

Town of Bethlehem

Zoning & Subdivision Update

Planning Board Meeting | November 16, 2023



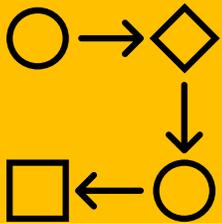
This effort directed by the 2022 Comprehensive Plan Update regulatory recommendations.

Project partially funded through the NYS DOS Smart Growth Planning & Zoning Grant Program.



Department
of State

Tonight's Agenda



**Project
Progress**



**Code
Assessment**



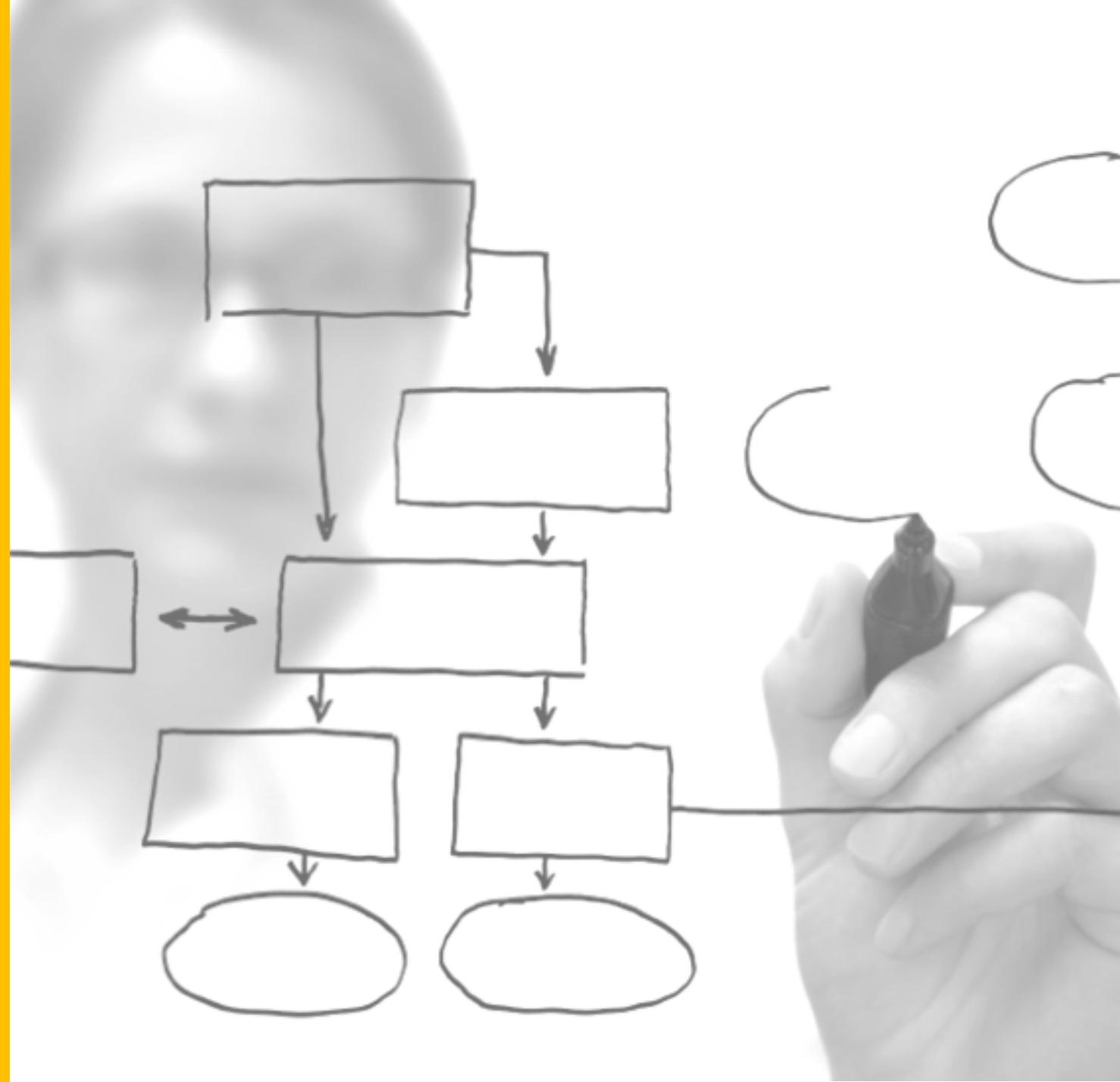
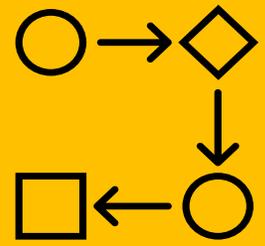
**Prelim
Residential
Districts**



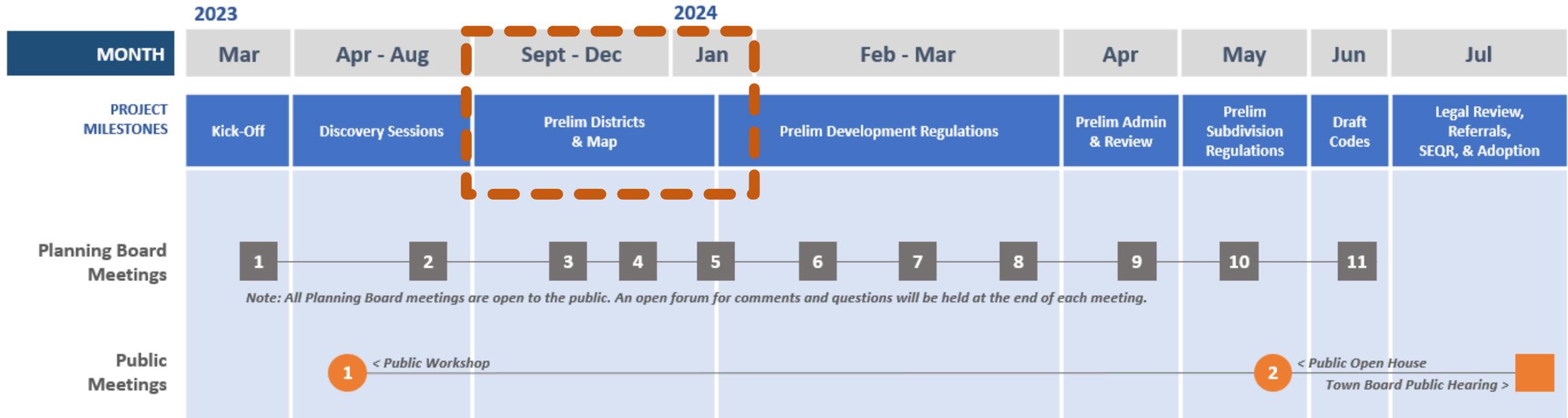
Next Steps



Project Progress



Schedule Update



NOTES:

- Timeframe for the Prelim Districts subject to length of review/discussion
- Meeting dates are approximate



Task Items

Task	Status
1 Project Kick-off	Complete
2 PB Meeting #1 Community Engagement Plan	Complete
3 Community Tour Public Workshop Stakeholder Interviews	Complete
4 Existing Code Assessment	Complete
5 Preliminary District Framework	In Progress



Public Input Opportunities



Ongoing Methods

1. Planning Board Meetings
2. BethlehemForward@townofbethlehem.org

Future Events

1. Community Open House (Anticipated May 2024)
2. Stakeholder Follow-up (Following Draft Development)
3. Town Board Public Hearing (Anticipated July 2024)



Code Assessment



Thoughts / Questions?

CODE ASSESSMENT



TOWN OF BETHLEHEM Zoning & Subdivision Updates

CODE ASSESSMENT

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 - Future Land Use5
- 3 | Codifying Smart Growth 9

- 1. Mixed Land Uses.....
- 2. Range of Housing.....
- 3. Development & Re.....
- 4. Distinctive, Attracti.....
- 5. Density
- 6. Climate Change
- 7. Clean Energy
- 8. Resiliency
- 9. Green Infrastructure.....
- 10. Variety of Mobility.....
- 11. Walkable/Bikeable.....
- 12. Well-Planned & We.....
- 13. Social Diversity & In.....

This effort directed by the 2023
Project partially funded through

BETHLEHEM CODE ASSESSMENT

Part 2. District & Use Regulations

Proposed Article	Relevant Existing Sections	Anticipated Revisions & Considerations	RFP Task 2B Item	Smart Growth Principle
Article 20. Residential Districts				
	§128-24 District purposes* Article XIII. Use and Area Schedules* §128-26 Residential Large Lot District §128-27 Residential "A" District §128-28 Residential "B" District §128-29 Residential "C" District §128-30 Core Residential District §128-31 Multifamily District *Applies to all proposed district articles.	<ul style="list-style-type: none"> • Review and revise applicability and purpose of districts to ensure they are achieving intent (May remove, combine, or add new districts) • Adjust boundaries as necessary to support direction of Comp Plan • Update use lists to address Comp Plan recommendations for varied housing types; Implement a Mixed Residential District and adapt existing residential districts to reflect Neighborhood Residential land use recommendations of Comp Plan • Ensure dimensional and bulk requirements fit existing and desired development patterns; reduce nonconformities, where applicable • Relocate design standards to Part 3 • Reference development standards and additional use regulations, where applicable 	2, 3, 5	2, 3, 5, 6, 13
Article 21. Mixed Use Districts				
	§128-25 Rural District §128-32 Rural Riverfront District §128-33 Hamlet District §128-34 Commercial Hamlet District §128-35 Rural Hamlet District §128-36 General Commercial District §128-37 Mixed Economic Development District	<ul style="list-style-type: none"> • Redefine districts to reflect modern practice of mixing compatible uses and ensure districts are achieving their intended purpose (May remove, combine, or add new districts) • Adjust boundaries as necessary to support direction of Comp Plan • Update use lists to address Comp Plan recommendations for multi-use and incorporate rural multi-use expanded use list • Reconsider viability of min commercial requirements • Ensure dimensional and bulk requirements fit existing and desired development patterns; reduce nonconformities, where applicable • Relocate design standards to Part 3 • Reference development standards and additional use regulations, where applicable 	4, 5	1, 2, 3, 5, 6, 13

Proposed Code Outline

Part 1. Introductory Provisions

10. Establishment & Applicability

11. Zoning Map

12. Review Bodies

13. Enforcement & Penalties

14. Nonconformities

15. Terminology

Part 2. District & Use Regulations

20. Residential Districts

21. Mixed Use Districts

22. Industrial Districts

23. Special Purpose Districts

24. Planned Development Districts

25. Additional Use Regulations

26. Supplemental Regulations

27. Energy System Regulations

Part 3. Design & Development Standards

30. Nonresidential Building & Site Design

31. Circulation, Access, Parking & Loading

32. Landscaping & Screening

33. Open Space & Land Conservation

34. Signs

35. Exterior Lighting

Part 4. Application & Review Procedures

40. General Application Procedures

41. Building Permits

42. Development Plan Review

43. Special Use Permits

44. Subdivision

45. Planned Developments

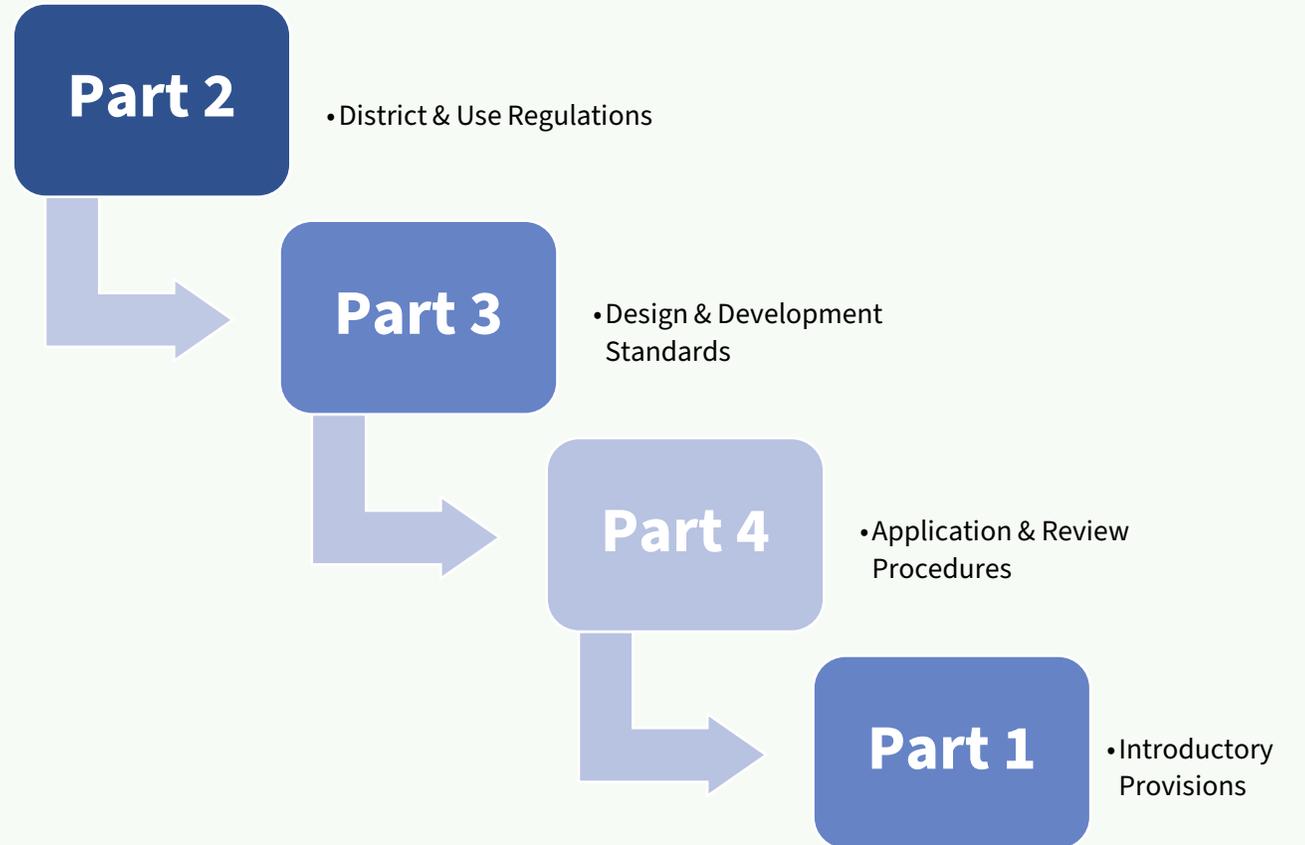
46. Incentive Zoning

47. Variances & Appeals

48. Amendments

Order of Zoning Topics/Sections

CODE ASSESSMENT



Prelim Residential Districts



Site Plan Review vs. Special Use Permit

EXISTING APPROACH

	Rural¹	Residential Large Lot	Residential "A"	Residential "B"	Residential "C"	Core Residential	Multi-family
	(R)	(RLL)	(RA)	(RB)	(RC)	(CR)	(MR)
Residential Uses							
One-family dwelling	BR	BR	BR	BR	BR	BR	BR
Single-family attached dwelling ¹⁵					SP ¹⁶		SP ¹⁶
Two-family dwelling	BR				BR		BR
Three- or four-family dwelling	BR				BR		SP
Multifamily dwelling	SP						SP
Senior citizen housing							SP
Accessory apartment ⁶	BR	SUP	SUP	SUP	SUP	SUP	
Nonresidential Uses							

BR = By-Right

SP = Site Plan Review

SUP = Special Use Permit



What's the Difference?

Site Plan Review

- Physical site and building characteristics
- Adequacy of layout, circulation, parking, etc.

Consideration Examples:

- Does it meet zoning req's?
- Is it a desirable/adequate layout and design?

Criteria is not a way to deny a use

Special Use Permit

- Consideration of context within neighborhood
- Intensity of use, potential for negative impacts

Consideration Examples:

- What is impact to neighborhood?
- Is it an appropriate use for the area and/or is it context sensitive?

Criteria is a way to approve/deny use



SPECIAL USE PERMIT (SUP)

PROPOSED APPROACH

LAND USE	RLL	CR	LDR	MDR
RESIDENTIAL USES				
<i>Single-Family Dwelling, attached or detached</i>	P	P	P	P
<i>Two-Family Dwelling</i>	-	-	P	P
<i>Multi-Family Dwelling, 3-4 units</i>	-	-	SUP¹	P¹
<i>Multi-Family Dwelling, 5+ units</i>	-	-	-	P¹
<i>Multi-Family Dwelling, by conversion</i>	-	-	-	SUP

P = Permitted

SUP = Special Use Permit

- = Prohibited



SITE PLAN REVIEW

PROPOSED APPROACH

ACTION	EXEMPT	MINOR	MAJOR
CONSTRUCTION/EXPANSION/ALTERATION			
Primary Use or Structure			
<i>Single- or Two-Family Dwelling</i>	•		
<i>Multi-Family Dwelling or Nonresidential Use, Up to 1,000 sf</i>		•	
<i>Multi-Family Dwelling or Nonresidential Use, Over 1,000 sf</i>			•
Accessory Use or Structure^{1,2}			
<i>Single- or Two-Family Use, Up to 250 sf</i>	•		
<i>Single- or Two-Family Use, Over 250 sf</i>		•	
<i>Multi-Family or Nonresidential Use, Up to 250 sf</i>	•		
<i>Multi-Family or Nonresidential Use, Over 250 sf</i>		•	
<i>Accessory Dwelling Unit</i>		•	

NOTE: This is an excerpt from another community for demonstrative purposes only.



District Methodology

Determining appropriate district applications & revisions based on the balance of:

- Existing Land Uses
- Existing Development Patterns
 - Lot Sizes & Configurations
- Land Use Plan Guidance
 - Identifying areas of preservation, continuation, and transformation or change
- Water & Sewer District Availability



Focus on District “Identity”

Defining Elements

- Purpose
- Desired/Appropriate Land Uses
- Density of Development
 - Units, Lot Sizes, etc.
- General Character
 - Setbacks, Building Heights, etc.

NOTE: Design & Mitigation of Impacts can be handled secondarily – Not always a reason to have a separate district or prohibit a use

Considerations for Revisions

- Compare Existing:
 - Are defining elements the same?
 - Opportunities to combine or adapt to achieve similar goal?
- Identify Gaps or Issues:
 - Undesirable uses permitted?
 - Desired uses not permitted?
 - Dimensional or bulk requirements creating unnecessary nonconformities?
 - Requirements limiting desired development pattern and character?



District & Land Use Area Comparisons

EXISTING Zoning Districts	PROPOSED Zoning Districts	Relevant Comprehensive Plan Land Use Areas
Residential Large Lot (RLL)	Residential Large Lot (RLL)	Neighborhood Residential
Residential A (RA) Residential B (RB)	Low-Density Residential (LDR)	Neighborhood Residential
Core Residential (CR)	Core Residential (CR)	Neighborhood Residential
Residential C (RC) Multi-Family (MF)	Mixed-Density Residential (MDR)	Mixed Residential Multifamily

NOTE: The comparison or alignment of the above is based on the overall district purpose and intent with respect to use, bulk, and dimensional requirements. This comparison is not intended to signify any correlation with zoning district boundaries. Zoning district boundary changes will be made in accordance with the Comprehensive Plan’s future land use plan.



Prelim Residential Districts

Questions & Discussion

ARTICLE 20 RESIDENTIAL DISTRICTS

§ 128-20.1 RESIDENTIAL DISTRICTS ESTABLISHED

The residential districts of the Town of Bethlehem are listed in the following table.

DISTRICT NAME	ABBREVIATION & MAP SYMBOL
<i>Residential Large Lot</i>	RLL
<i>Core Residential</i>	CR
<i>Low-Density Residential</i>	LDR
<i>Mixed-Density Residential</i>	MDR

§ 128-20.2 PURPOSE STATEMENTS

- A. Residential Large Lot (RLL).** The RLL District is generally characterized by semirural, large lots having a minimum size of two acres, often located between lightly developed rural and natural areas and more intensively developed residential areas. RLL areas will often have environmental constraints or attributes that support less intensive development.
- B. Core Residential (CR).** The CR District is characterized by the Town's oldest single family neighborhoods concentrated around the hamlets of Delmar, Elsmere, Slingerlands, and Selkirk. CR District areas should maintain the traditional, walkable character of these neighborhoods by continuing to provide tree-lined streets, sidewalks, and an interconnected street grid. The general development pattern of the CR District consists of smaller lot sizes with modest homes in close proximity to local goods and services.
- C. Low-Density Residential (LDR).** The LDR District is intended to maintain and provide low density housing including single family, two-family, and three-family homes in a compatible development pattern on varied lot sizes. Infill and redevelopment opportunities should continue to implement strong neighborhood design elements to create visually interesting, connected, and walkable environments for residents. The establishment of this District is meant to help advance the Town's Comprehensive plan goal of increasing affordable, middle market housing stock in a manner that compliments existing residential context.
- D. Mixed-Density Residential (MDR).** The purpose of the MDR District is to provide for a mix of residential densities and housing types in accordance with the recommendations of the Town's Comprehensive Plan. Mixed density supports a more diversified housing market and encourages desirable land use design practices to preserve open space and take advantage of existing infrastructure. Residential uses permitted in this District include single-, two-, and multi-family dwellings, which should be arranged in a manner that provides for an inclusive and connected community. To ensure the future design, layout, and character of the MDR District is cohesive and results in a natural transition from single- and two-family neighborhoods to higher density developments, community resources, and commercial centers, all development proposals shall:
1. Establish neighborhoods with a variety of housing types in a unique, attractive environment that is oriented toward connecting residents and fostering pedestrian activity.
 2. Locate residential types and densities in a manner that provides a natural transition from single- and two-family neighborhoods to higher density developments, community resources, and commercial centers.
 3. Foster the compatibility of residences and other improvements through their arrangement, bulk, form, character, and landscaping.
 4. Develop on- and off-site connections to nearby amenities, roadways, sidewalks, parks, and trails.



Next Steps



Code Assessment

NEXT STEPS



Consultant Team

- Continue developing Prelim District Framework

Planning Board

- Complete Residential District Review
- Send comments and/or questions by December 1st
- Review next batch of districts, as sent

Public Comments & Questions

