

# Town of Bethlehem

## Zoning Law & Subdivision Regulations Update Update ("Zoning Update")

Town Board Meeting | February 25, 2026



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

Assistance provided by:



Engineering  
& Design

# Tonight's Agenda



**Why Update  
the Code?**



**Comprehensive  
Plan Update**



**Zoning Update**



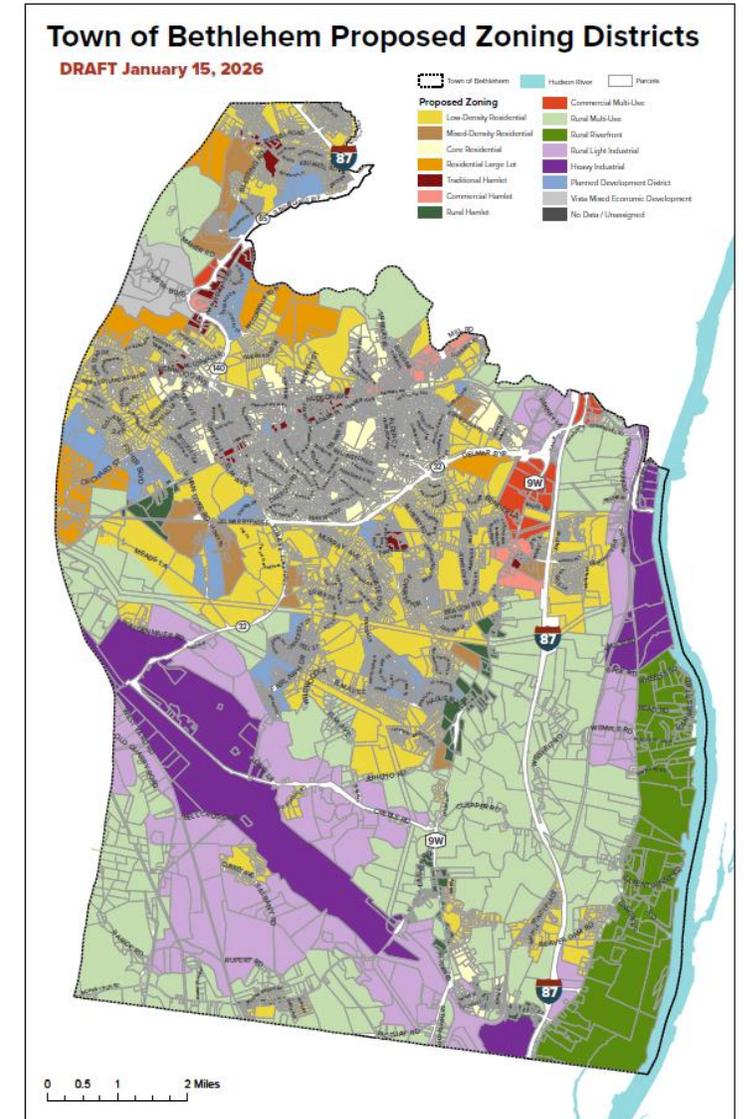
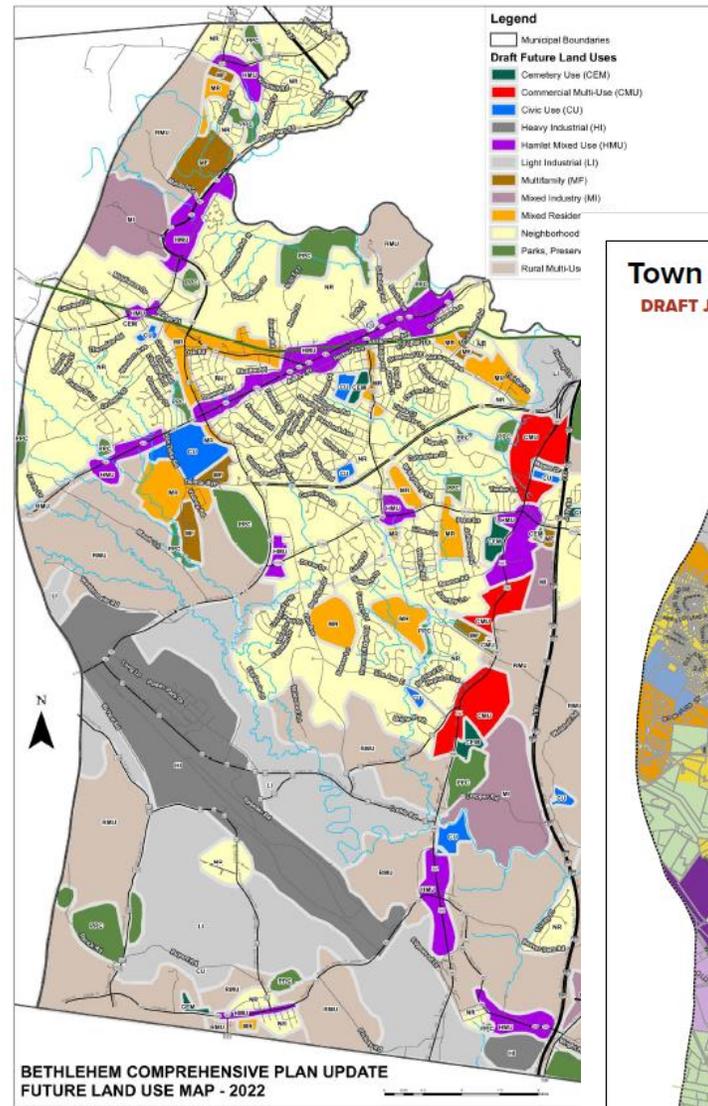
**Next Steps**

# Why Update the Code?

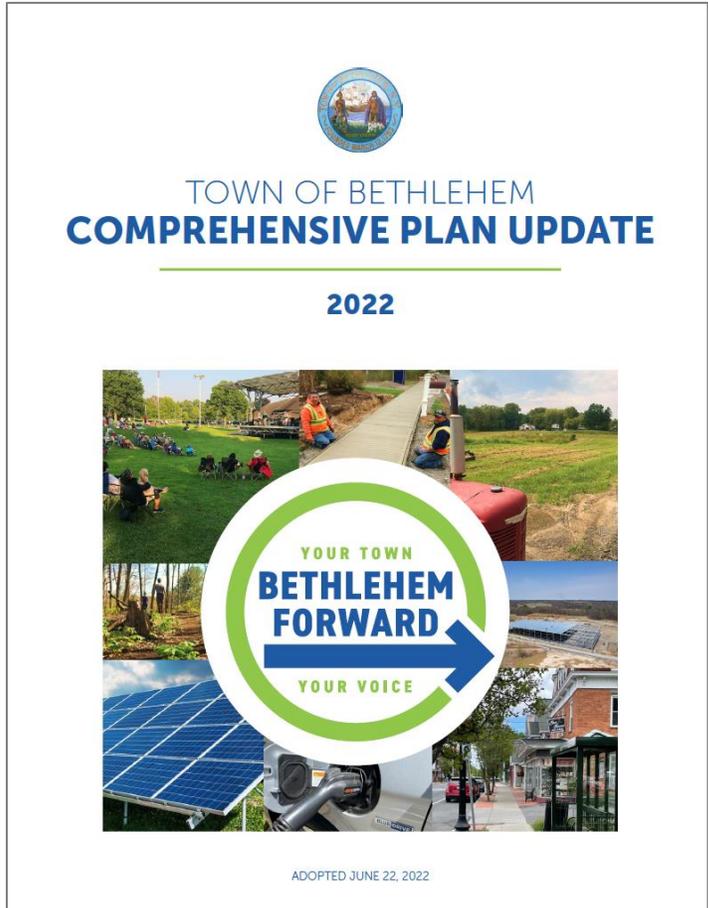
## NYS TOWN LAW §272-a, 11(a)

“All town land use regulations must be in accordance with a comprehensive plan adopted pursuant to this section.”

- A comprehensive plan sets the vision for the future and identifies needs of the community.
- The Town’s land use regulations (Zoning Law & Subdivision Regulations) can help dictate how the vision may be achieved.



# Comprehensive Plan Update



| Implementation Framework Matrix   |  |  |
|---|--|--|
| Action  | Recommendation   | Related Recommendations and Principles                         |
| Phase 1 Revisions to Zoning Law and Subdivision Regulations   | LBE 2b – Expand the Rural zoning district (based on the future land use map) to allow for a flexibility in land uses that are permitted by-right, including allowing multiple primary uses on one lot  | Principle RE   |
|   | LBE 2b – Expand the agriculture and agricultural use definitions to match those supported by the NYS Department of Agriculture and Markets   | Rec. RE 3a; Principles HWN, RE                                 |
|   | LBE 2b - Consider establishing a minimum lot size for residential uses based on design standards where on-site water supply and sewage disposal systems are required by ACDOH. Provide clear language in the Zoning Law so the minimum lot size and density for residential uses with on-site sanitary sewer and water and public sanitary sewer and water is easily understood. | Rec. RE 3a; Principles HWN, RE                                 |
|   | LBE 4b – Code update to allow attached ADU’s by right, enhance design guidelines, and update approval procedure to incorporate abutter notice  | Principles IE, HWN, HC   |
|   | LBE 4b – Code update to allow detached ADU’s by right, enhance design guidelines, and update approval procedure to incorporate abutter notice  | Principles IE, HWN, HC   |
|   | LBE 4e – Align land use and zoning designation   | Principles HWN, RE, HC   |
|   | LBE 4f – Encourage developers to use the average density subdivision when appropriate  | Rec. LBE 4j; Principles HWN, RE                                |
|   | LBE 4h – Conservation Subdivision base density calculation simplification and removal of conventional plan requirement   | Rec. LBE 4k, LBE 4i; Principles RE, HC                         |
|   | LBE 4i – Clarify value of incentive and benefits (amenities) through guidelines for the Planning Board   | Rec. LBE 4h; Principle RE, HC                                  |
|   | LBE 4k – Apply a ratio of unconstrained lands set aside with conservation subdivision  | Rec. LBE 4h; Principles HWN, HC                                |
|   | LBE 5a – Incentive zoning incentives based on AMI of Albany MSA  | Rec. LBE 5b; Principles IE, RE, HC, RGR                        |
|   | LBE 10c - Maintain the street width standards for new residential developments to slow vehicle speeds within neighborhoods   | Rec. LBE 7c; Principle HC                                      |
|   | LBE 10c - Pursue a connected street network with existing streets and to adjacent parcels (developed or undeveloped) for all modes of travel to reduce vehicle concentration on neighborhood streets and disperse traffic at lower volumes over the entire street network  | Recs. LBE 7a LBE 10d, HC 3b, HC 6a; Principles IE, HWN, RE, HC |
|   | HWN 1b (i) – Evaluate and consider local regulations to be applicable to include all wetland complexes smaller than 12.4 acres, wetland buffers for all NYSDEC and federal jurisdictional wetlands, and/or isolated wetlands (including vernal pools) are options to be considered.  | Recs. HWN 1c, HWN 1d; Principles LBE, HC, RGR                  |
|   | HWN 1b (ii) - Modifications could apply to all NYSDEC classified streams and buffer regulations could be dependent on the stream classification (AA, A, B, C) and standard (T, TS).  | Recs. HWN 1c, HWN 1d; Principles LBE, HC, RGR                  |
| HWN 1b (ii) - Land disturbances associated with agricultural activity should continue to be exempt, but further refinement of activities classified as agriculture and prohibited activities should be considered.  | Recs. HWN 1c, HWN 1d; Principles LBE, HC, RGR  |  |
| HWN 1b (iii) - iii. Consider regulations associated with tree removal along streams, rivers and on steep slopes. These include, but are not limited to: a definition of tree removal, quantity, area of disturbance, and tree species and condition/health. | Recs. HWN 1c, HWN 1d, HWN 1g, HWN 3q, HWN 3r; Principles LBE, HC, RGR  |  |

...serves as foundation for Zoning Law and Subdivision Regulation updates.

# Timeline of Comprehensive Plan Update

- Community Forums 2018-2019
- Comprehensive Plan Update Committee Meetings (28)  
(2020 through 2022)
- Stakeholder Interviews/Business Focus Groups
- Public Survey
- Public Meeting #1 – Issues & Opportunities
- Public Meeting #2 – Value Statements & Vision Statement
- Pop-Up Events – Summer & Fall 2021
- Public Meeting #3 – Draft Comp Plan / Goals & Recommendations
- Bethlehem Forward (Website)
- Planning Board Review/Recommendation
- CPUC Public Hearing and Recommendation



# Bethlehem Forward Update Committee (CPUC)

- Rad Anderson
- Anne Benware
- Paul Beyer
- Thomas Coffey
- Dania Flores
- Brian Gyory
- James Grady
- Bill Ketzer
- Ed Kleinke
- Kathleen Mannix
- Jeremy Snyder
- Kelly Vadney
- Giles Wagoner

28 meetings



# Plan Outline

- Bethlehem Today (Community Profile)
- Vision for Tomorrow (Values & Vision)
- A Plan for 2035 (Goals & Recommendations)
  - Interwoven Equity
  - Livable Built Environment
  - Harmony with Nature
  - Resilient Economy
  - Healthy Community
  - Responsible Governance and Regionalism
- Future Land Use Map
- Making it Happen (Implementation Matrix)
- Appendices



# Vision Statement – Comprehensive Plan

---

*The Town of Bethlehem is a safe, friendly, welcoming, vibrant, **economically strong**, and interconnected community, with a racially, ethnically, and culturally diverse population throughout our town.*

*We have made significant strides in preserving and celebrating our vast historic, cultural and natural resources, including our agricultural and native origins. Density and **diversity of land uses** and services within the core of each hamlet have resulted in **conveniences for residents and visitors while enlivening streets and public spaces**. A **rural-agricultural livelihood** is respected and contributes to the overall quality of life and character of our town.*

*Our sustainability practices and development policies have resulted in clean water and air; **protections of wildlife habitat, natural resource systems, and other open spaces**; measurable reductions in greenhouse gas emissions; and improved resiliency to the effects of climate change.*

*The **diversification of housing types and ownership** models has enabled young, old and workforce residents, to **live and age in our town**.*

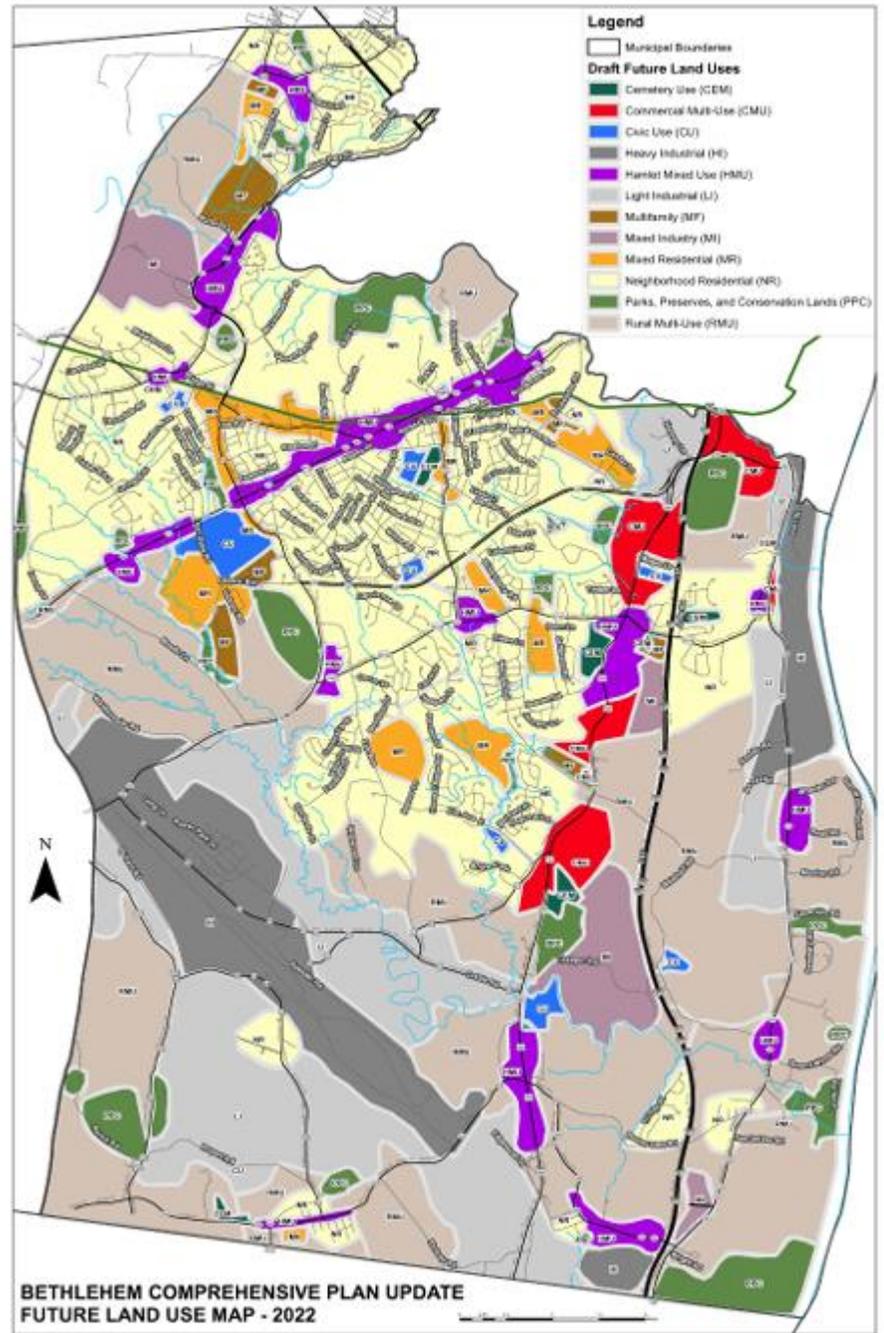
*Pedestrian, bicycle, and public transit opportunities and facilities have been greatly expanded to accommodate residents and visitors of all abilities.*

*Residents have access to increased job opportunities through **new and expanded local business enterprises** and emerging business sectors. A sustainable and resilient community has led to an **improved tax base**, which has provided the resources to support needed programs, services, infrastructure, and public health and safety.*

*We continue to move Bethlehem Forward*

# Future Land Use Map

## Character Area Descriptions



# Goals & Recommendations

## Livable Built Environment

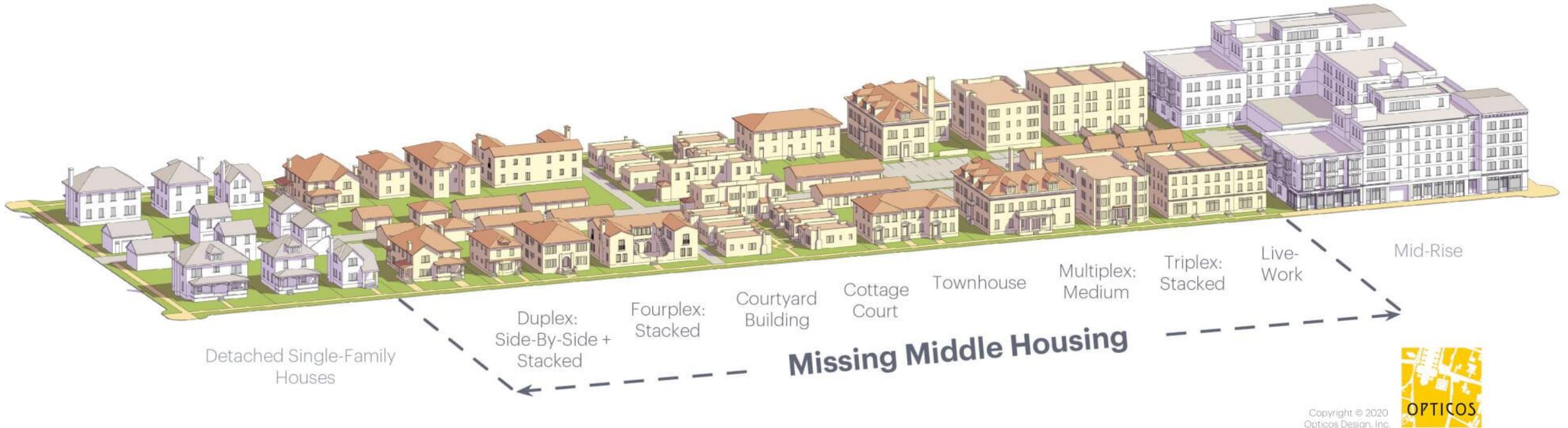
- Increase density, diversity, and add new models of housing to achieve greater levels of senior and affordable housing. Incorporate design guidelines and other measures into code to address neighborhood context and transition from single family to multifamily.
- Strengthen and simplify conservation subdivision regulations to conserve more open space with achieving permitted densities.
- Optimize mixed land use density and diversity on primary roads.

## Resilient Economy

- Expand ways to attract mix of uses to hamlet districts; increase density, diversity of use, right-size dimensional and parking requirements.
- Expand rural and agriculture opportunities, and expand permitted by-right uses.
- Limit extension of utility infrastructure districts in undeveloped areas of town.
- Advance industrial and technology business in MED and industrial districts.

# Housing Variety & Housing Affordability

Communities with housing options that are affordable to a wide range of incomes allow a wider range of people to contribute to the local economy.



If a community has a limited supply of housing for its workforce that means local businesses, organizations, health care facilities and schools must hire from outside the community.

# Town of Bethlehem

## Zoning Law & Subdivision Regulations Update ("Zoning Update")



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

# Overview

## ■ GOALS:

- Align regulations with the goals and recommendations of the Comprehensive Plan.
- Implement Smart Growth strategies for development.

## ■ PUBLIC PROCESS:

- Led by the Planning Board with 27 meetings (recordings and materials on Town Website).
- Public Kick-Off Meeting (100+ attend)
- Public Open House on Draft Document (100+ attend)
- Stakeholder Meetings (5)
- Over 200 written comments received and considered



[Project Website:  
www.townofbethlehem.org/940/Zoning-Update](http://www.townofbethlehem.org/940/Zoning-Update)

# Communication

- Town Website Featured News
- Bethlehem e-Newsletter
- Display Board at Town Hall/Library
- Post Card mailers to 17,250 mailboxes
- Our Towne Bethlehem advertisement
- Press Release to media outlets
- Supervisor Social Media post
- Flyer sent to Email addresses of attendees from previous meetings
- ParentSquare posting on Bethlehem Central School District (sent to RCS and Guilderland school districts)
- 27 Planning Board meetings



**Zoning Law & Map Update Underway**

**Zoning Law & Map Update Underway:**  
Planning Board continues discussion Tuesday, Nov. 19 6:00 PM

**YOUR TOWN BETHLEHEM FORWARD YOUR VOICE**

The Town of Bethlehem is updating the zoning and land use regulations as it implements the Comprehensive Plan Update. The Planning Board has been meeting monthly since the Fall of 2023 to discuss proposed changes to the Zoning Law. The Planning Board discussed the [draft zoning district map](#) at the [October 15, 2024 meeting](#).

The zoning district map along with the zoning/land use regulations establish the rules for development and use of land in terms of residential, commercial, industrial, or mixed-uses; and the number of dwelling units, setbacks, and the height and size of buildings. The Planning Board will continue discussion at the [November 19 meeting](#).

Scan the QR code or navigate to the URL to learn more about the zoning law project:  
[www.townofbethlehem.org/940/Zoning-Update](http://www.townofbethlehem.org/940/Zoning-Update)

Email comments to: [BethlehemForward@townofbethlehem.org](mailto:BethlehemForward@townofbethlehem.org)

**Town of Bethlehem Zoning & Subdivision Code Updates**

**Don't Zone Out...**  
We'd like to hear from you!  
The Town of Bethlehem is updating the zoning and land use regulations as it implements the Comprehensive Plan Update.

The Planning Board is discussing the Zoning Law update at monthly meetings and welcomes public input on the draft regulations (1st or 3rd Tuesday/month).

The zoning district map along with the zoning/land use regulations establish the rules for development and use of land in terms of residential, commercial, industrial or mixed-uses; and the number of dwelling units, setbacks, and the height and size of buildings.

Scan the QR code or navigate to the URL to learn more about the Zoning Law update project:  
[www.townofbethlehem.org/940/Zoning-Update](http://www.townofbethlehem.org/940/Zoning-Update)

View the Draft Zoning District Map from the October 15 meeting and learn more at the upcoming [November 19 meeting](#).

Scan me to learn more!

**YOUR TOWN BETHLEHEM FORWARD YOUR VOICE**

This effort is directed by the 2022 Comprehensive Project partially funded through the NYS DOS S...

**Zoning Law & Map Update Underway**

**YOUR TOWN BETHLEHEM FORWARD YOUR VOICE**

- The Town of Bethlehem is updating the zoning and land use regulations as it implements the Comprehensive Plan Update.
- The Planning Board is discussing the Zoning Law Update at monthly meetings and welcomes public input on the draft regulations (1<sup>st</sup> or 3<sup>rd</sup> Tuesday/month).
- Scan the QR code or navigate to the URL to learn more about the zoning law update project: <https://tinyurl.com/yeyp9vm>
- View the Draft Zoning District Map from the October 15 meeting and learn more at the upcoming November 19 meeting.
- Email your comments to: [BethlehemForward@townofbethlehem.org](mailto:BethlehemForward@townofbethlehem.org)

DAVID\_VANLUVEN\_TOWN\_SUPERVISOR

Posts

Follow

Share Your Insights  
Zoning & Subdivision Code Updates Meeting on Nov 19, 6pm, at Town Hall

1

David Vanluven, Town Supervisor

DON'T ZONE OUT  
The Town is updating the zoning and land-use regulations as part of the Comprehensive Plan... more

8 hours ago



**Town of Bethlehem Zoning & Subdivision Code Updates**

**Don't Zone Out...**  
The Town is updating its zoning & subdivision regulations and we need your input!

**PUBLIC WORKSHOP #1**

**MAY 31ST @ 6 PM TOWN HALL**  
440 DELAWARE AVENUE BETHLEHEM, NY 12018

Join us for the first public workshop of the Town's code update effort! The meeting will begin with a brief presentation on the project scope and process, introduction to land use and smart growth principles, and launch of a visual community preference survey. Attendees will also have an opportunity to visit breakout activity stations to discuss and provide feedback on key topic areas including land use, natural resources, and clean energy.

**We hope to see you there!**

[www.townofbethlehem.org/940/Zoning-Update](http://www.townofbethlehem.org/940/Zoning-Update)

Search Bethlehem

Home

Public Notices

2025 Town Budget

Zoning Changes/Update

Fall Leaf Pickup

2024 Final Assessment Roll

Traffic Safety and Concerns

Delaware Avenue Complete Streets

View Online Property Tax Bill Receipt

Water Quality

Water Meter Photo Project (Lead and Copper Rule)

Bethlehem Safe Streets

Open Space Planning

Port of Albany Project

Equity and Justice in Bethlehem

Supervisor's State of the Town Address

Employment

Report a Concern

**Zoning Law & Map Update Underway: Planning Board continues discussion Tuesday, Nov. 19 6:00 PM**

Published on October 17, 2024

**Zoning Law and Map Update: Planning Board continues discussion of Draft Zoning Map 11/19 6PM**

The Town of Bethlehem is updating the zoning and land use regulations as it implements the Comprehensive Plan Update. The Planning Board has been meeting monthly since the Fall of 2023 to discuss proposed changes to the Zoning Law. The Planning Board discussed the [draft zoning district map](#) at the [October 15, 2024 meeting](#). The zoning district map along with the zoning/land use regulations establish the rules for development and use of land in terms of residential, commercial, industrial, or mixed-uses; and the number of dwelling units, setbacks, and the height and size of buildings. The Planning Board will continue discussion at the [November 19 meeting](#).

Please visit [www.townofbethlehem.org/940/Zoning-Update](http://www.townofbethlehem.org/940/Zoning-Update) to learn more about the zoning law update project.

**YOUR TOWN BETHLEHEM FORWARD YOUR VOICE**

Scan the QR code or navigate to the URL to learn more about the zoning law update project: <https://tinyurl.com/yeyp9vm>

View the Draft Zoning District Map from the October 15 meeting and learn more at the upcoming [November 19 meeting](#).

Email your comments to: [BethlehemForward@townofbethlehem.org](mailto:BethlehemForward@townofbethlehem.org)

# SMART GROWTH

- Reflective of good planning practice.
- Promote the efficient use of land and community connectedness while preserving character.
- Methods of implementation tailored to the context of the Town.



# CODE ASSESSMENT



**\*Before we begin drafting, we need to know where we're going\***

1. Project Background & Goals
2. Stakeholder & Public Input
3. Previous Plans & Studies Overview
  - *Comp Plan Recommendations – Esp. those in RFP*
  - *Smart Growth Principles*
4. Key Zoning Issues & Opportunities Summary
  - *Format & Organization*
  - *District & Use Regulations*
  - *Development Standards*
  - *Administrative & Review Procedures*
5. **Proposed Outline & Anticipated Amendments**

# Code Assessment was the roadmap for the update...

## Part 2. District & Use Regulations

| Proposed Article                         | Relevant Existing Sections  | Anticipated Revisions & Considerations   |
|--|---|--|
| <b>Article 20. Residential Districts</b> | <p>§128-24 District purposes*<br/>Article XIII. Use and Area Schedules*<br/>§128-26 Residential Large Lot District<br/>§128-27 Residential "A" District<br/>§128-28 Residential "B" District<br/>§128-29 Residential "C" District<br/>§128-30 Core Residential District<br/>§128-31 Multifamily District<br/><i>*Applies to all proposed district articles.</i></p> | <ul style="list-style-type: none"><li>• Review and revise applicability and purpose of districts to ensure they are achieving intent (May remove, combine, or add new districts)</li><li>• Adjust boundaries as necessary to support direction of Comp Plan</li><li>• Update use lists to address Comp Plan recommendations for varied housing types; Implement a Mixed Residential District</li><li>• Ensure dimensional and bulk requirements fit existing and desired development patterns; reduce nonconformities, where applicable</li><li>• Relocate design standards to Part 3</li><li>• Reference development standards and additional use regulations, where applicable</li></ul> |

- Shows how existing code sections will fit in new format
- Outlines key revisions & considerations
- Identifies areas of focus
- Identifies Comp Plan & Smart Growth compliance

# Methodology & Approach

## REZONING FACTORS

- Comprehensive Plan Land Use Category
- Existing Land Uses
- Development Character of the area
  - Lot size, setbacks, scale, etc.
- Water / Sewer Infrastructure

## CONSIDERATIONS

- Areas identified for change in use or character as provided by the Comp Plan
- Context of existing development
- Pattern and concentration of land uses
- Adjacent zoning designations
- Proximity to existing infrastructure
- Potential environmental constraints

**Goals is to apply the most appropriate zoning district that supports smart growth and desired land use pattern.**

**Future land use map is general guide – not exact interpretation.**

# Zoning Framework

## PART 1. Introductory Provisions

10. Establishment & Applicability

11. Zoning Map

12. Enforcement & Penalties

13. Nonconformities

14. Terminology

## PART 2. District & Use Regulations

20. Residential Districts

21. Hamlet Districts

22. Multi-Use Districts

23. Industrial Districts

24. Special Purpose Districts

25. Additional Use Regulations

26. Supplemental Regulations

27. Energy System Regulations

## PART 3. Design & Development Standards

30. Building & Site Design

31. Circulation, Access,  
Parking & Loading

32. Landscaping & Screening

33. Lots Bordering Streams,  
Wetlands, & Stormwater  
Management

34. Signs

35. Exterior Lighting

36. Parking Reservation & Fee

## PART 4. Application & Review Procedures

40. General Application  
Procedures

41. Permits Required

42. Site Plan Review

43. Special Use Permits

44. Subdivision

45. Planned Developments

46. Incentive Zoning

47. Variances & Appeals

48. Amendments

49. Review Bodies

**\*Also includes Subdivision Regulations**

# Zoning Districts

- Updated to **align with Future Land Use vision** of the Comprehensive Plan update.
- Increased opportunity for **mixing of uses** in nonresidential districts.
- Provides for a **variety of housing types**: single-family, two-family, 3+ family.

| Future Land Use Category                       | Existing Zoning Districts    | Proposed Zoning Districts       |
|--|------------------------------|---------------------------------|
| <b>RESIDENTIAL</b>                             |                              |                                 |
|  | Residential A (RA)           |                                 |
|  | Residential B (RB)           | Low Density Residential (LDR)   |
| Neighborhood Residential (NR)                  | Residential C (RC)           | Mixed Density Residential (MDR) |
| Multi-Family (MF)                              | Multi-Family (MR)            |                                 |
| Mixed Residential (MR)                         | Core Residential (CR)        | Core Residential (CR)           |
|  | Residential Large Lot (RLL)  | Residential Large Lot (RLL)     |
| <b>HAMLET</b>                                  |                              |                                 |
| Hamlet Mixed Use (HMU)                         | Hamlet (H)                   | Traditional Hamlet (TH)         |
| Hamlet Mixed Use (HMU)                         | Commercial Hamlet (CH)       | Commercial Hamlet (CH)          |
| Hamlet Mixed Use (HMU)                         | Rural Hamlet (RH)            | Rural Hamlet (RH)               |
| <b>MULTI-USE</b>                               |                              |                                 |
| Commercial Multi-Use (CMU)                     | General Commercial (C)       | Commercial Multi-Use (CMU)      |
| Rural Multi-Use (RMU)                          | Rural (R)                    | Rural Multi-Use (RMU)           |
| Rural Multi-Use (RMU)                          | Rural Riverfront (RR)        | Rural Riverfront (RR)           |
| Parks, Preserves, and Conservation Lands (PPC) |                              |                                 |
| <b>INDUSTRIAL</b>                              |                              |                                 |
| Light Industrial (LI)                          | Rural Light Industrial (RLI) | Rural Light Industrial (RLI)    |
| Heavy Industry (HI)                            | Heavy Industrial (HI)        | Heavy Industrial (HI)           |

# District Framework

| RESIDENTIAL DISTRICTS     |     |
|---------------------------|-----|
| Residential Large Lot     | RLL |
| Core Residential          | CR  |
| Low-Density Residential   | LDR |
| Mixed-Density Residential | MDR |

| HAMLET DISTRICTS   |    |
|--------------------|----|
| Traditional Hamlet | TH |
| Commercial Hamlet  | CH |
| Rural Hamlet       | RH |

| MULTI-USE DISTRICTS  |     |
|----------------------|-----|
| Commercial Multi-Use | CMU |
| Rural Multi-Use      | RMU |
| Rural Riverfront     | RR  |

| INDUSTRIAL DISTRICTS   |     |
|------------------------|-----|
| Rural Light Industrial | RLI |
| Heavy Industrial       | HI  |

| SPECIAL PURPOSE DISTRICTS               |      |
|---|------|
| Local Waterfront Revitalization Overlay | LWRO |
| Delaware Avenue Hamlet Overlay          | DHO  |
| Planned Development                     | PD   |
| Vista Mixed Economic Development        | VMED |

# Zoning District Map (Oct. 2025)

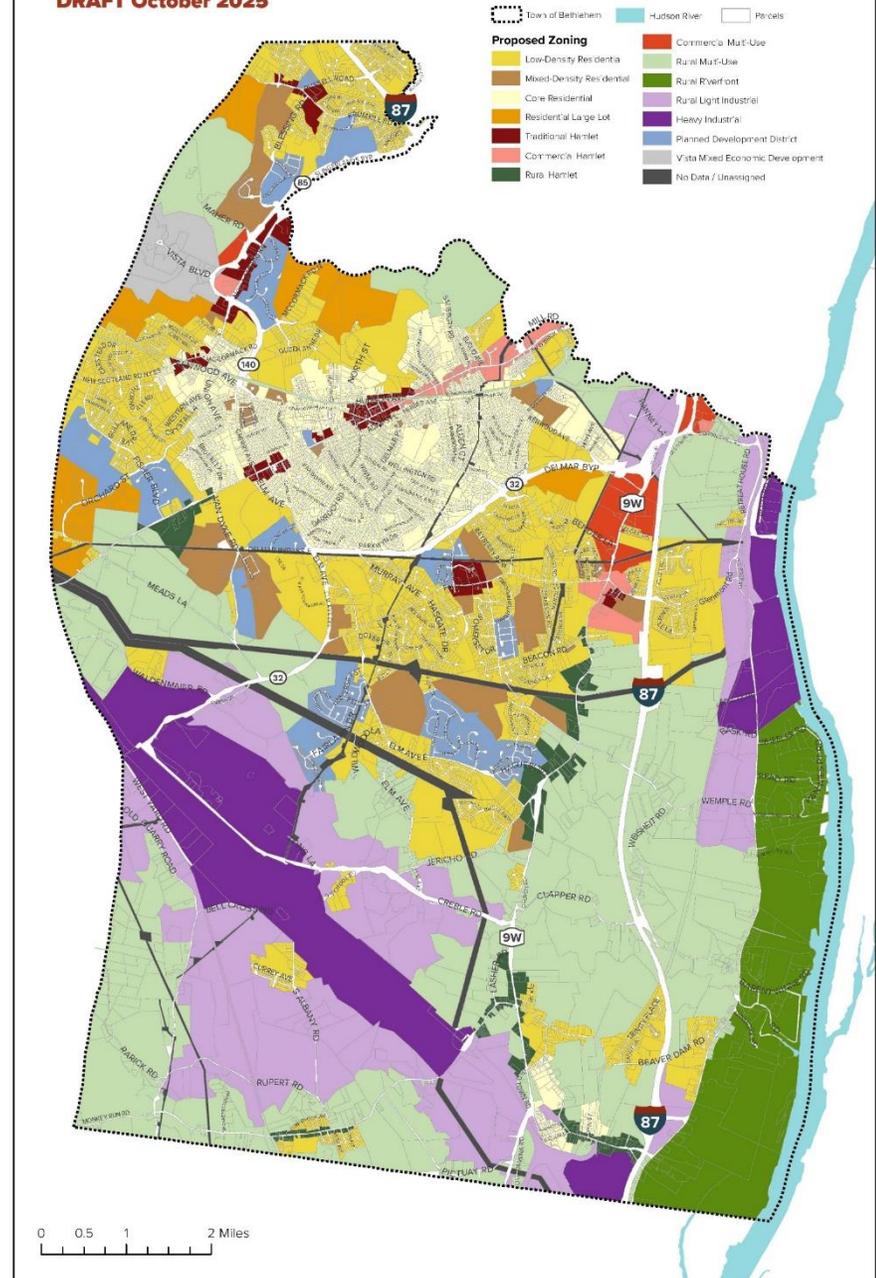
**Residential, commercial, mixed use, industrial and Planned Development Districts are generally in same areas.**

## A Few Changes

- Mixed Economic Development District removed (areas changed to RMU or RLI)
- Residential zones and denser development directed to areas with public water/sewer infrastructure
- Expanded Hamlet zone along Blessing/Krumkill Road; Feura Bush Rd, New Scotland Road
- Rural Multi-Use expanded along Route 9W, Clapper Road, River Road, Route 32
- Commercial Multi-Use District now allows multi-family development and variety of uses
- Maintained hamlet zones along Delaware Ave, Rt. 9W, Maple Ave, Bridge St., New Scotland Road

## Town of Bethlehem Proposed Zoning Districts

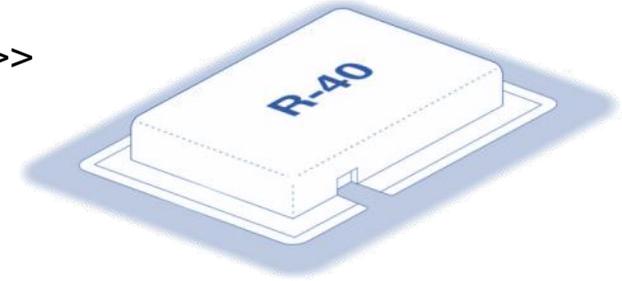
DRAFT October 2025



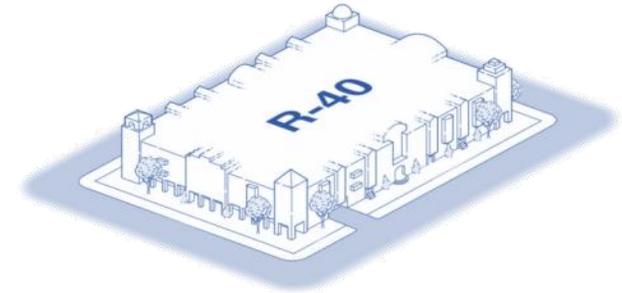
# District & Development Building Blocks

- **PART 2:** Districts - Use, Setbacks, & Bulk Requirements
- **PART 3:** Building Design
- **PART 3:** Site Design

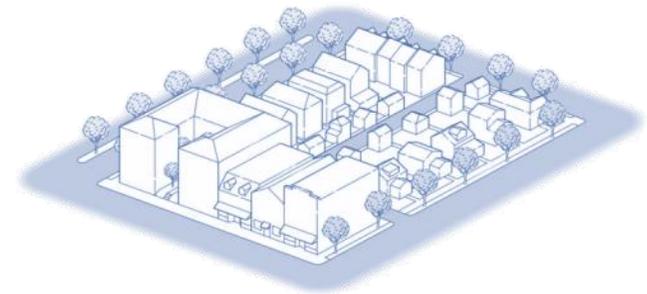
Use, Bulk & Dimensional Req's >>



Building Design >>



Site Design >>



# Residential District Regulations & Development Review

- Part 2 (Articles 20, 21, 22, 23)
- Permitted (“P”), Specially Permitted (“SUP”), Prohibited Uses (“-”)
- Area, Bulk, & Dimensional Requirements
- Additional Regulations, as applicable

1. The siting of multi-family dwellings shall follow the density transition provisions of §128-30.11

| LAND USE  | RLL              | CR               | LDR              | MDR            | ADDITIONAL REGULATIONS |
|---|------------------|------------------|------------------|----------------|------------------------|
| <b>RESIDENTIAL USES</b>                             |                  |                  |                  |                |                        |
| <i>Single-Family Dwelling, attached or detached</i> | P                | P                | P                | P              | -                      |
| <i>Two-Family Dwelling</i>                          | P                | P                | P                | P              | -                      |
| <i>Multi-Family Dwelling, 3-4 units</i>             | SUP <sup>1</sup> | SUP <sup>1</sup> | SUP <sup>1</sup> | P <sup>1</sup> | -                      |
| <i>Multi-Family Dwelling, 5+ units</i>              | -                | -                | SUP <sup>1</sup> | P <sup>1</sup> | -                      |
| <i>Two- or Multi-Family Dwelling, by conversion</i> | SUP <sup>1</sup> | SUP <sup>1</sup> | SUP <sup>1</sup> | P <sup>1</sup> | § 128-25.24            |
| <i>Residential Care Facility</i>                    | -                | -                | SUP              | SUP            | -                      |
| <i>Senior Citizen Housing</i>                       | P                | P                | P                | P              | § 128-25.22            |
| <i>Bed and Breakfast</i>                            | -                | P <sup>2</sup>   | P <sup>2</sup>   | -              | § 128-25.8             |
| <i>Short-Term Rental</i>                            | -                | -                | -                | -              | -                      |

|   | RLL     | CR  | LDR   | MDR  |
|---|---------|---|---|--|
| <b>MIN LOT AREA</b>                     |         |   |   |  |
| <i>Single-Family Dwelling</i>           | 2 acres | 7,200 sf                                    | 10,000 sf                                   | 8,500 sf                                     |
| <i>Two-Family Dwelling</i>              | 2 acres | 8,500 sf                                    | 12,000 sf                                   | 8,500 sf                                     |
| <i>Multi-Family Dwelling, 3-4 units</i> | 2 acres | 5,000 sf / du <sub>1</sub><br>(9 du / acre) | 6,500 sf / du <sub>1</sub><br>(7 du/acre)   | 3,500 sf / du <sub>1</sub><br>(12 du / acre) |
| <i>Multi-Family Dwelling, 5+ units</i>  | -       | -   | 6,500 sf / du <sub>1</sub><br>(7 du / acre) | 2,500 sf / du <sub>1</sub><br>(17 du / acre) |
| <i>Nonresidential Use</i>               | 2 acres | 15,000 sf                                   | 15,000 sf                                   | 15,000 sf                                    |

|   | RLL    | CR    | LDR   | MDR   |
|---|--------|-------|-------|-------|
| <b>MIN LOT WIDTH<sup>2,3</sup></b>        |        |       |       |       |
| <i>Single- or Two-Family Dwelling</i>     | 100 ft | 50 ft | 60 ft | 50 ft |
| <i>Multi-Family or Nonresidential Use</i> | 100 ft | 50 ft | 70 ft | 60 ft |

|   | RLL   | CR    | LDR   | MDR                |
|---|-------|-------|-------|--------------------|
| <b>BUILDING HEIGHT</b>                      |       |       |       |                    |
| <i>Single-Family or Two-Family Dwelling</i> | 35 ft | 35 ft | 35 ft | 35 ft              |
| <i>Multi-Family Dwelling</i>                | 35 ft | 35 ft | 35 ft | 45 ft <sup>1</sup> |
| <i>Accessory Use</i>                        | 25 ft | 18 ft | 18 ft | 18 ft              |

# District Regulations & Development Review

- Part 4 (Application & Review Procedures)
- Now **triggered by “Action”**
- Separated into **two levels of review**
  - Administrative (staff level) for small actions
  - Planning Board for all others
- Public Hearing **notice requirement expanded**
  - Mailed notices (within 200ft – 500ft of project)
  - Posted notice on properties

| ACTION  | EXEMPT | ADMIN REVIEW | PLANNING BOARD REVIEW |
|---|--------|--------------|-----------------------|
| <b>CONSTRUCTION / EXPANSION</b>   |        |              |                       |
| <b>Residential Use</b>  |        |              |                       |
| Single-Family Dwelling on an Approved Lot   |        |              |                       |
| Two-Family Dwelling, on an Approved Lot   |        |              |                       |
| Multi-Family Dwelling   |        |              |                       |
| <b>Nonresidential or Mixed Use</b>  |        |              |                       |
| Expansion Up to 4,000 sf or 25% of Existing Gross Floor Area <sup>2,6</sup>   |        |              |                       |
| New Construction including expansion over 4,000 sf or 25% of Existing Gross Floor Area <sup>2</sup>   |        |              |                       |
| <b>Accessory Use or Structure <sup>1</sup></b>  |        |              |                       |
| Residential   |        |              |                       |
| Nonresidential <sup>7</sup>   |        |              |                       |
| Accessory Dwelling Unit   |        |              |                       |
| Nonresidential Outdoor Seating, Sales, Display, or Storage Area   |        |              |                       |
| <b>Landscaping, Exterior Lighting, Mechanical Equipment, or Stormwater/Green Infrastructure</b>   |        |              |                       |
| Residential Use, up to 4 units  |        |              |                       |
| Multi-Family Use, 5 + units   |        |              |                       |
| Nonresidential or Mixed Use   |        |              |                       |
| <b>Off-Street Parking / Loading Area</b>  |        |              |                       |
| 10 Spaces or Less   |        |              |                       |
| Over 10 Spaces  |        |              |                       |
| <b>Driveway</b>   |        |              |                       |
| Residential Use, up to 4 units  |        |              |                       |
| Multi-Family Use, 5 + units   |        |              |                       |
| Nonresidential Use, Requiring New or Altered Curbcut, Apron, or Opening   |        |              |                       |
| <b>Telecommunications Equipment</b>   |        |              |                       |
| <b>OTHER ACTIONS</b>  |        |              |                       |
| Uses Requiring a Special Use Permit, including Accessory Uses   |        |              |                       |
| Activities Associated with an Approved Use Variance   |        |              |                       |
| Nonagricultural and Nonresidential Uses in the TH, CH, CMU, RMU, RLI, or HI Districts, where located within 100 ft of an LDR, CR, MDR, or RR District |        |              |                       |
| Change of Use <sup>3, 4, 8</sup>  |        |              |                       |
| Expansion, Enlargement, or Addition(s) to Use Otherwise Not Exempt  |        |              |                       |
| Ordinary Repair, Maintenance, or Replacement In-Kind  |        |              |                       |
| Interior Building Alteration  |        |              |                       |
| Alterations to a Building Facade  |        |              |                       |
| Improvement in Accordance with a Previously Approved Plan   |        |              |                       |
| Modification or Amendment to Approved Site plan   |        |              |                       |
| Planned Development (PD) District   |        |              |                       |
| Seasonal Planting of Crops within an Agricultural District  |        |              |                       |
| Agricultural Structure <sup>5</sup>   |        |              |                       |

# Housing

- Allows for variety of housing types in all residential districts
- Two Family+ allowed through site plan review or special use permit depending on the zoning district.
- Created residential design standards for new multi-family and mixed residential, and infill residential development.
  - Less subjectivity and more predictability in building placement, landscaping and screening, etc. to minimize potential impacts on existing residence
- Increase in dwelling unit density to support variety of housing options
  - Example: Hamlet zone increase from 8 DU/Acre to 21 DU/Acre
  - Example: MDR zone provides 17 DU/Acre- unit mix
- Accessory Dwelling Units (attached and detached) subject to Administrative Review consistent with complying to design criteria.
- Incentive zoning provides density bonus for senior housing and affordable housing; streetscape improvements, etc.

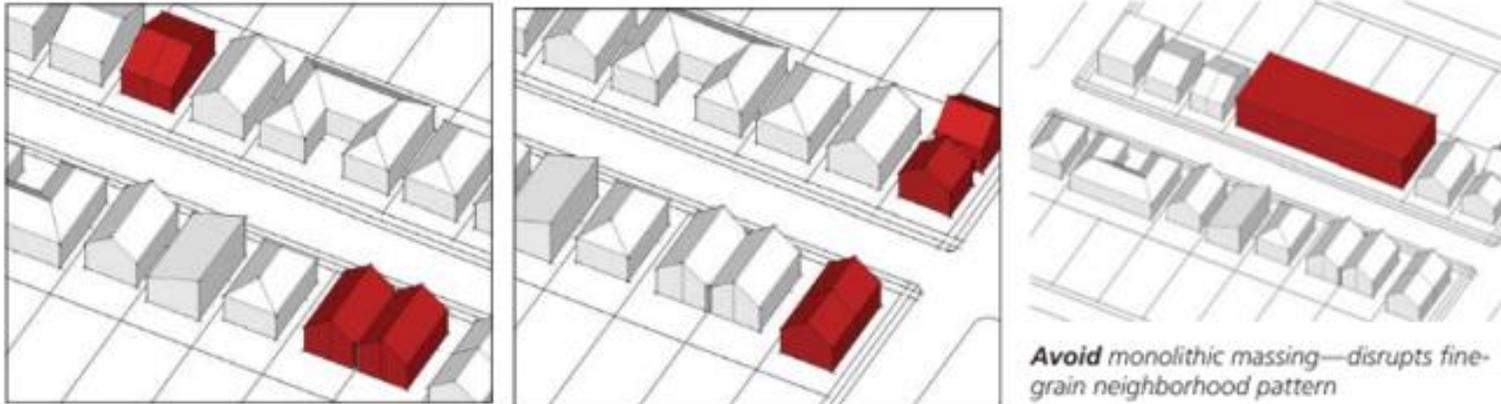
Create a range of housing opportunities and choices



# Housing Related Elements in the Update

- Allowed for a **context sensitive** increase in density to support diverse housing options.
- Created **residential design standards** for new multi-family, mixed residential, and infill residential development.
- **Maintained site plan review** for all new two- and multi-family dwellings, including modifications thereto.

**FIGURE 30.16 Building Placement, Massing, & Design (Infill Design Toolkit – Portland, OR)**



## From the Comprehensive Plan:

### Value Statement L2

We value a variety of housing options which meet the needs of different lifestyles, and a range of income levels, allowing residents to age in place.

### Value Statement L3

We value affordable rental and ownership housing for those representing elderly, low to moderate income, and disabled families and individuals.

### Recommendation LBE 4c

*Consider the development of a Form-Based Code or Design Guidelines for Mixed-Use and Residential Infill development.*

# Multi-Family & Mixed Density Residential Design Standards

## Purpose

- Provide transition area for new developments where abutting existing single-family neighborhoods.
- Ensure desirable design characteristics for all developments

## Areas of Applicability

- Residential Development in Residential Districts where within 100 feet of existing residential (Subsection A)
- All multi-family and mixed residential developments (Subsection D)

## B. Area Abutting Single-Family

The following applicable to **area within 100 ft** of existing neighborhood:

- 1. Density.** Limited to single-family dwellings, attached or detached; and/or two-family dwellings.
- 2. Lot Width.** Similar arrangement, with no more than a 20 ft reduction in lot width.
- 3. Building Design.** Follow similar a building height, bulk, and scale, including complimentary roof lines.
- 4. Streetscape Amenities.** Continue sidewalk and street trees, etc.





# Public comment on Zoning Update

- **October 15, 2024** meeting discussed the Proposed Zoning map
  - Zoning update promotion to town residents
- **November 19, 2024** meeting discussed the Proposed Zoning map
- **March 18, 2025** Discussed Public Comment Summary on Proposed Zoning map (100 comments received between Fall 2024 & Spring 2025).
- **December 16, 2025** Discussed Public Comments received since Open House November 18, 2025 (over 100 comments received).
- **January 6, 2026** Discussed Public Comments.

# Public Comment – Key Themes

## Geographic Area

- Feura Bush Road area
- Rockefeller Road area
- Delmar
- Elsmere
- Slingerlands
- Selkirk
- South Bethlehem

## Topic

- Traffic/Transportation
- Density/Building Height
- Agricultural/Rural
- Environmental Concerns
- Recreation/Open Space
- Character/Preservation
- Design Standards
- Affordable and Multi-Family Housing
- Accessory Dwelling Units
- Sustainability Measures
- Bicycle Facilities and Parking Requirements



# Design Standards

- Clarified existing expectations and **refined language for increased predictability.**
- Implemented **nonresidential building design standards** and guidelines.
- Formalized **landscaping and screening** requirements.
- **Adjusted parking requirements** to reduce over-provision of pavement.
- Incorporated **multi-modal** (bicycle and pedestrian) connection requirements.

FIGURE 30.8 Façade Element Proportions



DISPROPORTIONATE



PROPORTIONATE

## From the Comprehensive Plan:

### Value Statement T1

We value the transportation infrastructure which safely accommodates all modes of travel (pedestrian, bicycles, transit and vehicle).

### Recommendation LBE 4c

*Consider the development of a Form-Based Code or Design Guidelines for Mixed-Use and Residential Infill development.*

### Recommendation LBE 10e

*Evaluate parking regulations in an effort to right size parking requirements in the code for all zoning districts.*

# Natural Resources & Sustainability

- Included **guidance for green infrastructure and green building design** (e.g. Green roofs, bioswales).
- Incorporated reference to **new NYS Department of Environmental Conservation wetland regulations** as the standard.
- Promoted use of **native plants and trees and preservation of existing vegetation**.
- Added consideration of **orientation for solar** within subdivision layouts.

FIGURE 32.5 Parking Lot Green Infrastructure – Curb Inlets and Vegetated Bioswales



From the  
Comprehensive  
Plan:

## Value Statement E1

We value our vast natural resource systems and open spaces that provide benefits including wildlife habitat, ecosystem services that provide clean air and water, and inherent natural beauty and scenic value within our community.

## Value Statement E4

We value a resilient natural, built, and economic environment that can endure, adapt, and rebound from catastrophic natural and other events.

## Recommendation HWN 1g

*Continue to support the position and responsibilities of the Storm Water Management Coordinator to help ensure water quality protection of Town's watershed areas. Encourage use of green infrastructure practices in both municipal construction and private development projects.*

# Rural Flexibility

- **Expanded permitted use** lists to align with agricultural operations provided for by NYS Ag & Markets Law.
- **Maintained existing site plan review exemptions** for agricultural uses.
- Created **permissions for agricultural home occupations**, which allow for secondary, supporting businesses/operations to allow for more flexibility and viability in the use of land.
- Residential lot size consistent with Health Department separation guidance (on-site septic and well).

## From the Comprehensive Plan:

### **Value Statement C3**

We value the qualities of rural land, supporting landowner's ability to access its economic value in a manner compatible with sustaining a rural-agricultural livelihood.

### **Recommendation HWN 2c**

*Consider amending the code to expand the permitted agricultural uses and agricultural support uses.*

# Subdivision & Incentive Zoning

## Conservation Subdivision

- Now required for major subdivisions over 10 acres or by request of applicant.
- Adjusted buildable area formula to include state regulated wetland buffer areas in constrained lands.
- Updated open space formula – Now a general standard at 40% of buildable area.
- Clarified open space location based on Town's Open Space Plan Conservation Criteria Implementation.
- Adjusted dwelling unit mix requirement – Now 1/3 Single-family & two-family
- Required to follow new residential design standards.

## Incentive Zoning

- Review criteria and findings added to strengthen alignment with NYS Law.
- Affordability findings updated to align with State Office of Housing and Community Renewal.
- Benefits and incentives more clear, prescriptive, and in alignment with the Comprehensive Plan Update recommendations.
- Expanded potential incentives and community benefits lists.

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

# Land Use/Development Review Procedures



Clarified pre-application procedure with Town Staff.



Clarified procedures for sketch plan review and role of Development Planning Committee.



Simplified the review process and submittal requirements for small, minor impact applications.

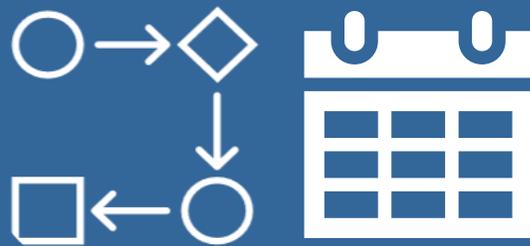


Increased time extensions of approved projects to four 90-day periods. Complete project in 4 yrs.



No local wetland regulations due to new State regulations protecting wetlands.

# Town Board Process/Schedule



| Town Board Meeting | Agenda   |
|--------------------|--|
| 2/11/2026          | Accept Planning Board Recommendation<br>SEQR Lead Agency Coordination (30 days - 3/13/26)  |
| 2/25/2026          | Presentation Comprehensive Plan and<br>Zoning/Subdivision Regulations  |
| 3/11/2026          | Presentation Comprehensive Plan and<br>Draft Zoning/Subdivision Regulations  |
| 3/25/2026          | Set Public Hearing for 4/22<br>Open Public Comment Period<br>Albany County Planning Board Referral 4/16<br>Public notice postings / Local municipal notice |
| 4/22/2026          | Public Hearing   |
| 5/13/2026          | Discuss comments from public hearing   |
| 5/27/2026          | Discuss public comments and/or Adoption<br>(include SEQR and Local Waterfront Revitalization<br>Program consistency determination)                         |
| 6/10/26            | Adoption   |

# Discussion/Next Steps



Contact:

[bethlehemforward@bethlehemny.gov](mailto:bethlehemforward@bethlehemny.gov)

Project Website:

<https://www.townofbethlehem.org/940/Zoning-Update>