

ZONING

235 Attachment 3

**Specific Planned Unit Development Regulations
Upstate New York Medical and Technology Park Planned Unit Development
[Adopted 3-19-2008]**

§ 1. The final plan submitted by the Genesee County Economic Development Center¹ on January 10, 2008, is hereby approved with the modifications and conditions stated hereinafter:

- A. The owner and developer will be subject to site plan review by the Town of Batavia Planning Board pursuant to § 235-63C of the Code of the Town of Batavia for the following:
 - (1) Any deviation from the currently approved roads plan or infrastructure plan.
 - (2) Any proposal to construct or modify a building or structure within the planned unit development area.
- B. Any and all signs to be erected or installed shall be subject to the standards and review of § 235-39 of the Code of the Town of Batavia.
- C. Any subdivision of land shall be subject to the review and requirements of Chapter 204 of the Code of the Town of Batavia.
- D. The minimum size of any building lot or parcel shall be 40,000 square feet with a minimum frontage upon Assemblyman R. Stephen Hawley Drive of 200 feet.
- E. No common open space criteria as currently required in the Town of Batavia Zoning Ordinance shall apply. Open green space areas shall be provided in conjunction with the proposed stormwater management areas.
- F. The maximum impervious coverage per parcel shall be allowed to be up to 75% of the size of the parcel, with a minimum of 25% of green space.
- G. The following shall be permitted uses with only site plan review and no special use permit requirement:
 - (1) Research and development facilities.
 - (2) Commercialization centers and related facilities.
 - (3) Manufacturing facilities.
 - (4) Office buildings.
 - (5) Data centers.

¹ Editor's note: Said plan is on file in the town offices.

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- (6) Call centers.
 - (7) Laboratory facilities.
 - (8) Academic, training and business development facilities.
- H. The following shall be permitted uses with both site plan review and the requirement to obtain a special use permit pursuant to § 235-63D of the Code of the Town of Batavia:
- (1) Restaurant.
 - (2) Fitness center.
 - (3) Day-care center.
 - (4) Banking facility.
- I. There shall be no more than one drive-through use or structure, and no more than one restaurant, fitness center, day-care or banking facility within the Planned Unit Development area.
- J. Any use not specifically listed herein shall need prior approval of the Town Board before obtaining site plan and/or special use permit approval from the Town of Batavia Planning Board.
- K. All front, side and rear setbacks for all buildings shall be at least 30 feet from any roadway rights-of-way and all interior parcel boundary lines.
- L. All parking lots shall be set back at least 10 feet from any roadway rights-of-way and all interior parcel boundary lines.
- M. All parking spaces shall have minimum dimensions of nine feet by 18 feet.
- N. The minimum number of parking spaces shall be subject to the requirements in §§ 235-34, 235-35 and 235-36 of the Code of the Town of Batavia.
- O. Sidewalks with a minimum width of four feet shall be installed between parking facilities and all buildings.
- P. All buildings and structures shall be no taller than three stories or 50 feet above finished grade.
- Q. There will be no requirement for the owner or developer to post security bonds for performance and maintenance for the site or individual parcels therein.

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§ 2 A copy of this resolution with its decision therein shall immediately be filed in the office of the Town Clerk, and a copy shall be mailed to the applicant by regular mail.