

## Chapter 5.0

# RESIDENTIAL DEVELOPMENT

### 5.1 Existing Residential Development Pattern

The 2000 U.S. Census found that there were 6,020 housing units in the Town of Bedford as of April 1st of that year, of which nearly 5% were vacant; more than half the vacant units were in seasonal, recreational or occasional use. Three-quarters (4,287) of the occupied housing units were owner-occupied and 1,444 were renter-occupied. The breakdown of one-unit and two- and more units in those structures will not be released until 2003. Current land use survey and data from the Building Inspector's Office indicates that about one-quarter of the multi-family units are within two-family homes, and three-quarters are within buildings with three or more units.

Most of Bedford's area is now largely committed to a broad range of residential settlements. Both relatively high and low density residential areas exist within the town, with higher density single-family homes, two-family residences, and garden apartments concentrated around the Bedford Hills, Bedford Village, and Katonah hamlets. This pattern of diverse development densities was established as a conscious planning policy by the town in 1929 when the first Zoning Ordinance was adopted. Although a portion of Bedford's land area is not yet committed to an active land use, the dispersed nature of existing development is such that a residential character has been clearly established in most sections of the town. Residential development should continue to be the predominant land use and the existing pattern of diverse housing types and densities must continue in order to reflect the different housing needs of various segments of the population.

The rugged and scenic character of the land, the town's location, and the absence of public water and sewerage services together indicate that the present pattern of low density development in areas outside of the hamlet centers should generally be maintained. Higher density development, including townhouses and garden apartments, should be located near the hamlet centers where existing land uses and the presence of utilities and other public facilities make a greater concentration of people advisable.

### 5.2 Single-Family Housing

The basic concept of land development in Bedford started not with the first zoning laws in 1929, but rather with the very first land divisions of December 23, 1680 enacted by Bedford's first settlers following land purchases from the Mahican Indians. In their wisdom, these earliest settlers created different sized lots according to land use, three acres for a house lot, 12 acres for meadow lands, and at the same time set aside a plat "they reserve for the town coman." The present Bedford Green, in the hamlet of Bedford Village, is all that remains of the original town common. Within four years, further land allotments were made, and these various amounts of meadow lands as well as four acres of bottom or swamp lands (known then as bumory lands) were precursors of the important role that wetlands would always play in the development of the Bedford area.

New single-family residential development in Bedford should continue to follow the basic pattern

of existing land use in the town. This overall pattern is essentially one of locating higher density single-family homes near to the hamlet centers, where supporting services such as shopping, community facilities, public utilities are concentrated, with a gradual transition to lower densities as distance from these centers increases.

The bulk of single-family residential development within the central portions of Bedford Hills and Katonah -i.e., surrounding those areas developed with business and multi-family housing -is and should continue to be of smaller lots in the medium density range. A small section of Bedford Village is also designated for this density, in recognition of the already well-established character of this area. Low-density development should be located on the fringes of the higher density areas within Katonah and Bedford Hills, and should continue to be the predominant housing density for Bedford Village. Rural low-density development is considered most suitable for sections of the town outside of the three hamlet centers in order to preserve the rural atmosphere and distinctive quality of development prevailing in these areas. The rural quality of Bedford's developed areas would be enhanced if landscaping or open space were maintained along street frontage. New medium density development in or near Bedford Hills, Bedford Village, and Katonah should provide open space or some other contribution to the well-being of these hamlets. In new single-family subdivisions in the larger lot districts, the town should consider allowing a certain number of lots smaller than the standard size, with smaller houses. Such homes would not formally be considered affordable housing but would likely sell at a lower price than the surrounding ones and provide a greater range in home purchase prices.



*Single family detached house on a medium-sized lot.*



*Single family detached house on a large lot.*

### **5.3 Two-Family Housing**

Under present zoning, the development of two-family homes is permitted in part of Bedford Hills and in the Greenville Road area of Katonah. Although most of the development in both of these areas actually consists of older single-family homes on small lots, new two-family houses have accounted for a significant proportion of the recent construction on the remaining vacant parcels.

The existing TF (two-family) zoning districts in Bedford Hills and Katonah should not be changed. In addition, the creation of additional two-family districts may be warranted in the town where non-conforming and non-permitted two-family homes predominate. These areas (e.g., Bedford

Village) should be thoroughly studied by the town to determine whether the additional density can be accommodated in terms of parking, water, sewer, aquifer protection, wetlands protection, and building code requirements.

#### 5.4 Multi-Family Housing

As documented by the 2000 Census, Bedford's population has continued to become more diverse in the last decade. The size of families and households continues to decrease while young adults and senior citizens have grown as components of the town's population. These trends, coupled with the ever-climbing increase in real estate values, show an increasing need for alternate forms of housing. Multi-family housing in various forms has been traditionally sought in the past to meet the needs of these groups.

Although 92 acres of land are presently zoned for multi-family development, very little undeveloped open land remains in 2001. Some of the existing areas are occupied with single-family and two-family homes. Since the complete redevelopment of these areas with apartments is unlikely, and since the inclusion of apartments on small, scattered vacant parcels in between existing single-family homes would be undesirable, such areas should be rezoned to classifications which reflect their existing land use character. The town needs to identify these areas and undertake rezoning.

The existing multi-family zoning districts offer only limited opportunity for the construction of new multi-family developments. If the town is to continue to provide housing for persons who live or work in the community but do not have sufficient incomes to afford new single-family homes, additional land for multi-family housing must be made available as further overall growth takes place. Bedford should maintain its current proportion of 75% single-family units to 25% two-family and multi-family units.

A number of methods are now available for creating multi-family housing within the town:

**Blue Mountain Housing Corporation.** The Blue Mountain Housing Corporation is a not-for-profit organization organized by the town in 1980 to create and manage affordable housing projects in the town. This group has the authority to own property, receive grants and loans from other agencies, and sell or rent units to ensure that they continue to meet town affordability guidelines.



*Multi-family housing, Lake Marie.*



*Multi-family housing, Bedford Hills Memorial Park.*

**Section 278 of the Town Law.** As a “ conservation subdivision, ” proposals in any of the town’s residential zoning district may include multi-family buildings when built at the same unit density, as the underlying district would permit. Since 1984, the town may mandate the use of this procedure on a particular site proposed for subdivision.

**Conservation Development.** Under Article VI, Section 125-51 of the Town Code, subdivision applications in single family districts with a minimum size of ten acres or five times the district’s minimum lot size may be granted a density increase of no more than 25% if designated middle-income attached dwelling units, for rent or purchase, are built. The density incentive is granted by the Town Board.

**Apartments Over Stores.** Apartments on the upper floors of commercial buildings in the hamlets have been permitted in Town Zoning Law since its inception. The many apartments on the second or upper floors of commercial buildings in each of the hamlet centers have always provided a source of unregulated (not designated) affordable housing and serve to complement the functions of business districts. Over time, however, a number of the apartments have been converted to commercial use. The town will discourage requests from property owners to convert apartments above retail businesses to commercial use.

**Conventional Multi-Family Zoning.** Two conventional zoning districts, VA Village Apartment and MF Multi-Family, exist in the Town Code and may be used to rezone properties.

**Housing for the Elderly.** The EL District was instituted in 1986 for multi-family proposals solely for the elderly. Proposals in this district must provide at least twenty percent of their units at a rent or price that meets the town’s guidelines for middle income families.

**Diversified Housing.** The DH District was created in 1994 specifically for market rate multi-family proposals that contain a proportion of middle income dwellings. At least twenty percent of the dwellings in this district must be affordable to middle income families.

With the first two techniques listed above, densities may vary in accordance with the underlying zoning and so permit multi-family development if the sites are large enough and situated to permit reasonable buffering from neighbors.

The selection of sites for future multi-family use should mainly be limited to the existing higher density areas within Bedford Hills, Bedford Village, and Katonah. The fundamental objective in selecting sites for future multi-family developments should be to preserve the attractiveness of the three hamlet centers in Bedford as residential communities. Evaluation of the suitability of sites proposed for multi-family development should be governed by the following criteria:



*Apartment over stores, Katonah.*

- Accessibility to shopping, other community facilities and, where available, public transportation. Multi-family development should be within a reasonable walking distance of these facilities.
- Adequate and safe traffic circulation. Frontage roads should be able to handle the additional traffic without requiring major public improvements and should provide easy and direct access to major thoroughfares serving Bedford. The vehicular and pedestrian circulation system servicing the site and the surrounding area should be capable of safely and conveniently handling traffic generated by the development.
- Separation from single-family residential areas. Multi-family developments should be located where they will be mutually compatible with the established character or potential use of adjoining properties. A topographic separation or an intervening land use, such as a park, school, church, or similar public facility or semi-public facility are considered to be suitable transitions between single-family housing. In the absence of a clearly defined buffer, a gradual transition in density and type of development is also considered appropriate. To expand the number of available multi-family sites, the town should consider permitting multi-family residential uses in the light industrial zoning district.
- Buildable site. The sites themselves need to be of adequate size and possess suitable terrain characteristics for establishing an attractive and functional layout of buildings and site improvements, and for permitting the reasonable screening of areas such as parking, from neighboring properties or streets.
- Adequate utility servicing. Either public water and/or sewerage facilities should be available, or the site should be capable of accommodating individual water supply and/ or sanitary facilities.

## 5.5 Recommendations

The general pattern of residential land use recommended in this plan represents a long-term policy for Bedford's development. This pattern is not intended to fix precisely the details of residential zoning, either as to the exact boundaries or exact densities. The recommendations on suitable residential density (shown below) for various sections of the town are based on a consideration of the following factors:

- The character of the existing residential development in the areas, with particular reference to the prevailing density.
- The physical character of the area, both in terms of the limitations it would impose on development and the desirability of preserving natural features and ecological balances.
- The existing local and regional road system and its ability to serve increased development without extensive improvement.
- The present and likely future availability of community facilities and utilities.
- The desirability of maintaining residential property values.
- The desirability of maintaining historic buildings and sites.

The following are desirable densities in average or overall terms, rather than minimum standards:

*Single-Family:*

- Rural density (4 or more acres per dwelling unit)
- Low density (1-2 acres per dwelling unit)
- Medium density (2-4 dwelling units per acre)

*Multi-Family:*

- Two-family (5-8 dwelling units per acre)
- Townhouses and garden apartments (5-10 dwelling units per acre)

## **Affordable Housing**

For many reasons, most significantly the increase in real estate values, Bedford has come to face a major shortage of moderately priced housing. The value of new and existing homes has grown faster than the financial ability of many of local workers, including employees of the town, school districts and local businesses, to pay property taxes or move to a larger home within the town. With this shortage has come the present and growing danger that senior citizens, young people, police, firefighters, other municipal employees, workers in local stores, and teachers, among others, can no longer afford to live in Bedford. This results in a severe loss of diversity and a sharp reduction in available services and emergency protection.

It should be recognized that much of the demand for housing in the town comes from sources outside the town. Employment centers in other towns grow without a commensurate growth in housing in the host municipality. Bedford has a responsibility for some share of this need. As the region grows, the actual demand created by the town is very small. Nevertheless, the town's own needs still demand the affordably-priced housing. The county's Housing Opportunity Commission established an allocation for Bedford for the period of 198 designated affordable housing units by 2000. Bedford constructed 68 such units, 34% of its allocation. The updated Housing Allocation Plan is expected sometime in 2003 or 2004, once the 2000 census data are analyzed and new allocations for Westchester Communities prepared by the county executive's Housing Opportunity Commission. Bedford's remaining increment of 130 affordable units should be a goal for the town for these years between 1999 and the next allocation plan.

Bedford strongly encourages the creation of moderate, affordable housing in the many forms available, wherever such housing is practical and appropriate to the surrounding neighborhood. The mechanisms for creating affordable housing are numerous and with varying degrees of promise fall into every housing and zoning category. However, multi-family housing is usually produced at a lower per unit cost than new or existing single-family homes and thus is the housing type that most typically may be made available at a lower price. The continued development of a moderate amount of townhouse and garden apartment-type housing in the town can provide affordable housing for the important groups in the population listed (not in order of preference) below:

- Residents who have raised their families and no longer wish to maintain their own single-family home, but would like to continue living in the community.
- Retired persons and other individuals wishing to remain in the community but due to income can no longer afford to maintain a single-family residence.

- Newly married couples and young families who have grown up or come to work in the Bedford area, but cannot yet afford and do not need a single-family home.
- People who hold jobs that are essential to the operation of the town as a community, such as firemen and ambulance corps workers and perhaps teachers, but whose incomes are not sufficient to afford single-family detached homes at the prices now prevailing in Bedford.

The Town of Bedford wants to maintain the present balance of single-, two-, multi-family, and commercial development that presently exists in the hamlets. Accordingly, affordable housing development should be consistent with the town’s desire to maintain the residential/non-residential balance. Affordable housing alternatives outside the hamlets should be promoted with the same attention to the balance of the community. Affordable housing opportunities should not be limited to sites within walking distance of public transportation. The town would like to provide affordable housing for police, firefighters, teachers, and municipal employee; many own a car and should have a choice in housing location.

As the greatest percentage of existing and potential development in the town consists of single-family dwellings, the town should also explore methods of maintaining this pattern while at the same time creating designated affordable single-family housing to serve the needs of this important segment of the town’s population. The town should consider adopting techniques to create moderate cost single-family homes including, but not limited to the following: 1) a fixed percentage of all homes in a subdivision to sell at a moderate price, 2) satisfying Bedford’s affordable housing allocation by building on alternate sites, to be identified, in the town, and 3) satisfying Bedford’s affordable housing allocation by contributions to a town fund established to create moderate priced single-family homes.



*Affordable Housing, Doyle Building, Katonah.*

### **Single-Family Development**

The Planning Board should require proposed housing subdivisions, regardless of the number of lots, to adhere to design and layout standards. All open space within a proposed subdivision shall be contiguous (where appropriate and possible) to neighboring undeveloped lands, nature preserves, parks, non-profit –owned parcels, and other designated open space. The lots shall be designed in a manner that best suits the natural conditions of the property; homes and garages do not need to consistently face the street. Concepts such as zero lot line, radius building sites, variable lot size, positioning lots to be more responsive to sunlight, shade trees, windbreak trees, mixed housing types, and shared long driveways can be considered by the Planning Board prior to approval of preliminary subdivision plats. The Planning Board should encourage developers and residents planning new homes to site and orient buildings in a manner sensitive to the natural environment, encouraging architectural design and building materials that lead to a long-term reduction in energy consumption.

The town encourages landowners contemplating a sale of their large and subdividable lots to submit a development plan prior to placing the property on the market. An existing property owner is in a better position to thoughtfully analyze the potential parcel layout. The owner also has less financial pressure to increase density. Property owners should sell lots over a long period of time, say 10 to 15 years, as this would reduce the financial exposure of a developer. Prior to preliminary approval, land proposed for development should not have pre-development work such as tree clearing, contouring, road grading, and alterations to natural drainage systems. The developer should be reminded that lot subdivision in Bedford is less expensive than other areas in the metropolitan region, as sewer systems, major drainage systems, and road planning are not required. Consequently, developers should be expected to contribute to open space funds, do intense tree planting on their development parcels, and set back buildings substantially from I-684, Rte. 172, the Saw Mill Parkway, and Rte. 35 to foster the appearance of open space. This will also reduce the need for noise barrier walls in the future.



*Single-family detached house on Haines Road, with intact stone wall and mature landscaping.*

Where multi-family zoned areas are built out with single-family or two family structures, the town should rezone these areas to conform to their predominant character.

### **Two-Family Homes**

Two-family dwellings should continue to be permitted in those areas where a mixed single-family and two-family residential character has already been established. Such housing can make an important contribution toward meeting the need for multi-family housing in Bedford. The town should discourage applications from property owners to convert two-family dwellings to single-family dwellings, in order to avoid further shrinkage of the already limited moderate cost housing stock.

### **Multi-Family Development**

The town should consider the following methods of serving multi-family housing needs of the town: 1) preserve the current 75:25 ratio of single-family to multi-family housing as the town grows, 2) study restricting the upper floors of commercial buildings to residential use, 3) consider sites for new multi-family development mainly in or near the existing higher density areas of the town, on a case-by-case basis, and 4) consider permitting multi-family uses in the light industrial zoning district. Bedford should discourage the possible assemblage of properties outside the hamlets in order to create multi-family housing.



## **Accessory Apartments and Cottages**

The development of smaller apartments within single-family dwellings is probably the most cost-effective way of providing lower cost housing in the town. Bedford has at least 500 of these apartments; many of them existing as non-conforming pre-existing (grandfathered) uses under current zoning regulations, not having received official inspection or permission. In 1983, Bedford enacted zoning provisions to permit both accessory apartments within residences and apartments within separate buildings called "cottages." Since its enactment, 35 accessory apartments and 27 cottages have been approved (as of 2001). The provisions of the regulations affecting these units have been amended twice since their original adoption. The town currently permits accessory apartments or cottages only within structures that have existed for five years. This plan reaffirms the five-year waiting period. Further, the plan encourages the town to remain mindful of the balance in the hamlets between businesses and dwellings, and the positive role that accessory apartments play in maintaining the dominance of residences. Bedford should also continue to support mother-daughter accessory units.

The town should consider requiring newly approved apartments and cottages to meet affordability guidelines and consider allowing more than one unit in an accessory structure if the owner agrees to affordability guidelines. The Town Board and Planning Board should explore this issue by collecting data on rents to determine whether a modification to the Zoning Law would effectively achieve this affordability goal.