


MEMORANDUM

TO: Supervisor Chris Burdick and
Members of the Town Board of the Town of Bedford

FROM: Eric L. Gordon, Esq. 

RE: Proposed Local Law Amending
Table of Use Regulations-Residential

DATE: August 7, 2019

As you will recall, the Town Board recently adopted a Local Law amending Section 125-29.6 of the Town of Bedford Zoning Code to allow the placement of AAFFH units off site for subdivisions of five or more units, under certain circumstances. The Local Law also permitted the Planning Board to modify the required minimum lot size for AAFFH units located in subdivisions under certain circumstances.

In order to make these proposed changes more evident to persons seeking to develop subdivisions, it was determined that a note should be included in the Table of Use Regulations-Residential, which is Attachment 5:1 to Chapter 125 of the Town Code. The note that is proposed to be added to the Table of Use Regulations-Residential clarifies that in R-4A, R-2A, R-1A, R-1/2A and R1/4A zoning districts, applicants should refer to Zoning Code § 125-29.6E(6)(a) for minimum lot requirements with respect to AAFFH units for subdivisions with five (5) or greater lots. Therefore, we are recommending that the Town Board schedule a public hearing on the proposed Local Law for the first Town Board meeting in September.

Please do not hesitate to contact me if you have any questions.

Encl.

LOCAL LAW NO. ____ OF 2019

TOWN BOARD
TOWN OF BEDFORD
PROPOSED LOCAL LAW TO
AMEND CHAPTER 125, ATTACHMENT 5:1
OF THE CODE OF THE TOWN OF BEDFORD

BE IT RESOLVED, that
the Town of Bedford
Hereby Amends Chapter
125, Attachment 5:1 of the
Code of the Town of
Bedford concerning the
Table of Dimensional
Requirements-Residential.

Section 1. Chapter 125, Attachment 5:1 of the Code of the Town of Bedford entitled
“Table of Dimensional Requirements- Residential” as set forth in the beginning of the chapter
is amended as follows:

SEE ATTACHED CHART

Additions are in red and underline.

ZONING

125 Attachment 5

TOWN OF BEDFORD
TABLE OF DIMENSIONAL REQUIREMENTS-RESIDENTIAL

Zoning District	Minimum Lot Area	Minimum Lot Area Per Unit ¹	Minimum Effective Square Side (feet)	Minimum Yard Requirements			Maximum Height ²		Maximum Coverage		Maximum Building Length (feet)	Minimum Cubage (cubic feet)	Minimum Building Separation
				Front (feet)	Lesser Side/ Total Both Sides (feet)	Rear (feet)	Stories	Feet	Building	Impervious surface			
R-4A	4 acres	4 acres	250	75	50/100	50	2 ½	35	3%	8%	--	14,000	--
R-2A	2 acres	2 acres	200	50	40/80	50	2 ½	35	6%	14%	--	14,000	--
R-1A	40,000 sq. ft.	40,000 sq. ft.	150	35	30/60	50	2 ½	35	10%	20%	--	14,000	--
R-½A	20,000 sq. ft.	20,000 sq. ft.	100	35	20/45	50	2 ½	35	15%	30%	--	14,000	--
R-¼A	10,000 sq. ft.	10,000 sq. ft.	75	35	15/35	40	2 ½	35	20%	40%	--	11,000	--
TF	10,000 sq. ft.	5,000 sq. ft.	75	35	15/35	40	2 ½	35	20%	40%	125	1-family: 9,000 2-family: 12,600 or 6,300 per unit	--
VA	--	3,500 sq. ft.	--	50	50/100	50	2	35	20%	40%	150	--	--
MF	2 acres	Efficiency: 3,500 sq. ft. 1-bedroom: 4,000 sq. ft. 2-bedroom: 5,500 sq. ft. 3-bedroom: 7,000 sq. ft. 4-bedroom: 8,500 sq. ft.	250	50	50/100	50	2	35	15%	35%	150	--	--
EL	5 acres	6,000 sq. ft.	250	50	50/100	50	2 ½	--	20%	40%	200	--	Not less than height of taller building
DH Diversified Housing	5 acres	Efficiency: 3,500 sq. ft. 1-bedroom: 4,000 sq. ft. 2-bedroom: 4,750 sq. ft. 3-bedroom: 7,000 sq. ft. 4-bedroom: 8,500 sq. ft. (based upon gross parcel area)	250	20	1	20	2 ½	--	15%	35%	200	--	--

NOTES:

1. Side yard(s): As determined by the Planning Board during site plan review based upon overall characteristics of development and its relationship to adjoining properties and the general pattern of neighborhood development, minimum side yards shall be 10 feet, up to 50 feet for each yard, and 20 feet up to 100 feet in the aggregate, as measured from side property lines.
2. In all residential zoning districts, the maximum exposed building elevation shall not exceed 40 feet.
3. For R-4A, R-2A, R-1A, R-½A and R¼A zoning districts, refer to Zoning Code § 125-29.6F(6)(a) for minimum lot requirements with respect to AAFTH units for subdivisions with five (5) or greater lots.

Section 2. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 125 of the Code of the Town of Bedford is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 3. Numbering for Codification

It is the intention of the Town of Bedford and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of Bedford that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 4. Severability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Office of the Secretary of State.