

Memo

To: City of Albany Common Council
Planning, Economic Development & Land Use Committee
From: Department of Planning & Development
Re: Proposed Content Changes, Article II: §375-203- §375-205
Date: April 20, 2021; Updated, April 29, 2021

The following constitutes a list of suggested changes to Article II of Chapter 375 (Unified Sustainable Development). Also included are advisory notes identifying potential next steps or additional considerations for which specific changes have not yet been proposed.

§ 375-203. Residential districts.

(1) *R-1L Single-Family, Low-Density.*

(a) *Concept.*

~~[District Concept Image]~~ ~~[District Concept Image]~~

Purpose: The district concept images in §375-203(1)(a), §375-203(2)(a), §375-203(3)(a), §375-203(4)(a), §375-203(5)(a) and §375-203(6)(a) have been improved with added environmental and color context.

(b) *Purpose.* The purpose of the R-1L District is to provide for neighborhoods of ~~low density, single-family~~ single-unit residences on medium to large lots. Limited recreational, educational, and other neighborhood support uses are permitted as shown in Table 375.302.1 (Permitted Use Table).

Purpose: The district purpose statement has been updated to reflect changes made elsewhere. The reference to “low density” has been removed in deference to the subsequent reference to “medium to large lots.”

~~Table 375.203.1~~
~~Compliance with Other Standards Required~~

Purpose: The need to comply with additional standards in the USDO is intuitive to the reader. The removal of unnecessary tables 375.203.1, 375.203.3, 375.203.5, 375.203.7, 375.203.9 and 375.203.11 in the individual district sections will significantly reduce the document in size.

(c) *Dimensional standards.*

~~[Axonometric Image]~~

Purpose: The axonometric images will be removed to a new section of the USDO, where appropriate. Individual examples for each district do not provide enough distinction to be warranted and could prove difficult to maintain over time if dimensional standards are added.

~~Table 375.203.2~~

~~R-1L Single-Family, Low-Density~~

~~(See § 375-401 for more details.)~~

Purpose: The individual district dimensional tables 375.203.2, 375.203.4, 375.203.6, 375.203.8, 375.203.10 and 375.203.12 have been removed in favor of their collective listings in Table 375.401.1. There is no need to have listings in both locations and inconsistencies have resulted from the content redundancy.

~~(d) District standards:~~

Purpose: The content in the district standards §375-203(1)(d), §375-203(2)(d), §375-203(3)(d), §375-203(4)(d), §375-203(5)(d), and §375-203(6)(d) belongs almost universally in other sections of the USDO.

~~(i) Nonresidential uses. No primary nonresidential use shall operate before 8:00 a.m. or after 10:00 p.m.~~

Purpose: References to hours of operation are being consolidated in a new section under Article IV, § 375-410(1) (Operating standards). See memo titled "Relocation of District Standards Content."

(2) R-1M Single-Family, Medium-Density.

(a) Concept.

~~[District Concept Image]~~ [District Concept Image]

(b) The purpose of the R-1M District is to provide for neighborhoods of ~~single-family~~ single-unit residences on smaller, individual lots. Limited recreational, educational, and other neighborhood support uses are permitted as shown in Table 375.302.1 (Permitted Use Table).

Purpose: The district purpose statement has been updated to reflect changes made elsewhere.

~~Table 375.203.3~~

~~Compliance with Other Standards Required~~

~~(e) Dimensional standards:~~

~~[Axonometric Image]~~

~~Table 375.203.4~~

~~R-1M Single-Family, Medium-Density~~

~~(See § 375-401 for more details.)~~

~~(d) District standards:~~

~~(i) Nonresidential uses:~~

~~A. No primary nonresidential use shall operate before 8:00 a.m. or after 10:00 p.m.~~

Purpose: References to hours of operation are being consolidated in a new section under Article IV, § 375-410(1) (Operating standards). See memo titled "Relocation of District Standards Content."

~~B. A structure that was originally designed and constructed for a nonresidential use may be occupied for any use in the Residential or Civic and Institutional categories in Table 375.302.1 (Permitted Use Table) upon the issuance of a conditional use permit.~~

Purpose: This content has been added as a notation and footnote in Table 375.302.1 (Permitted Use Table). See memo titled "Relocation of District Standards Content."

(3) R-2 Two-Family.

(a) Concept.

~~[District Concept Image]~~ [District Concept Image]

~~(b) Purpose. The purpose of the R-2 District is to provide for neighborhoods containing a blend of single-family and two-family two-unit, principally detached residences dwellings on a variety of medium to small individual lots of varying sizes. Limited recreational, educational and other neighborhood support uses are permitted as shown in Table 375.302.2 (Permitted Use Table).~~

Purpose: The district purpose statement has been updated for readability and to reflect changes made elsewhere.

~~Table 375.203.5
Compliance with Other Standards Required~~

~~(c) Dimensional standards.~~

~~[Axonometric Image]~~

~~Table 375.203.6
R-2 Two-Family
(See § 375-401 for more details.)~~

~~(d) District standards.~~

~~(i) Nonresidential uses.~~

~~A. No nonresidential use shall operate before 8:00 a.m. or after 10:00 p.m.~~

Purpose: References to hours of operation are being consolidated in a new section under Article IV, § 375-410(1) (Operating standards). See memo titled "Relocation of District Standards Content."

~~B. Portions of the ground or basement floor of a residential structure that were physically constructed or adapted to accommodate nonresidential uses (for example, through an addition extending closer to the sidewalk than the original façade of the building, or through the installation of display windows) before January 1, 2015, may be used for the following uses, but the area devoted to such uses may not be expanded beyond the ground or basement floor constructed or adapted for nonresidential purposes before January 1, 2015, and the use may only operate between the hours of 8:00 a.m. and 10:00 p.m.:~~

- ~~1. As a permitted use: specialty retail, office, or personal or business services.~~
- ~~2. As a conditional use: restaurant.~~

~~[See Table 375.302.1 (Permitted Use Table and related use-specific standards)]~~

Purpose: This content has been added as a notation and footnote in Table 375.302.1 (Permitted Use Table). See memo titled "Relocation of District Standards Content."

~~C. A structure that was originally designed and constructed for a nonresidential use may be occupied for any use in the Residential or Civic and Institutional categories in Table 375.302.1 (Permitted Use Table) upon the issuance of a conditional use permit.~~

Purpose: This content has been added as a notation and footnote in Table 375.302.1 (Permitted Use Table). See memo titled "Relocation of District Standards Content."

~~(ii) Residential conversions:~~

~~A. After June 1, 2017, no structure constructed or converted for use as a single-family dwelling may be converted to add dwelling units unless a conditional use permit for the conversion has been obtained. No conditional use permit for such conversion shall be approved unless the Planning Board determines that:~~

- ~~1. The lot on which the single-family dwelling structure is located contains at least the minimum lot area required in the R-2 Zone District.~~
- ~~2. The single-family dwelling structure contains no fewer than 1,600 square feet of living space.~~
- ~~3. After the conversion, there shall not be more than the maximum number of dwelling units that are permitted in the R-2 District.~~
- ~~4. If required as a result of the conversion, no fire escape or second means of egress shall be attached to that portion of the dwelling bordering the front yard and visible from the street right-of-way.~~

~~Article IV. Development Standards~~

~~§ 375-401. Dimensional standards.~~

~~(3) Dimensional Standards Summary Tables.~~

~~(a) Residential districts:~~

Purpose: Standards relating to conversions of residential properties to add additional dwelling units are being consolidated in a new section under Article IV, § 375-401 (Dimensional standards). See memo titled "Relocation of District Standards Content."

~~(4) R-T Townhouse.~~

~~(a) Concept.~~

~~[District Concept Image] [District Concept Image]~~

~~(b) Purpose. The purpose of the R-T District is to provide for neighborhoods containing a blend of townhouse-style residences of varying sizes and configurations. These areas are often coterminous with the City designated historic districts and those areas of the City predating extensive zoning regulation. A mix of uses is permitted where the existing building typologies and built fabric of the area are consistent with such uses, as shown in Table 375.302.1 (Permitted Use Table).~~

~~Table 375.203.7~~

~~Compliance with Other Standards Required~~

~~(c) Dimensional standards:~~

~~[Axonometric Image]~~

~~Table 375.203.8~~

~~R-T Townhouse~~

~~(See § 375-401 for more details.)~~

~~(d) District standards:~~

~~(i) Nonresidential uses:~~

~~A. No nonresidential use shall operate before 8:00 a.m. or after 10:00 p.m.~~

Purpose: References to hours of operation are being consolidated in a new section under Article IV, § 375-410(1) (Operating standards). See memo titled “Relocation of District Standards Content.”

~~B. Portions of the ground or basement floor of a residential structure that was physically constructed or adapted to accommodate nonresidential uses (for example, through an addition extending closer to the sidewalk than the original façade of the building, or through the installation of display windows) before January 1, 2015, may be used for the following uses, but the area devoted to such uses may not be expanded beyond the ground or basement floor constructed or adapted for nonresidential purposes before January 1, 2015, and the use may only operate between the hours of 8:00 a.m. and 10:00 p.m.:~~

- ~~1. As a permitted use: specialty retail, office, or personal or business services.~~
- ~~2. As a conditional use: restaurant.~~

~~[See Table 375.302.1 (Permitted Use Table and related use-specific standards).]~~

Purpose: This content has been added as a notation and footnote in Table 375.302.1 (Permitted Use Table). See memo titled “Relocation of District Standards Content.”

~~C. A structure that was originally designed and constructed for a nonresidential use may be occupied for any use in the Residential or Civic and Institutional categories in Table 375.302.1 (Permitted Use Table) upon the issuance of a conditional use permit.~~

~~(ii) Preexisting residential uses:~~

~~A. Structures that were originally designed and constructed for three or more dwelling units, or converted to three or more units prior to January 2015, shall be considered legally conforming as to the number of units, but shall be required to meet building code requirements as to the size and construction of each unit.~~

Purpose: This content has been added as a notation and footnote in Table 375.302.1 (Permitted Use Table). See memo titled “Relocation of District Standards Content.”

~~B. If a building has been vacant for more than one year or damaged or destroyed to the extent of more than 50% of the cost of replacement of the structure, the provisions of § 375-506(4)(c) shall apply, except that the average dwelling unit size in any building that was not originally constructed as a multifamily dwelling structure shall be at least 750 square feet of gross improved floor area.~~

Purpose: Content is duplicative; see § 375-506(4)(c).

~~(iii) Residential conversions:~~

~~A. Conversion of a single-family dwelling to a two-family dwelling is permitted with approval of a conditional use permit, provided that:~~

~~1. Conversions may occur by right in the following areas, provided that the average dwelling unit size shall be at least 750 square feet of gross improved floor area:~~

~~a. On lots with frontage on Clinton Avenue.~~

~~2. In all other areas, conversions require the approval of a conditional use permit, provided that no exterior changes are made that are visible from a public right-of-way, and that at least one unit has a minimum size of at least 1,000 square feet and each unit occupies at least 80% of a single floor plate.~~

~~B. Conversion of a single or two-family dwelling to a three-family dwelling is permitted with approval of a conditional use permit, provided that:~~

- ~~1. The building has at least three stories; and~~
- ~~2. No exterior changes to the structure are visible from a public right-of-way; and~~
- ~~3. New and existing units each have a minimum size of at least 1,000 square feet per unit or each occupy at least 80% of a single floor plate; and~~
- ~~4. In the following areas, the lowest story must be more than 50% above grade:~~

~~a. All lots that do not have frontage on Clinton Avenue.~~

~~C. No conversions of any single-family, two-family, or three-family structure to contain more than three units shall be permitted, except in the following areas:~~

- ~~1. On lots with frontage on Clinton Avenue, one unit per floor shall be permitted after approval of a conditional use permit, provided that the average dwelling unit size shall be at least 750 square feet of gross improved floor area.~~

Purpose: Standards relating to conversions of residential properties to add additional dwelling units are being consolidated in a new section under Article IV, § 375-401 (Dimensional standards). See memo titled "Relocation of District Standards Content."

5) R-M Multifamily.

(a) Concept.

~~[District Concept Image] [District Concept Image]~~

(b) Purpose. The purpose of the R-M District is to provide for neighborhoods containing predominantly ~~multi-family~~ multi-unit housing options in larger than average structures, generally with heights of four stories or less. A mix of uses are permitted where the existing building typologies and built fabric of the area are consistent with such uses, as shown in Table 375.302.1 (Permitted Use Table).

Purpose: The district purpose statement has been updated to reflect changes made elsewhere.

~~Table 375.203.9~~

~~Compliance with Other Standards Required~~

~~(c) Dimensional standards:~~

~~[Axonometric Image]~~

~~Table 375.203.10~~

~~R-M Multifamily~~

~~(See § 375-401 for more details.)~~

~~(d) District standards:~~

~~(i) Development standards:~~

~~A. All portions of each primary structure located within 50 feet of a lot boundary abutting an R-1L or R-1M District are limited to three stories.~~

Content is duplicative; see Footnote 4 of Table 375.401.1, Residential District Dimensional Standards.

~~(ii) Nonresidential uses:~~

~~A. No nonresidential use shall operate before 8:00 a.m. or after 10:00 p.m~~

Purpose: References to hours of operation are being consolidated in a new section under Article IV, § 375-410(1) (Operating standards). See memo titled “Relocation of District Standards Content.”

~~B. Portions of the ground or basement floor of a residential structure that was physically constructed or adapted to accommodate nonresidential uses (for example, through an addition extending closer to the sidewalk than the original façade of the building, or through the installation of display windows) before January 1, 2015, may be used for the following uses, but the area devoted to such uses may not be expanded beyond the ground or basement floor constructed or adapted for nonresidential purposes before January 1, 2015, and the use may only operate between the hours of 8:00 a.m. and 10:00 p.m.:~~

- ~~1. As a permitted use: specialty retail, office, or personal or business services.~~
- ~~2. As a conditional use: restaurant.~~

~~[See Table 375.302.1 (Permitted Use Table and related use-specific standards).]~~

Purpose: This content has been added as a notation and footnote in Table 375.302.1 (Permitted Use Table). See memo titled “Relocation of District Standards Content.”

~~C. A structure that was originally designed and constructed for a nonresidential use may be occupied for any use in the residential or civic and institutional categories in Table 375.302.1 (Permitted Use Table) upon the issuance of a conditional use permit.~~

Purpose: This content has been added as a notation and footnote in Table 375.302.1 (Permitted Use Table). See memo titled “Relocation of District Standards Content.”

~~(iii) Residential conversions:~~

~~A. After June 1, 2017, no single- or two-family dwelling structure may be converted to contain more than the existing number of dwelling units unless a conditional use permit for the conversion has been obtained. No conditional use permit for such conversion shall be approved unless the Planning Board determines that:~~

- ~~1. The lot on which the dwelling structure is located contains at least the minimum lot area required in the R-M Zone District.~~
- ~~2. The dwelling structure contains no less than 1,600 square feet of living space.~~
- ~~3. After the conversion, there shall not be more than the maximum number of dwelling units that are permitted in the R-M District.~~
- ~~4. If required as a result of the conversion, no fire escape or second means of egress shall be attached to that portion of the dwelling bordering the front yard and visible from the street right-of-way.~~

Purpose: Standards relating to conversions of residential properties to add additional dwelling units are being consolidated in a new section under Article IV, § 375-401 (Dimensional standards). See memo titled “Relocation of District Standards Content.”

~~(6) R-V Residential Village.~~

~~(a) Concept.~~

~~[District Concept Image] [District Concept Image]~~

~~(b) Purpose. The purpose of the R-V District is to provide for neighborhoods containing groups of multi-family housing buildings that may not be located on separate lots and may be organized around open spaces or curvilinear streets rather than on separate lots within a street grid. Some support uses catering to those residing within the building or complex of buildings, are permitted as shown in Table 375.302.1 (Permitted Use Table).~~

~~Table 375.203.11~~

~~Compliance with Other Standards Required~~

~~(e) Dimensional standards.~~

~~{Axonometric Image}~~

~~Table 375.203.12~~

~~R-V Residential Village~~

~~(See § 375-401 for more details.)~~

~~(d) District standards.~~

~~(i) Development standards.~~

~~A. No parking garage shall be located within 50 feet of a boundary with an R-1L, R-1M, R-2, or R-T District.~~

~~B. No local street adjacent to or passing through an R-1L, R-1M, R-2, or R-T shall be used to access a parking garage or a parking lot containing more than 100 vehicle spaces in the R-V District.~~

Purpose: Content is being relocated to Article IV, § 375-405. Parking and loading. (5) Parking lot and garage design standards. (h) Protection of residential districts. See memo titled "Relocation of District Standards Content."

~~C. Any primary or accessory structure in the R-V District with a wall that faces an R-1L, R-1M, R-2, or R-2 District and that is more than 100 feet in length shall be horizontally articulated into bays or visually distinct segments no more than 50 feet in length through the use of projections, insets, or changes in wall alignment, color, or materials.~~

Purpose: Content is generally covered in §375-407(4)(b).

~~D. No structure that is within 500 feet of an R-1L or R-1M District shall exceed three stories in height.~~

Purpose: Content is duplicative; see Footnote 5 of Table 375.401.1, Residential District Dimensional Standards.

~~(ii) Planning Board approval required. Any proposed rezoning of land from a residential district into the R-V District shall require the preparation of a plan addressing how traffic, parking, and view impacts from the proposed redevelopment will be minimized for nearby residential district properties. The plan shall include any land and facilities within the current R-V District that will be used to support the use or development of the property to be rezoned, and shall demonstrate how the rezoned and existing institutional properties will manage parking, circulation, noise, and visual impacts, and will meet other applicable development standards.~~

Purpose: Content is being relocated to Article V, § 375-505. Specific procedures. (24) Amendments to Zoning Map or USDO text. (c) Review standards. See memo titled "Relocation of District Standards Content."

~~(iii) Optional district plan.~~

~~A. In the R-V District, a project that contains two acres or more of land owned or operated by a single or legally related institutions, may choose to obtain approval of a district plan from the City as set forth in § 375-505(15) (District plan approval).~~

~~B. The district plan shall include the option for phased development plans. If phases are identified, the Chief Planning Official shall have authority to determine whether the district plan requirements shall apply to each phase independently, or to the project as a whole.~~

~~C. Each district plan shall meet the following standards:~~

~~1. Multiple primary buildings may be located on a single lot in a district plan area.~~

~~2. The district plan may not approve uses that are not listed in Table 375.302.1 (Permitted Use Table) for the R-V District, and may not approve uses listed as conditional or “V” uses for the R-V District without approval of a conditional use permit under § 375-505(16).~~

~~3. The minimum side and rear setbacks in § 375-401(3)(a) (Dimensional standards: residential districts) shall only apply to the outer edges of the district plan, and shall not apply to individual lots and structures in the district plan. Locations of structures within a district plan must still meet all requirements of the City’s adopted fire and building codes.~~

~~4. The minimum lot width standard in § 375-401(3)(a) (Dimensional standards: residential districts) shall only apply to the width of the district plan area as a whole, and not to individual lots.~~

~~5. The maximum impervious lot coverage in § 375-401(3)(a) (Dimensional standards: residential districts) shall apply to the district plan area as a whole, and not to individual platted lots.~~

~~6. The parking and loading standards in § 375-405 shall apply to the district plan area as a whole, and not to individual lots or structures.~~

~~7. The side and rear lot line buffer requirements of § 375-406(5) shall only apply to the outer edges of the district plan, and not to individual lots and structures within the district plan area.~~

~~D. Except as modified by this § 375-203(6)(d)(iii), all other standards and requirements of this USDO applicable in the R-V District shall apply, and the district plan may only vary those standards and requirements through the same procedures applicable in the R-V District without a district plan.~~

Purpose: Standards relating to optional district plans are being consolidated in a new section under Article IV, § 375-401 (Dimensional standards). See memo titled “Relocation of District Standards Content.”

§ 375-204. Mixed-use districts.

The following section describes the mixed-use districts, which are districts in which both residential and nonresidential principal uses of land are permitted in the same structure or on the same lot. For most mixed-use districts, this section provides an image illustrating the overall district concept, a reference table for all development and design standards applicable to the specific district, the overall purpose of the district, the dimensional standards (illustrated and tabled), as well as any district standards. Four mixed-use districts, Form-Based Warehouse, Form-Based Central Avenue, Form-Based South End, and Form-Based Midtown are regulated based on their form and therefore are organized differently. In the form-based districts, the overall vision is illustrated by a regulating plan, supplemented by the street hierarchy and district standards that describe the required form developments must follow in these areas.

(1) MU-NE Mixed-Use Neighborhood Edge.

(a) Concept.

[District Concept Image] [District Concept Image]

Purpose: The district concept images in §375-204(1)(a), §375-204(2)(a), §375-204(3)(a), §375-204(4)(a), §375-204(5)(a) and §375-204(6)(a) have been improved with added environmental and color context.

(b) Purpose. The purpose of the MU-NE District is to provide for moderate density in housing options, limited mixed-use development, and opportunities for start-up businesses in a live-work environment. Such districts are often located along principal transit corridors and closely abut residential districts. The character of these areas consists of a blend of uses, including single-, two-, and multi-family dwellings, community and cultural facilities, professional offices, services, and limited retail uses. Use of any residential structure for a permitted or approved nonresidential use shall be done so as to avoid altering the essential character of the structure or adversely affecting the surrounding neighborhood. Other neighborhood support uses are permitted as shown in Table 375.302.1 (Permitted Use Table).

Table 375.204.1

Compliance with Other Standards Required

Purpose: The need to comply with additional standards in the USDO is intuitive to the reader. The removal of unnecessary tables 375.204.1, 375.204.3, 375.204.5, 375.204.7, 375.204.9, 375.204.11, 375.204.13, 375.204.14, 375.204.15 and 375.204.16 in the individual district sections will significantly reduce the document in size.

~~(c) Dimensional standards.~~

~~Table 375.204.2~~

~~MU-NE Mixed-Use Neighborhood Edge~~

~~(See § 375-401 for more details.)~~

Purpose: The individual district dimensional tables 375.204.2, 375.204.4, 375.204.6, 375.204.8, 375.204.10 and 375.204.12 have been removed in favor of their collective listings in Table 375.401.2. There is no need to have listings in both locations and inconsistencies have resulted from the content redundancy.

~~(d) District standards.~~

Purpose: The content in the district standards §375-204(1)(d), §375-204(2)(d), §375-204(3)(d), §375-204(4)(d), §375-204(5)(d), and §375-204(6)(d) belongs almost universally in other sections of the USDO. A memo will be providing outlining the sections to which each standard is removed and references to any edits to that standards.

~~(i) Nonresidential uses.~~

~~A. Each nonresidential permitted use in the MU-NE district, as shown in Table 375.302.1 (Permitted Use Table), with a gross floor area of more than 3,000 square feet shall require conditional use approval under § 375-505(16).~~

Purpose: This content has been added as a notation and footnote in Table 375.302.1 (Permitted Use Table). See memo titled "Relocation of District Standards Content."

~~B. No primary nonresidential use shall operate before 6:00 a.m. or after 11:00 p.m.~~

Purpose: References to hours of operation are being consolidated in a new section under Article IV, § 375-410(1) (Operating standards). See memo titled "Relocation of District Standards Content."

~~(ii) Conversion of a residential structure for nonresidential use.~~

~~A. No modifications to residential structures (including but not limited to altering windows, adding a storefront, or removing porches or other residential character features) shall be permitted to accommodate nonresidential uses.~~

~~B. Conversions of a residential structure to a nonresidential use shall be done so that the structure is indistinguishable from a structure containing a residential use, except for permitted signage. Signage for such buildings shall be limited to four square feet and shall not be illuminated.~~

~~C. Interior modifications shall easily allow conversion back to residential use in the future.~~

Purpose: Design standards relating to conversions of residential structures are being consolidated in a new section under Article IV, § 375-407 (Building and streetscape design). See memo titled "Relocation of District Standards Content."

Article IV. Development Standards

§ 375-407. Building and streetscape design.

(2) MU-NC Mixed-Use Neighborhood Center.

(a) Concept.

~~[District Concept Image]~~ [District Concept Image]

(b) Purpose. The purpose of the MU-NC District is to provide for a mixture of residential options, local retail, and small-scale commercial uses providing support services to the surrounding residential neighborhoods. Primary land uses include a variety of predominantly nondestination and non-auto-oriented retail and commercial establishments, as well as complementary residential uses. Other uses are permitted as shown in Table 375.302.1 (Permitted Use Table).

~~Table 375.204.3~~

~~Compliance with Other Standards Required~~

~~(c) Dimensional standards.~~

~~Table 375.204.4~~

~~MU-NC Mixed-Use Neighborhood Center~~

~~(See § 375-401 for more details.)~~

~~(d) District standards.~~

~~(i) Nonresidential uses.~~

~~A. Each nonresidential permitted use in the MU-NC District, as shown in Table 375.302.1 (Permitted Use Table), with a gross floor area of more than 5,000 square feet shall require conditional use approval under § 375-505(16).~~

Purpose: This content has been added as a notation and footnote in Table 375.302.1 (Permitted Use Table). See memo titled "Relocation of District Standards Content."

~~(ii) Food and beverage uses.~~

~~A. No use categorized as a food and beverage use in Table 375.302.1 (Permitted Use Table) shall operate before 5:00 a.m. or after 2:00 a.m.~~

Purpose: References to hours of operation are being consolidated in a new section under Article IV, § 375-410(1) (Operating standards). See memo titled "Relocation of District Standards Content."

(3) MU-CU Mixed-Use Community Urban.

(a) Concept.

~~[District Concept Image]~~ [District Concept Image]

(b) Purpose. The purpose of the MU-CU District is to provide for a wide variety of retail, residential, and commercial uses intended to serve an area larger than a specific neighborhood in an urban setting characterized by relatively small blocks. A mix of residential and nonresidential uses on individual lots is encouraged but not required. Permitted uses are shown in Table 375.302.1 (Permitted Use Table).

~~Table 375.204.5~~

~~Compliance with Other Standards Required~~

~~(c) Dimensional standards.~~

~~Table 375.204.6~~

~~MU-CU Mixed-Use Community Urban~~

~~(See § 375-401 for more details.)~~

~~(d) District standards.~~

~~(i) Development standards.~~

~~A. All portions of each primary structure located on lots more than 200 feet in depth and within 100 feet of an R-1L or R-1M District are limited to three stories.~~

Purpose: Content is duplicative; see Footnote 2 of Table 375.401.2 (Residential District Dimensional Standards).

~~(ii) Food and beverage uses. No use categorized as a food and beverage use in Table 375.302.1 (Permitted Use Table) shall operate before 5:00 a.m. or after 2:00 a.m.~~

Purpose: References to hours of operation are being consolidated in a new section under Article IV, § 375-410(1) (Operating standards). See memo titled "Relocation of District Standards Content."

~~(iii) Optional district plan.~~

Purpose: Standards relating to optional district plans are being consolidated in a new section under Article IV, § 375-401 (Dimensional standards). See memo titled "Relocation of District Standards Content."

(4) MU-CH Mixed-Use Community Highway.

(a) Concept.

~~[District Concept Image]~~ [District Concept Image]

(b) Purpose. The purpose of the MU-CH District is to provide for a wide variety of retail, residential, and commercial uses intended to serve an area larger than a specific neighborhood, in areas characterized by large blocks with arterial street access, and designed for convenient access by automobile. A mix of residential and nonresidential uses on individual lots is permitted but not required. Permitted uses are shown in Table 375.302.1 (Permitted Use Table).

~~Table 375.204.7~~

~~Compliance with Other Standards Required~~

~~(c) Dimensional standards.~~

~~Table 375.204.8~~

~~MU-CH Mixed-Use Community Highway~~

~~(See § 375-401 for more details.)~~

~~(d) District standards.~~

~~(i) Development standards.~~

~~A. No parking garage or surface parking lot shall be located within 50 feet of a boundary with an R-1L, R-1M, R-2, or R-T District.~~

~~B. No local street adjacent to or passing through an R-1L, R-1M, R-2, or R-T District shall be used to access a parking garage or a parking lot containing more than 100 vehicle spaces in the MU-CH District.~~

Purpose: Content is being relocated to Article IV, § 375-405. Parking and loading. (5) Parking lot and garage design standards. (h) Protection of residential districts. See memo titled "Relocation of District Standards Content."

~~C. All portions of each primary structure located on lots more than 200 feet in depth and within 100 feet of an R-1L or R-1M District are limited to three stories.~~

Purpose: Content is duplicative; see Footnote 2 of Table 375.401.2 (Residential District Dimensional Standards).

~~(ii) Optional district plan.~~

Purpose: Standards relating to optional district plans are being consolidated in a new section under Article IV, § 375-401 (Dimensional standards). See memo titled "Relocation of District Standards Content."

(5) MU-DT Mixed-Use Downtown.

(a) Concept.

~~[District Concept Image] [District Concept Image]~~

~~(b) Purpose. The purpose of the MU-DT District is to provide for a wide range of uses and encourage infill redevelopment while reinforcing existing, well-defined urban character of Albany's historic downtown area. A mix of residential and nonresidential uses on individual lots is encouraged but not required. Permitted uses are shown in Table 375.302.1 (Permitted Use Table).~~

~~Table 375.204.9
Compliance with Other Standards Required~~

~~(c) Dimensional standards.~~

~~Table 375.204.10
MU-DT Mixed-Use Downtown
(See § 375-401 for more details.)~~

~~(d) District standards.~~

~~(i) Design review of tall buildings.~~

~~A. Any new building exceeding 10 stories in height shall require design review pursuant to § 375-505(20).~~

Purpose: Content is duplicative; see §375-505(20)(a) (Design Review of Tall Buildings; Applicability).

~~(ii) Retail frontage requirement.~~

~~A. Ground floor street frontage of a primary building shall be constructed to accommodate retail or personal service uses. This requires a minimum first floor height of 11 feet and an occupiable space extending at least 20 feet from the street frontage facade and at least one pedestrian entrance on that frontage.~~

~~B. Where there is no market demand, as demonstrated by competent financial and market evidence to the satisfaction of the Planning Board, a raised floor for a residential walk-up use may be constructed instead of a space for retail or personal service uses, provided that the design and construction allows for future conversion to retail or personal service use should market demands change.~~

Purpose: Design standards relating to conversions of residential structures are being consolidated in a new section under Article IV, § 375-407 (Building and streetscape design). See memo titled "Relocation of District Standards Content."

(6) MU-CI Mixed-Use Campus/Institutional.

(a) Concept.

~~[District Concept Image]~~ [District Concept Image]

(b) Purpose. The purpose of the MU-CI District is to provide for sites or campuses with large public and institutional facilities, such as hospitals, museums, and institutions of higher education. Additional land uses include a variety of retail, commercial, and residential uses traditionally associated with these large institutions, as well as others shown in Table 375.302.1 (Permitted Use Table).

~~Table 375.204.11~~

~~Compliance with Other Standards Required~~

~~(c) Dimensional standards.~~

~~Table 375.204.12~~

~~MU-CI Mixed-Use Campus/Institutional~~

~~(See § 375-401 for more details.)~~

~~(d) District standards.~~

~~(i) Development standards.~~

~~A. Multiple principal buildings may be located on a single lot within the MU-CI District.~~

Purpose: Content is duplicative; see § 375-401(1)(f)

~~B. All portions of each primary structure located within 50 feet of a lot boundary abutting an R-1L or R-1M District are limited to three stories.~~

Purpose: Content is duplicative; see Footnote 4 of Table 375.401.1 (Residential District Dimensional Standards).

~~C. No parking garage shall be located within 50 feet of a boundary with an R-1L, R-1M, R-2, or R-2 District.~~

~~D. No local street adjacent to or passing through an R-1L, R-1M, R-2, or R-T District shall be used to access a parking garage or a parking lot containing more than 100 vehicle spaces in the MU-CI District.~~

Purpose: Content is being relocated to Article IV, § 375-405. Parking and loading. (5) Parking lot and garage design standards. (h) Protection of residential districts. See memo titled "Relocation of District Standards Content."

~~E. Any principal or accessory structure in the MU-CI District with a wall that faces a public street or R-1L, R-1M, R-2, or R-T District and that is more than 100 feet in length shall be horizontally articulated into bays or visually distinct segments no more than 50 feet in length through the use of projections, insets, or changes in wall alignment, color, or materials.~~

Purpose: Content is generally covered in §375-407(4)(b).

~~F. For buildings greater than three stories in height, the street-level façade shall be distinguished from the upper floors through architectural treatments and materials selection to create a visual base for the building and an intimate scale for pedestrians.~~

~~G. Where any structure abuts a residential zone district, a minimum rear yard setback of 15 feet shall be provided.~~

Purpose: Content is duplicative; see Footnote 5 of Table 375.401.2 (Mixed-Use District Dimensional Standards).

~~(ii) Food and beverage uses:~~

~~A. No use categorized as a food and beverage use in Table 375.302.1 (Permitted Use Table) shall operate before 5:00 a.m. or after 2:00 a.m., unless alternative operating hours have been approved through the district plan option in Subsection (6)(d)(v) below:~~

Purpose: References to hours of operation are being consolidated in a new section under Article IV, § 375-410(1) (Operating standards). See memo titled “Relocation of District Standards Content.”

~~(iii) Planning Board approval required:~~

~~A. A review by the Planning Board, pursuant to the procedures in Article V (Administration and Enforcement), shall be required for all development and redevelopment, unless the applicant chooses to use the optional district plan described below. Development may not proceed until the Planning Board has approved the project through review of the district plan option:~~

~~(iv) Rezoning of lands to MU-CI:~~

~~A. Any proposed rezoning of land from a residential district into the MU-CI District shall require the preparation of a plan addressing how traffic, parking, and view impacts from the proposed redevelopment will be minimized for nearby residential district properties. The plan shall include any land and facilities within the current MU-CI District that will be used to support the use or development of the property to be rezoned, and shall demonstrate how the rezoned and existing institutional properties will manage parking, circulation, noise, and visual impacts, and will meet other applicable development standards:~~

Purpose: Content is being relocated to Article V, § 375-505. Specific procedures. (24) Amendments to Zoning Map or USDO text. (c) Review standards. See memo titled “Relocation of District Standards Content.

~~(v) Optional district plan:~~

Purpose: Standards relating to optional district plans are being consolidated in a new section under Article IV, § 375-401 (Dimensional standards). See memo titled “Relocation of District Standards Content.

(7) MU-FW Mixed-Use Form-Based Warehouse District

(8) MU-FC Mixed-Use Form-Based Central Avenue

(9) MU-FS Mixed-Use Form-Based South End

(10) MU-FM Mixed-Use Form-Based Midtown

Advisory: The Mixed-Use Form-Based Warehouse (MU-FW), Mixed-Use Form-Based Central Avenue (MU-FC), Mixed-Use Form-Based South End (MU-FS) and Mixed-Use Form-Based Midtown (MU-FM) districts are being considered for removal in favor of new districts derived from the frontage types that currently comprise these districts. This will be addressed in a separate memorandum.

§ 375-205. Special purpose districts.

(1) I-1 Light Industrial.

(a) Concept.

~~[District Concept Image]~~ ~~[District Concept Image]~~

Purpose: The district concept images in §375-205(1)(a), §375-205(2)(a) and §375-205(3)(a) have been improved with added environmental and color context.

(b) Purpose. The purpose of the I-1 District is to provide for a broad range of commercial, civic, institutional, and light industrial uses that do not generate significant noise, glare, or heavy traffic impacts on surrounding areas. Permitted uses are shown in Table 375.302.1 (Permitted Use Table).

~~Table 375.205.1~~

~~Compliance with Other Standards Required~~

Purpose: The need to comply with additional standards in the USDO is intuitive to the reader. The removal of unnecessary tables 375.205.1, 375.205.3 and 375.205.5 in the individual district sections will significantly reduce the document in size.

~~(e) Dimensional standards.~~

~~[Axonometric Image]~~

Purpose: The axonometric images will be removed to a new section of the USDO, where appropriate. Individual examples for each district do not provide enough distinction to be warranted and could prove difficult to maintain over time if dimensional standards are added.

~~Table 375.205.2~~

~~I-1 Light Industrial~~

~~(See § 375-401 for more details.)~~

Purpose: The individual district dimensional tables 375.205.2, 375.205.4 and 375.205.6 have been removed in favor of their collective listings in Table 375.401.3. There is no need to have listings in both locations and inconsistencies have resulted from the content redundancy.

~~(d) District standards.~~

Purpose: The content in the district standards §375-205(1)(d), §375-205(2)(d) and §375-205(3)(d) belongs almost universally in other sections of the USDO. A memo will be providing outlining the sections to which each standard is removed and references to any edits to that standards.

~~(i) Development standards.~~

~~A. A minimum rear setback of 100 feet shall apply where any unenclosed use abuts a residential zone district.~~

Purpose: Content is duplicative; see Footnote 1 of Table 375.401.3 (Special Purpose District Dimensional Standards).

~~(2) I-2 General Industrial.~~

~~(a) Concept.~~

~~[District Concept Image]~~ ~~[District Concept Image]~~

(b) Purpose. The purpose of the I-2 District is to provide for industrial uses associated with the Port of Albany as well as those with greater noise, glare, or heavy traffic impacts in locations that are typically separated from nearby residential neighborhoods. Permitted uses are shown in Table 375.302.1 (Permitted Use Table).

~~Table 375.203.3
Compliance with Other Standards Required~~

~~(e) Dimensional standards.~~

~~{Axonometric Image}~~

~~Table 375.203.4
I-2 General Industrial
(See § 375-401 for more details.)~~

~~(d) District standards.~~

~~(i) Development standards.~~

~~A. A minimum rear setback of 200 feet shall apply where any unenclosed use abuts a residential zone district.~~

Purpose: Content is duplicative; see Footnote 1 of Table 375.401.3 (Special Purpose District Dimensional Standards).

~~(3) LC Land Conservation.~~

~~(a) Concept.~~

~~{District Concept Image}~~

~~(b) Purpose. The purpose of the LC district is to provide for and protect publicly-owned parks, open spaces, natural areas, wildlife refuges, and other green spaces throughout the City.~~

~~Table 375.203.5
Compliance with Other Standards Required~~

~~(e) Dimensional standards.~~

~~{Axonometric Image}~~

~~Table 375.203.6
LC Land Conservation
(See § 375-401 for more details.)~~

~~(d) District standards.~~

Advisory: The Land Conservation (LC) district is proposed to be removed in favor of two new districts - Parks (PK) and Natural Areas (NA). This will be addressed in a separate memorandum.

(3) FB-IW Form-Based Industrial Warehouse.

(a) Concept.

(b) Purpose.

(4) FB-WE Form Based Waterfront Edge.

(a) Concept.

(b) Purpose.

Advisory: The Mixed-Use Form-Based Warehouse (MU-FW), Mixed-Use Form-Based Central Avenue (MU-FC), Mixed-Use Form-Based South End (MU-FS) and Mixed-Use Form-Based Midtown (MU-FM) districts are being considered for removal in favor of new districts derived from the frontage types that currently comprise these districts. The Form-Based Industrial Warehouse (FB-IW) and Form Based Waterfront Edge (FB-WE) have been added as new districts to §375-205. This will be addressed in a separate memorandum.

(5) PK Parks.

(a) Concept.

(b) Purpose.

(6) NA Natural Areas.

(a) Concept.

(b) Purpose.

Advisory: Parks (PK) and Natural Areas (NA) are proposed to be added as new districts to §375-205 in replacement of the Land Conservation (LC) district. This will be addressed in a separate memorandum.