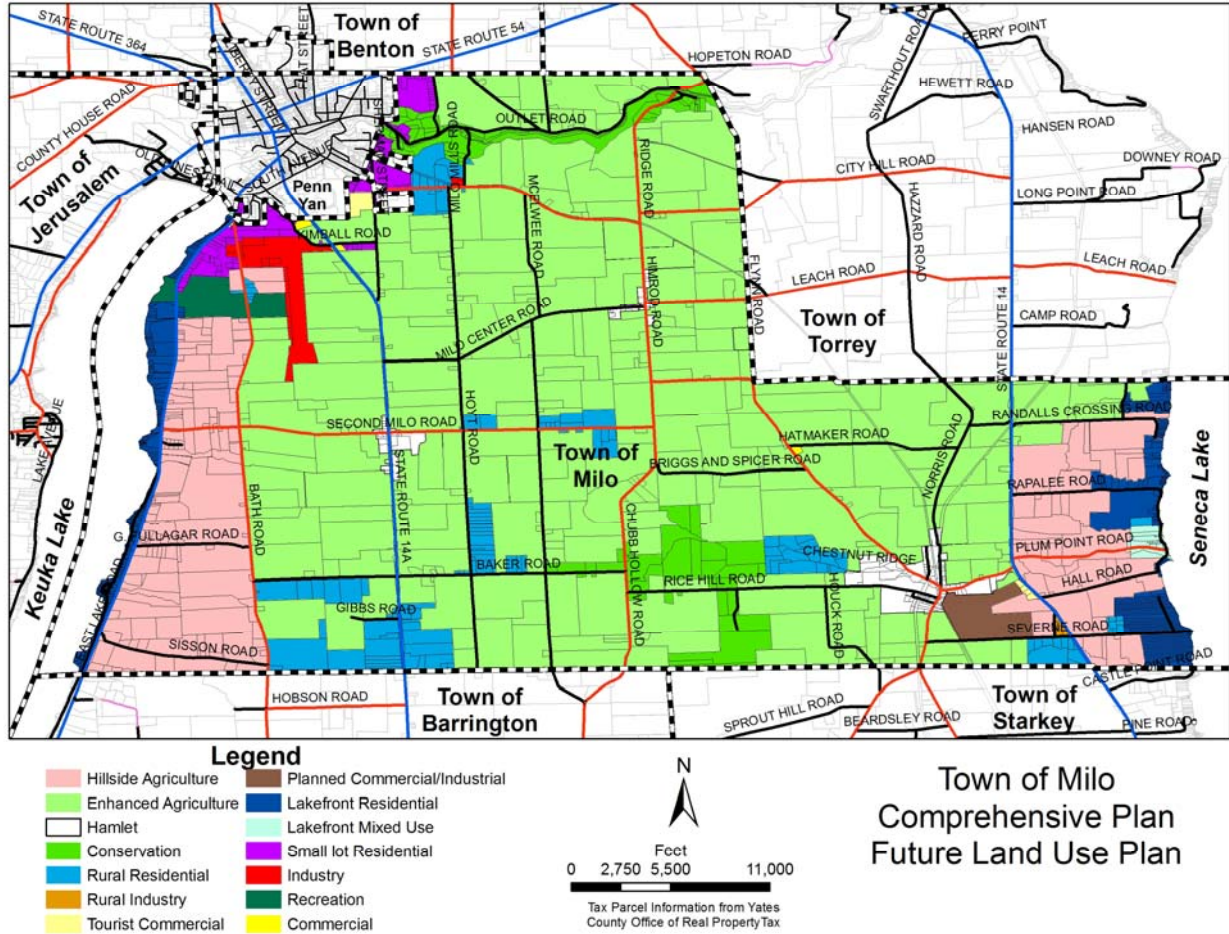


X. FUTURE LAND USE PLAN

The Land Use Committee built upon the work of the Agriculture Committee and developed a proposal for the future land use for those areas of the Town that were not agricultural. This work was reviewed and refined by the Comprehensive Plan Committee. The map below depicts the results of this effort.



Map 25: Future Land Use Plan

Beginning below and on the following pages each land use category is discussed in detail, and in some cases enlargements of various areas of the town are shown. This is done to clarify the intent of the comprehensive plan and the character of the area that is envisioned for each land use category. At the end of this section are additional maps and text that present a concept of having additional commercial tourism overlay uses in areas along State Rt 14 and State Rt 14A.

■ **Conservation:** These are high quality forested areas, often characterized by steep slopes, and the ravine surrounding the Keuka Lake Outlet. Residential development should be very low density (large lots), because of the steep slopes and flooding threat, as well as the importance of these areas to maintaining the town’s rural character. Hunting cabins, forest management, recreation trails, and scattered single-family residences characterize this area. Residential

development and cabins should be required to be as inconspicuous as possible to protect the character of these areas. Hilltop and ridgeline development should not be allowed, as it would have a dramatic impact on character.

■ Hillside Agriculture: As stated in Section V, the Hillside Agriculture land is characterized by a mix of agriculture including a higher component of vineyards than the rest of the agricultural areas of the town. The intent is to allow a mix of vineyard, winery, and scattered (low density) single-family residential uses to preserve the rural character of these important scenic areas. The density of residential uses must be low enough so there is little conflict with the wineries and adjacent vineyards, and so that the value of the scattered residential lots is maximized. This lower level of density is also important to limit the degradation of lake water from high nutrient and pollutant stormwater runoff. See Section V for a more complete discussion of recommendations for this land use area and the zoning that is envisioned for this area.

■ Enhanced Agriculture: As stated in Section V, the Enhanced Agriculture land is characterized by a variety of agricultural uses and associated residences supporting agriculture. Limited non-agricultural uses are allowed, but the creation of new residences and lots is subject to whole-parcel planning (required by the site plan provisions of zoning and the town's subdivision regulations) to preserve the agricultural use of the surrounding land. Farm businesses and related agricultural sales are allowed, but the character and the size of the businesses are limited to preserve the rural character of the area that is so important to both residents and the area's tourism industry. See Section V for a more complete discussion of recommendations for this land use area and the zoning that is envisioned for this area.

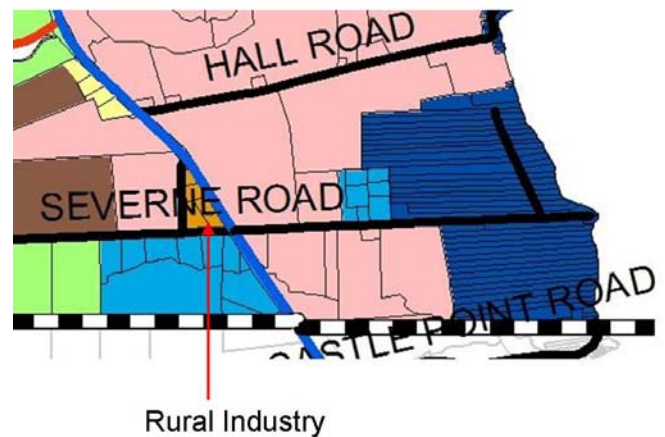
□ Hamlet: The hamlets of Second Milo, Milo Center, and Himrod are typical upstate New York hamlets that date from the 1800's. As such, they are more organic than modern subdivisions in that they contain a mix of lot sizes, different uses in close proximity, and building setbacks (as opposed to uniform lot sizes, setbacks and segregated land uses). When they were originally formed, the commercial uses they contained supported the needs of immediate neighborhood. As the automobile allowed more mobility, and competition drove commercial establishments to consolidate, grow, and serve a larger population, their commercial uses disappeared as they were served mostly by the uses in the Villages of Penn Yan and Dundee. At the same time, their small size and the distance from these villages prevented the extension of public utilities such as water and sewer. As a result, they have suffered economically and socially (there are fewer social organizations such as churches, playgrounds, etc. in these areas) so that they experienced very little growth over the last 50 years. In short, people moved to areas where there were more services and social organizations. As a result, property values in the hamlets fell, less economically well-off people reside there, and many properties are not well maintained furthering the downward cycle.

There is hope for the hamlets, however. Regionally, planners are seeing resurgence in investment interest in historical hamlets. This is fueled by recognition from local residents and people moving from other areas of the historic significance of the hamlets and the unique character of the development pattern of upstate New York. To encourage reinvestment in the hamlets, the town must zone them appropriately, invest in amenities, and enforce property and building maintenance. Zoning cannot be the typical low-density residential zoning requiring

large, uniform lots, uniform building setbacks, and separation of uses. Instead, zoning needs to be much more flexible, allowing replacement of existing structures, construction of new structures of similar character, and having different land uses in close proximity. Zoning around these hamlets should not be low density residential because the character will clash with that of the rest of the hamlet, and will not help to funnel investment to existing homes in the hamlet especially in a town that is not experiencing much overall growth. Investment in amenities such as sidewalks, trails, and recreation facilities (picnic areas, playgrounds, ball fields, etc.) are important to attract families—they want these types of amenities in residential areas. Funds can come from grants, the collection of a recreation fee for the creation of new residential units (the town can establish such a fee that can be used by the town only for acquiring recreational land and equipment or the maintenance thereof), private donations, or from general town funds. People will also be more willing to purchase and invest in properties when they are assured that adjacent properties will be maintained; another reason the town needs to do all it can to ensure a reasonable level of property and building maintenance. Through traffic or speed limits need to be reduced in these areas to enhance their residential character. Finally, the Town should consider funding or seeking a grant to fund a report (by an entity such as the Historic Society of Western New York) documenting the historical development and the historic architectural styles of residences in these hamlets. This can be a useful tool for real estate developers to use in marketing properties in the hamlets and for the town in seeking grants for public improvements and amenities.

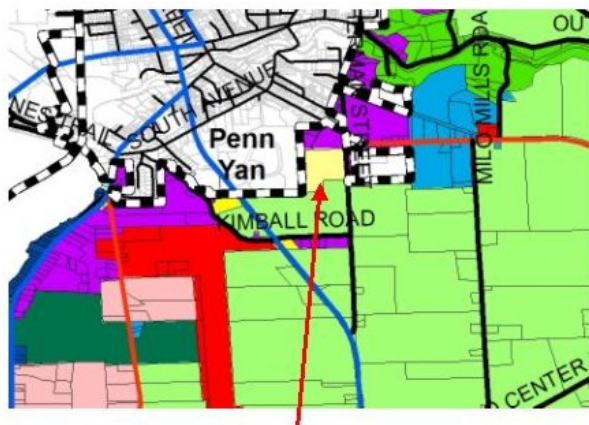
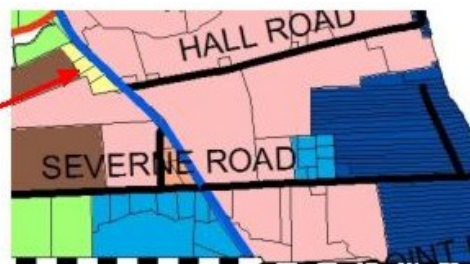
■ Rural Residential: Large lot residential properties, often five acres or more, remote from public utilities, make up this land use type. They are scattered in clusters around the town, usually surrounded by agricultural land. Often the lots are large enough to support a ‘farmette,’ meaning that a small barn housing one or a few horses, cows, or other farm animals without impinging on adjacent residential properties. Home businesses, including those involving direct retail sales to the public, are also easily accommodated in these areas.

■ Rural Industry: The triangular area bounded by State Rt 14, Severne Road, and Trenchard Road is proposed as the only area initially characterized as Rural Industry. A moderate size industry is located in this area that does not need significant public utilities (in the way of public water or sewer service). Care must be taken to ensure the character of this area does not negatively impact the rural character of the area that is so important to the town’s residents and to the tourism industry. As the population of the old sect members such as Mennonites grows in the community and their members look for employment off of the farm, the Town may wish to designate more property to this type of land use in the rural areas of the town. This will be preferable to having these types of industry located in the industrial areas of the community such as the Horizon business park, where public utilities are located that will support more high-tech forms of industry.



■ **Tourist Commercial:** There are two areas in the Town where businesses that cater to tourist exist that are not associated with on site agriculture. The first, along State Rt 14, includes an existing winery remote from its supporting vineyards, an automobile service station, and other miscellaneous businesses. The multiple uses that exist on the parcel containing the automobile service station elicited the most comments from survey respondents for any property on the eastern side of the Town citing it for poor property maintenance or generally for being an eyesore. Improvement of the appearance of this property is important to the resident and tourism business, as it is a very visible property in the important State Rt 14 corridor. The importance of this automobile service business for local residents and tourism industry must be recognized. It is the only gasoline service available for many miles and is located in close proximity to both the state boat launch site on Severne Road and the hamlet of Himrod. If vehicle and other outdoor storage could be visually screened from the public right of way and other general improvements made to the building and property, this business and property would become a greater asset to the community than it already is. This is vitally important if the town is to be successful in attracting additional commercial tourism business in this area of the

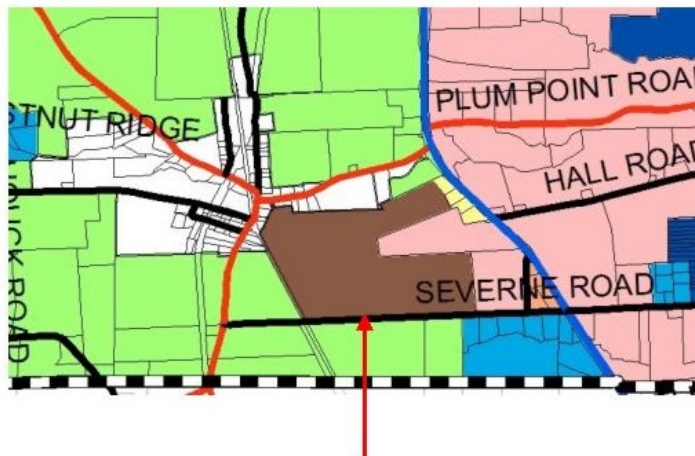
Tourist Commercial



Tourist Commercial

town (see the discussion of overlay uses for tourist commercial at the end of this section). The second area of the town characterized by this land use is the Yates County Fair property located on Old Rt 14A just south of the village.

■ **Planned Commercial/Industrial:** The concept for this land use is to require a whole parcel development plan be submitted, including plans for combined access so that traffic issues do not become a problem, instead of allowing single business proposals (commercial or industrial). A whole parcel plan should be required for any site plan or subdivision proposed for property in this district through requirements written in the Town's Zoning Local Law and Subdivision Regulations.



Planned Commercial/Industrial

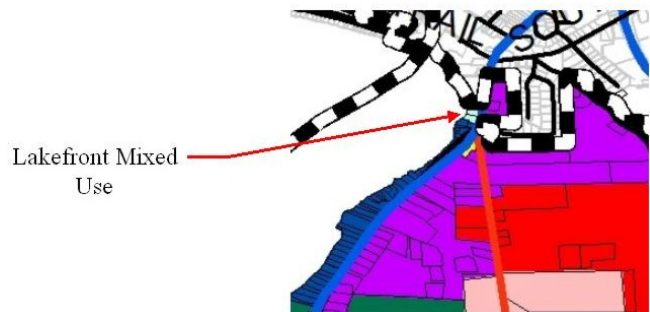
The area of the town meriting this land use designation is the Morton Salt property in Himrod. The mine is currently inactive, and the intention of the corporate owners is unclear. This large property has ample road frontage and railroad access, but limited utility services. Property maintenance is also a concern as some of the structures on the property are highly visible. Including this property in a Planned Commercial/Industrial land use and zoning district designation would give the Town the ability to require whole parcel planning and manage access, while preserving the flexibility to negotiate a variety of uses with the landowner or potential landowners for the property.

■ Lakefront Mixed Use: There are two areas of the town are currently characterized by this land use pattern and should remain so in the future. These areas are characterized by high volume commercial businesses that depend on their location on or near the lakeshore, and also include or are in close proximity to residential uses. Waterfront restaurants, hotels, boat sales, service, and marinas as well as cottages, bungalows, single-family residences and similar uses comprise the mix



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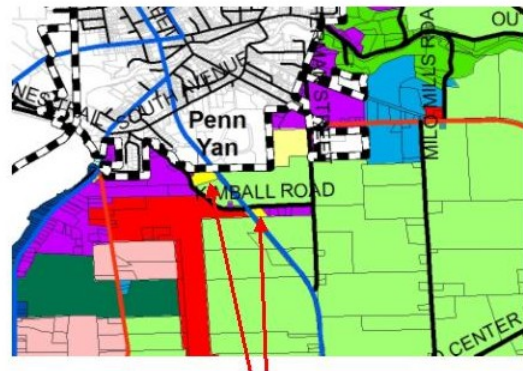
that exists in these areas. Expansion or redevelopment in these areas should require site plan review because of its proximity to the lake, include whole parcel planning, and ensure that the mix of uses is functional and not disruptive to adjacent lakefront residential property.



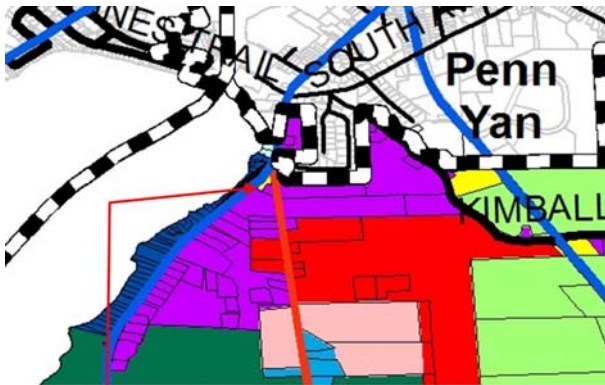
■ Lakefront Residential: The majority of the shoreline and near shoreline areas along Keuka and Seneca Lakes are characterized by small lots and a variety of single family structures ranging from seasonal cottages and mobile homes to traditional year round residences some of which are second homes. As identified in the survey and the demographic analysis of the town, the trend in these areas is for older residents to live there and for much higher income people to own these properties especially as second homes or investments. This higher income ownership often brings with it the desire and the financial ability to replace smaller residences with much larger new ones. The zoning for these areas must control the size and height of new homes on these often smaller lots for several reasons. First, it is important to the character of the area; if the lakes are ringed by large homes on small lots, lake views from public rights of ways and non-shoreline properties will be greatly reduced. Second, high lot coverage on lake front parcels will increase storm water run off quantities and reduce water quality as opportunities to provide on site detention and water quality treatment will be limited if not impossible. Third, the ability to build large homes on small lots discourages the consolidation of lots into a larger lot that is capable of supporting a larger home. Fourth, the ability to construct large homes on small lots inflates the value of small lots and makes it increasingly difficult for the moderate income owners to continue to own them; in other words, it forces moderate income owners to sell their

properties because the tax burden becomes too high and especially affects the aged on fixed incomes. Zoning for these areas should also take into account where municipal sewer service is available, and require larger lots where municipal sewer service is not available, such as all along Seneca Lake. Because of the small lot sizes, site plan review including sedimentation and erosion control should be required for new residences and modest sized additions in these areas in order to protect water quality in Seneca and Keuka lakes. Please refer to Section VI for additional recommendations for the Lakefront areas of the town.

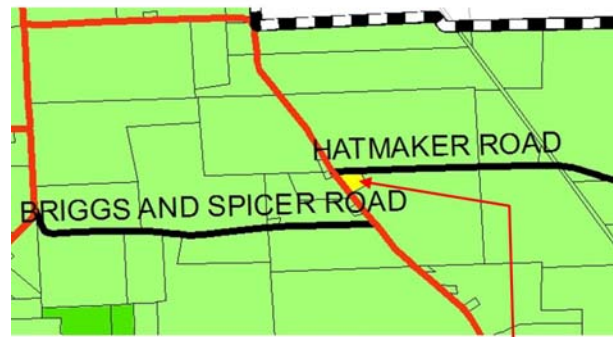
Commercial: There are scattered properties in the Town that contain sizeable commercial businesses. This includes Friendly Chrysler Dodge and New York State Department of Transportation properties on State Rt 14A, the monument business property located at the intersection of State Rt 54 and Old Bath Rd. just south of the Village of Penn Yan, and the hardware store at the corner of Himrod and Haymaker roads. None of these properties are dependent on proximity to the waterfront and they are not large enough to encompass a planned



Commercial



Commercial



Commercial

commercial district. These existing businesses are well established, but don't fit with any of the other commercial land uses proposed in this plan, although they are proximate to other commercial property. Thus, this plan proposes that those uses continue, but does not propose that the area in this general commercial category should be expanded. Similar uses to these should be located within the Village of Penn Yan in the future.

Tourism Commercial Overlay: The State Rt 14A and State Rt 14 corridors are the high traffic volume roads in the area serving both local commuting needs and for tourism. The agriculture committee recommendation for zoning much of the land in these areas for agricultural use while allowing farm related and agricultural related sales and businesses does not recognize the existing tourism related businesses and opportunities. At the same time, much of the soil in these areas is of high quality for agriculture uses. The solution is to leave the underlying zoning for agriculture, but establish an overlay district extending approximately 500 ft. back from the

centerline of these highways to allow tourism related uses along the frontage on the state highways.

Limits on the type and size of the uses should be specified to limit competition with the commercial districts in the Village of Penn Yan, and to protect the rural character. Wineries, farm stores, craft markets, antique sales, and similar retail uses should be allowed. Uses such as gas stations, convenience stores, general grocery stores, hardware stores, automobile sales, etc. that would compete with uses in the Village or be contrary to the character of the area should not be allowed. Modest size retail sales as part of an existing residence or in a separate building limited to 5,000 square feet set back from the highway with a high percentage of green space and tree plantings would be appropriate. The character of buildings should be rural, and not ultra modern, in order to blend with the area's character. Maintenance of the existing speed limit should also be addressed. To maintain a 55 m.p.h. speed limit, access points should be spaced a minimum of 660 feet apart and aligned with access points across the street (based upon standards promulgated by the National Association of Highway Engineers). Site plan review should be required for any commercial uses, and the location of driveways reviewed in regard to access management standards. Where these standards cannot be met, curb cuts should be designated as temporary and a condition of approval should be removing the connection in the future when development on adjacent property makes conforming access possible.

