);
- Rural Development;
- Small Cities Program - Niagara County only, Erie not eligible (infrastructure, public facilities, community development, economic development, housing- if project meets HUD criteria); and
- Technical Assistance Grants - Niagara County only (planning grants that can be used to help develop a project to be submitted under Small Cities program)

Figure 20. The region's expanding network of parks and trails bolsters livability and attractiveness to visitors.

Figure 21. Lewiston's revitalization efforts have brought new life to the shops along Center Street.

4.3 EARLY ACTIONS—YEARS 1-5

The following actions are designed to kick-start the process of implementing the Framework.

Initiate First Phase of a Planning Assistance Program

Early in the process of implementing the Framework, the counties should work to secure assistance for the development of "Framework-consistent" model ordinances and planning tools for use by local municipalities. For example, the counties could develop model creek corridor overlay districts, traditional neighborhood development ordinances, and fiscal impact assessment models. The counties or another regional partner also could sponsor a series of training sessions and dialogues for local planning board members.

The abovementioned training could coincide with proposed new requirements in New York State. These would mandate that municipal boards, such as planning, attend a certain number of training sessions per year.

Develop Capital Project Review Policies & Procedures

To begin making the Framework an integral part of policy-making and priority-setting and as an interim step before a regional planning entity is established, the counties should establish processes to carefully evaluate proposed capital expenditures against the Framework's principles and policies.

In Erie County, the County Executive and newly formed Planning Board will play important roles in the capital budgeting process. The County Executive will encourage departments to align capital budgeting procedures and policies with the Framework. The newly formed Planning Board, as a central part of its annual work program, will prepare Framework-consistent policies for consideration by the County Executive and collaborate closely with the County Budget Office during budget development. In Niagara County, the County Manager, Niagara County Center for Economic Development, Department of Public Works and Budget Department will be jointly responsible to assess capital planning priorities and decisions.

The counties' and Regions' capital budgeting policies and procedures should be designed to encourage the following kinds of public investments:

- investment in existing developed areas is preferred over development which is outside the developed area;
- investments that support revitalization of existing centers;
- investments that support agriculture and open space preservation;
- investments that encourage adaptive reuse of historic assets, conserve or improve access or promote regional culture;
- investments that promote improved mobility (transportation improvements should focus on reinvestment in developed areas, promote cross-border connectivity, and support alternative modes of travel);
- investments that improve the quality and capacity of existing infrastructure systems; and
- investments that facilitate redevelopment, use brownfield or grayfield sites, and improve and utilize existing underutilized lands and/or buildings (preference to renovation of existing vacant structure over new construction when feasible).

In addition, new policy guidance should be designed to discourage the following types of public investments:

- investments that would hinder agricultural or open space protection;
- investments that support development in priority conservation areas (such as flood plains and wetlands); and
- investments that require additional infrastructure extensions.

Although the counties have less direct control over State, Federal and local capital investments, influence may be exercised in several ways. Generally, State agencies will consider clearly articulated local priorities in making their decisions. Local municipal decision-making can often be influenced through a mixture of "carrots and sticks." The counties can exercise influence through capital investments, grant-making, and the provision of financial and technical assistance to localities. For example, the counties may not support certain types of infrastructure investments in a community if the locality's plan is not consistent with Framework principles and policies. For capital projects proposed by independent public authorities or special districts, the counties can exercise indirect influence through their representatives.

Establish System for Tracking Development Activity

To assist in the evaluation of cumulative and region impacts of individual development projects, a bi-County system for tracking and reporting on development activity should be developed. While strengthening Section 239-m and -n reviews will help monitoring, these reviews pertain to only a portion of all land use decisions. As a start, the counties could establish a standardized data base record format for applications and coordinate methods to track applications via GIS. This would help to standardize the type and nature of information gathered.

Types of information to track include the following:

- major rezonings, particularly those not associated with a specific project;
- proposed subdivisions/ in progress/ status;
- large existing non-developed subdivisions (permitted lots);
- residential development: Building starts (building permits);
- commercial and industrial lands (developed by square footage and non-developed by acreage);
- large development projects (site plans);
- actions affecting regionally significant environmental features; and
- location of businesses receiving assistance from various economic development agencies.

Develop SEQR Type I Action Lists

Consistent with the provisions of 6 NYCRR Part 617 (the State Environmental Quality Review Act - SEQRA), Section 617.4, the counties may develop a local list of Type 1 Actions that trigger the full requirements of compliance with SEQR, including completion of a Full Environmental Assessment Form (EAF) and a coordinated review. Each legislature would adopt a law establishing a local Type I Action List. These lists can be coordinated between the two counties (same for both) or can be different for each County.

The counties' Type I Action Lists could describe the following types of activities:

- projects occurring in significant environmental areas;
- major subdivisions in rural areas;
- major subdivision or developments in developing areas without sewers;
- major subdivisions or developments in Agriculture Districts in Developing or Rural Areas; and
- large non-residential projects (threshold would need to be established to focus on regionally significant projects)

Under State regulations, the costs for preparation or review of a DEIS can be allocated to the proposed project sponsors (if one is required).

Figure 22. Residential lots along farm frontages like these in Niagara County, are changing the character of the region's rural landscapes.

Assess Impacts of Rural Subdivisions

To better address issues associated with the subdivision of large parcels in rural and agricultural areas—fragmentation of agricultural and forested lands, increased traffic on rural roads, and changes in rural and neighborhood character—the counties can establish their own definitions of major subdivisions and large projects requiring SEQR review.

The counties should consider changing their definitions of subdivision to include 3 to 5 or more lots of any size in unsewered areas. This change, accomplished through amendments to the Type I Action List, would help bring additional scrutiny to proposals for the development of rural lands. Through these reviews, the County would refer proposed projects to the County Health Dept. which could then comment on septic-related issues and potentially limit the amount of building on sites with prime agricultural soils or soils unsuitable for drain fields. Very large lot conservation subdivisions, with suitable soils, parcels greater than 20 to 25 acres, and designated conservation areas, could be exempt for the review process. Projects with smaller parcels, multiple points of access from public roads, and poorly drained or prime agricultural soils could be subject to SEQR review as County-defined Type I Actions.

Improve Section 239-l, -m and -n Reviews

The counties can exercise greater influence over the pace and character of development by improving Section 239-l, -m and -n review procedures and practices. In accordance with General Municipal Law, certain projects and actions must be referred to the "county planning agency or regional planning council" for review. This review is intended to bring a broader perspective to local decisions and incorporate a consideration of regional issues in the planning process.

Under Section 239-l of General Municipal Law, the State Legislature establishes the basis and intent for referring certain issues relating to planning, zoning, and site plans to the counties (or regional planning entity) for review in order to determine if there are any

county-wide or inter-community impacts of the proposed action. Section 239-m details the types of actions subject to referral:

- adoption or amendment of a Town, Village or City Comprehensive Plan;
- adoption of an amendment to a zoning ordinance or a local law;
- issuance of special use permits;
- approval of site plans;
- granting of use or area variances; or
- other authorizations issued under the provisions of any zoning ordinance or local law.

These actions trigger a review if they are on property located within 500 feet of any of the following:

- a jurisdiction boundary (city, town or village);
- the boundary of any existing or proposed state or county park "or any other recreational area";
- the right-of-way of a county or state road;
- the right-of-way of a county-owned stream or drainage channel, or a waterway for which the county has established channel lines;
- the existing or proposed boundary of county- or state-owned property on which a public building or institution is situated; or
- the boundary of a farm located within a state-designated agricultural district.

It is not envisioned that every action in the region will be reviewed; however, the regional planning entity should review projects that meet a threshold of "regional significance." Criteria for which projects are considered regionally significant would need to be established.

Counties are also authorized to review proposed subdivision plats, under Section 239-n. The triggering factors are the same as above, with the exception that in order to be considered a "proposed" county facility, these elements must be shown on the county Comprehensive Plan or an official map. Authorization includes preliminary or final plats as well as "undeveloped plats." Undeveloped plats are defined as filed plats where 20% or more of the lots are unimproved, unless they are undeveloped due to poor conditions.

Under either Section 239-m or 239-n, if the county rules against the project or action, or recommends modifications, then the local community is required to take this recommendation into consideration. In order to disregard the county's recommendations, the locality must have a supermajority vote (majority plus one vote of all members). The locality is also required to provide a report setting forth their reasons for not complying with the county's recommendations. However, the county's recommendations are not compulsory, and localities may disregard them if they meet these conditions.

It is important to note that local decision makers do not legally have the authority to act on projects within their jurisdiction that are subject to Section 239-m or 239-n until they have received a recommendation from the county or regional planning agency, or 30 days have lapsed since the posting of the review solicitation. In addition, the county or regional planning agencies' recommendations are still "binding" if received after 30 days have lapsed, but before the local agency makes its final decision. There is a presumption that actions that are taken without complying with the letter of this state law may not sustain judicial review.

In the case of Erie County, projects under 239-m are presently sent to the Erie County Department of Environment and Planning and the staff review these projects against general criteria, and review letters are sent to the municipalities. Letters indicating the municipality's final decision on the action are routinely not received. Erie County Department of Environment and Planning does not currently review subdivisions under 239-n (subdivisions are reviewed by the Erie County Health Department). Niagara County reviews the referral projects at the Niagara County Center for Economic Development and the reviews are sent to the Niagara County Planning Board for a decision / recommendation to the municipality.

The following actions should be undertaken to improve review procedures and processes:

- ***Framework-Supportive Policies.*** Both counties should establish new policies for 239-m and -n reviews that require findings of consistency with the Framework. In addition (over the long term), projects of regional significance should be subject to some form of joint County review.
- ***Erie County Processes.*** Erie County, as it creates a Planning Board, will establish a standardized, more readily defensible, review process. As a charter county, Erie County has the option of requiring additional actions be submitted for review—charter counties may enact laws inconsistent with general laws of the state as long as they do not conflict with provisions of the State Constitution.
- ***Definition of Projects Not Requiring Review.*** Both counties have the option of agreeing with any or all municipalities that certain actions would not require County review. These would be actions that are of local concern only, are expected to have no regional or intermunicipal impacts, and generally consistent with the provisions of the Framework. Although the counties have already established intermunicipal agreements with several municipalities, these standing agreements should be evaluated and adjusted to ensure the highest level of consistency in the nature and scope of actions not requiring 239 review.

Figure 23. Shops along Elmwood Avenue play an important role in the stabilization of surrounding neighborhoods.

Clarify & Strengthen Reinvestment Policies

- ***Rural Centers Assistance.*** Erie County should build on the success of its expansion of its rural centers assistance program, and Niagara County should consider the possibility of establishing a similar program. Currently, Erie County provides funding to help revitalize four rural business districts in the Southtowns. This project has been fairly successful at encouraging private sector investment and promoting renovation in these areas. Funding to expand the project would need to be identified.

  The existing program is funded through Community Development Block Grants, which is a limited (and potentially shrinking) source of funds, and which can be invested only in certain areas. Also, Erie County allocates CDBG funds only to communities within the County's consortium, which excludes the larger communities (City of Buffalo, Towns of Amherst, Cheektowaga and Tonawanda, and the Town of Hamburg, although there is coordination between Hamburg and the County). These communities receive CDBG and Home Investment Partnership funds directly, either as entitlement communities, or in the case of the Towns of Amherst, Cheektowaga and Tonawanda, as a separate Consortium. If Niagara County were to establish such a program, Small Cities grants could be used to fund it.
- ***Reinvestment Challenge Grants.*** With a very small allocation of the region's transportation improvement dollars, the region could fund a new grant program to help localities attract reinvestment and encourage more compact, walkable, and transit-oriented forms of development. This program would enable the counties to fund projects targeted at revitalization of traditional centers, villages, hamlets and neighborhood centers. Activities could include streetscape improvements, business support programs, microenterprise loans, or other activities in support of renovation in targeted areas.

  A potential model is the "Livable Communities" initiative in Atlanta, Georgia, which provides grants to local governments and non-profit organizations to further "sustainable, livable communities consistent with regional development policies." Because that program is funded with transportation monies, it focuses on the link between land

use planning and transportation planning. Communities that implement portions of their plans receive priority for related transportation projects. Another potential source of funding is the State Quality Communities program, although funding levels for this project tend to be more modest.

- ***CDBG Funding Priorities.*** This policy faces similar limitations as noted above in the discussion on the rural centers program. Project eligibility guidelines promulgated by the U.S. Department of Housing and Urban Development may limit the communities' ability to accomplish these linkages, and the demand for community development funds far exceeds their availability.
- ***Brownfields Programs.*** Niagara County should continue and expand its brownfields program, focusing on revitalization and development of brownfields in developed areas. Erie County should continue to support and assist local brownfield initiatives, in coordination with the ECIDA, occurring in areas such as the Cities of Buffalo, Lackawanna and Tonawanda.
- ***Encourage State Action.*** It is important that leadership institutions within both counties lobby the Western New York State delegation for important legislation. The latter would include new laws, changes to existing regulations, or new State programs that better promote reinvestment in older urban areas, smart growth initiatives and regional planning.

4.4 LONGER TERM ACTIONS—YEARS 5-10

Develop Planning Area Specific Standards for County Roads

Roadway design should be "context-sensitive" and reflect the nature of the environment. Rural roads with lower traffic volumes can be built to different standards than high volume roadways in developed areas. Also, roadway design has an impact on surrounding land uses. Attractive streetscapes can help encourage revitalization of existing business districts; sidewalks in more densely populated areas can encourage mobility and access, whereas they are unlikely to have the same impact in sparsely populated rural areas. Provision of bike paths can be an on-road lane, a widened shoulder, or a separate pathway. In other words, "one-size-fits-all" roadway planning is inefficient and can be counter productive to planning goals.

Appropriate, context-sensitive standards should be keyed to the Framework policy areas. In rural areas these standards may address lane widths, number of lanes required, and required drainage (ditches vs. closed systems); in developing areas standards may address access management, and provisions for sidewalks and bike lanes; and in developed areas the standards may encourage reinvestment and revitalization such as streetscape, higher levels of landscaping, and sidewalks. In a companion effort, the counties, along with the New York State Department of Transportation, should develop a context-sensitive design process that engages local municipalities in the redesign of roadways in a manner that focuses on land use needs in addition to transportation considerations.

Figure 24. Infrastructure investments, such as the extensive water system in Niagara County, play a central role in shaping regional growth.

Adjust Sewer & Water District Limits Consistent with Framework

Although the counties do not exercise direct control over the operations of sewer and water districts, they play an important role in the process of evaluating proposed adjustments to district boundaries. To better align Framework policies with the practices of the region's sewer and water districts, the counties should adopt policies and procedures for the review and evaluation of changes to district boundaries, including expansions of the districts, the contraction of districts in areas where the provision of public sewer and water would be inconsistent with Framework and County agricultural conservation policies, and requests to service of out-of-district customers.

Specific attention should be focused on boundary adjustments in areas where districts already cover areas that may not meet the goals and objectives of the Framework. There are areas within the districts where there is no service, and extension of new utility lines would be required to provide service to properties. Some of these areas are in locations where there is no intention—or need—to extend service or in areas where extension would directly conflict with regional and local conservation goals. In areas where extensions may be required to address public health concerns, extensions should be designed in ways that do not induce new growth. For example, lateral restriction provisions could be implemented, allowing tap-ins for existing structures but severely limiting potential future tap-ins.

County policy regarding the extension and contraction of districts should address the following:

- limiting sewer district expansions in agriculture districts, rural areas, and in developing areas with environmentally sensitive areas;
- contracting sewer districts where there is no actual service in rural areas, outside rural centers, in agricultural districts, and in environmentally sensitive areas;
- limiting water district expansion in rural areas, in agriculture districts, and in areas not experiencing service water supply problems; and
- allowing water extensions to locations where poor water quality or quantity presents a health issue, but only with strict restrictions on tie-ins to support new development.

Expanded Assistance for Agricultural Conservation Efforts

Agricultural conservation is clearly strongly valued. Preservation of agricultural lands provides a number of important benefits: it protects the environment, promotes local sustainability, and is an important component of the local economy. Studies have shown that agriculture as a land use also helps keep municipal costs down, because on a per-acre basis, agricultural land requires much lower levels of municipal services to taxes paid compared to other land uses. Conservation of agricultural lands will also help promote the principles of the Regional Framework.

Both counties can take additional steps in support of agricultural conservation. A summary of further action follows:

- ***County Farmland Protection Plans.*** Erie and Niagara Counties should update and expand on their existing Farmland Protection Plans (each adopted in 1999), providing greater detail regarding priorities and action steps for farmland protection. Through the update, the counties may establish priorities for the conservation of lands under development pressure and for those areas with soils of statewide significance.
- ***Farmland Protection Boards.*** Both counties have Agricultural and Farmland Protection Boards to oversee the NYS Agricultural Districts. In Niagara County, the board takes an active role; in Erie County, it is largely limited to review of state-designated agricultural districts. These Boards could take a larger role in coordinating and championing Countywide agricultural issues; there could also be greater coordination between the two counties in regard to agricultural issues.
- ***County and Region-Wide Conservation*** Priorities. The counties could take a more active role in identifying priority agricultural lands, based on agricultural value and open space value as well as become more active in the process of identifying and securing grant funds.
- ***Purchase of Development Rights.*** The counties, working through the regional planning entity, should establish a Purchase of Development Rights (PDR) program to protect prime agricultural land from development. While purchase of development rights can be expensive, the NYS Department of Agriculture and Markets offers a program that provides up to 75% of the cost of purchasing development rights. There is also a companion federal program that can further reduce the cost of acquiring these rights. In some cases, the agricultural operation will agree to sell the rights at a "bargain sale" price, further minimizing costs. Such transactions can be beneficial to the seller in that the amount of the sale price below market value can reduce tax liability. This program can also be linked with a conservation easement program which can guarantee the development rights are not rejoined with the parcel at some point in the future.
- ***County-Community-State Collaborations.*** Establish greater coordination with other organizations involved in farmland pres-

ervation issues, such as the Soil and Water Conservation Districts, Cornell Cooperative Extension, the American Farmland Trust and the Western New York Land Conservancy.

- ***Rural Economic Development.*** The counties should continue efforts to strengthen the viability of local farmers. Options include financial incentives; marketing assistance; model legislation in support of agricultural activities; public education; and technical assistance. Niagara County recently obtained state funding through the Department of Agriculture to market agritourism. Erie County has also received State grants for agricultural marketing and development. There should be a greater, more explicit understanding of the economic development benefits of agriculture to the economy, in addition to its value for open space protection.
- ***Community Character Initiative.*** New York State is considering legislation that would enable municipalities to charge additional transfer tax on certain real estate transactions in order to fund actions in support of "community character preservation". Currently, eligible activities under the proposed bill would include the preservation of open space; the establishment of parks and recreation areas, the conservation of agricultural lands, lands with exceptional scenic value, wetlands, aquifer recharge areas, and beaches and shorelines; establishment of wildlife refuges; preservation of unique or threatened ecological areas and rivers and river areas in free-flowing condition; preservation of forested land; provision of public access to lands for public use; preservation of historic places and properties; and establishment of a greenbelt. Funds may be used for planning purposes; acquisition; transfer of development rights programs; and management/stewardship programs. The counties should consider encouraging state passage of this legislation and developing local "Community Preservation Project Plans" to guide local actions under this program.
- ***Conservation of Rural Character.*** To assist in the preservation of agricultural sites and areas with unique scenic and landscape character, the counties, working through the regional planning entity, should prepare model zoning ordinances for use by towns and villages. Such regulations can encourage conservation subdivision, the conservation of prime agricultural lands, wildlife habitat, and viewsheds.

Support Compliance with National Pollutant Discharge Elimination System (NPDES) Phase 2

As they work towards compliance with new federal rules for the management of stormwater run off, the counties should be active participants in the WNY Stormwater Coalition. Forty-one municipalities within Erie and Niagara Counties are responsible for implementing the NPDES Phase 2 Stormwater Rule, including Erie and Niagara Counties. Forty of these municipalities participate in the WNY Stormwater Coalition to develop individual Stormwater Management Plans, Ordinances, and other standards for each community and have them implemented by 2008.

FOR ADDITIONAL INFORMATION

Please contact the following individuals for additional information on the Framework for Regional Growth.

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