



Subdivision & Incentive Zoning

OR SCAN ME!



Learn more at:
www.townofbethlehem.org/940/Zoning-Update

ZONING

- Determines what can be built (residential, commercial, etc.) and basic requirements (lot sizes, setbacks, etc.).

“what uses at what density and scale”

SUBDIVISION

- Controls how land gets divided and developed (infrastructure, lot layout, environmental protections, etc.).

“how to arrange the layout of lots”

PURPOSE

- Implement zoning standards for lots when dividing property.
- Facilitate the adequate and efficient provision of community facilities, services and utilities.
- Establish approval processes, ensuring consistency with local, county, and state land use regulations and permitting.
- Promote the safe and convenient circulation of vehicles and pedestrians.
- Minimize the destruction of the natural character, biodiversity, and ecological integrity and function of the land.
- Within larger developments promote the careful organization of land, infrastructure, parks and open space.

CLUSTER/CONSERVATION SUBDIVISION

KEY UPDATES

- Now required for major subdivisions over 10 acres or by request of applicant.
- Allowing for streamlined and simplified conventional plan review as initial step to determine maximum density.
- Adjusted buildable area formula to include state wetland buffer areas in constrained lands calculation.
- Removed open space formula. Minimum open space is now a general standard at 50% of buildable area.
- Clarified location of open space is based on Town's Open Space Plan Conservation Criteria Implementation.
- Adjusted dwelling unit mix requirement.

CURRENT MAX 1/3 multi-family dwellings (3+ units)

PROPOSED REQ 1/3 single- and two-family dwellings

- Required to follow proposed Residential Infill and Multi-Family/Mixed Residential design standards. See [Residential Design Board](#).

BUILDABLE AREA CALCULATION

$$T - C = BA$$

T = Total Site Area

C = Constrained Land Area, the total acreage of:

- + NYS and federal regulated wetlands and required buffer areas
- + Streams or waterways and all required buffer areas
- + Ponds and lakes
- + Slopes in excess of 20% of grade
- + Existing utilities and road rights-of-way
- + 100-year floodplain areas

BA = Buildable Area

MIN OPEN SPACE

$$OS = BA \times 0.5$$

OS = Open Space

BA = Buildable Area

0.5 = 50%

INCENTIVE ZONING

KEY UPDATES

- Review criteria and findings added to strengthen alignment with NYS Law.
- Affordability findings updated to align with State Division of Housing and Community Renewal.
- Benefits and incentives more clear, prescriptive, and in alignment with the Comprehensive Plan Update recommendations.
- Incentives for Conservation Subdivisions are tied to requirements for open space percentages of buildable area on a property.
- Public Trails, Parks, and Waterfront Access remain the same.
- Definition of “affordable housing” updated to mean residential units that are rented or sold to households with incomes equal to or less than 80% of the Area Median Income (AMI). To qualify for the density bonus, the average income across all the project's affordable units shall be equal to or less than 60% AMI.
- Affordable Housing density bonus remains the same, but potential incentives expanded.
- Area Median Income is based on the Capital Region (Albany-Troy-Schenectady) rather than Town of Bethlehem.

Incentive Zoning allows developers to exceed certain zoning limits in exchange for community benefits.

POTENTIAL INCENTIVES

- Increased dwelling unit density
 - Increased building height
 - Decreased minimum open space requirement
 - Reduction of dwelling unit mix restrictions
- ** A combination of incentives may be granted provided total of density bonuses does not exceed 50% of the max density

COMMUNITY BENEFITS

- Permanent conservation of open space exceeding minimum of 50%
- Dedication of public trails, recreation facilities, or waterfront access
- Affordable housing
- Senior housing
- Public gathering space (in TH, CH, RH, and CMU Districts)
- Public roadway improvements (beyond typical requirements)
- Universal Design
- Alternative energy sources
- Passive House or Net Zero Design
- Rehab of historic or dilapidated properties

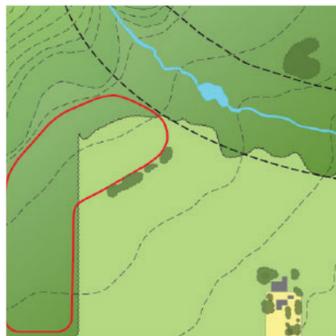
EXISTING LANDSCAPE



SUBDIVISION SPRAWL



CLUSTER / CONSERVATION



SOURCE: Better Town Toolkit