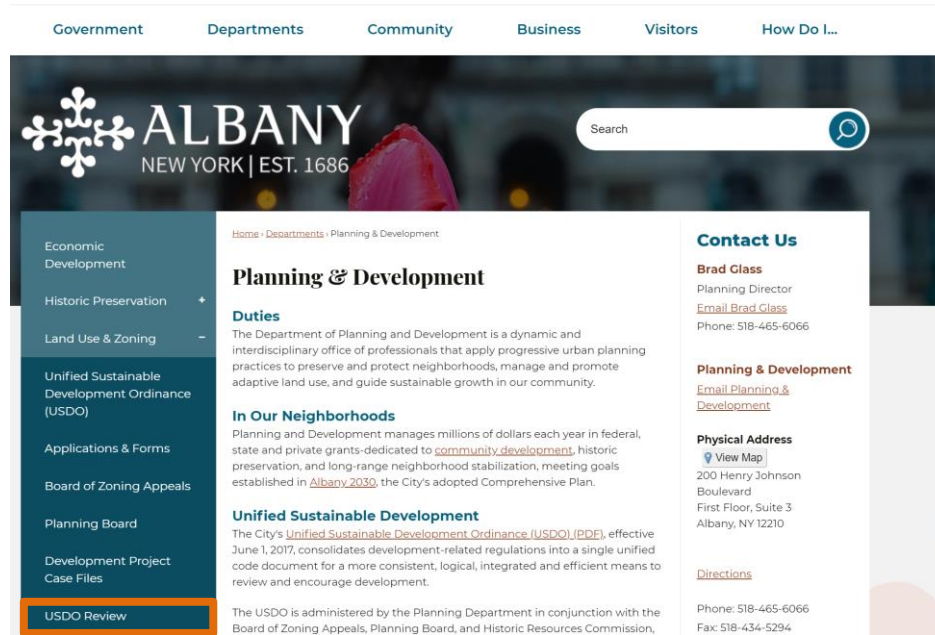




# **USDO Comprehensive Edits**

## **Article IV – Development Standards**

# USDO Review Web Page



The screenshot shows the Albany, NY website with a navigation menu at the top containing: Government, Departments, Community, Business, Visitors, and How Do I... The main header features the Albany logo and a search bar. A left sidebar menu lists various departments, with "Unified Sustainable Development Ordinance (USDO)" selected and highlighted in orange. A blue arrow points to this menu item. The main content area is titled "Planning & Development" and includes sections for "Duties", "In Our Neighborhoods", "Unified Sustainable Development", and "Contact Us".

Government Departments Community Business Visitors How Do I...

ALBANY  
NEW YORK | EST. 1686

Economic Development  
Historic Preservation +  
Land Use & Zoning -  
Unified Sustainable Development Ordinance (USDO)  
Applications & Forms  
Board of Zoning Appeals  
Planning Board  
Development Project Case Files  
USDO Review

Home » Departments » Planning & Development

## Planning & Development

### Duties

The Department of Planning and Development is a dynamic and interdisciplinary office of professionals that apply progressive urban planning practices to preserve and protect neighborhoods, manage and promote adaptive land use, and guide sustainable growth in our community.

### In Our Neighborhoods

Planning and Development manages millions of dollars each year in federal, state and private grants-dedicated to [community development](#), historic preservation, and long-range neighborhood stabilization, meeting goals established in [Albany 2030](#), the City's adopted Comprehensive Plan.

### Unified Sustainable Development

The City's [Unified Sustainable Development Ordinance \(USDO\) \(PDF\)](#), effective June 1, 2017, consolidates development-related regulations into a single unified code document for a more consistent, logical, integrated and efficient means to review and encourage development.

The USDO is administered by the Planning Department in conjunction with the Board of Zoning Appeals, Planning Board, and Historic Resources Commission.

### Contact Us

**Brad Glass**  
Planning Director  
[Email Brad Glass](#)  
Phone: 518-465-6066

**Planning & Development**  
[Email Planning & Development](#)

**Physical Address**  
[View Map](#)  
200 Henry Johnson Boulevard  
First Floor, Suite 3  
Albany, NY 12210

[Directions](#)

Phone: 518-465-6066  
Fax: 518-434-5294

<http://albanyny.gov/1919/USDO-Review>

# Outline of Article IV Changes

- **§375-402 – Preservation standards**
- § 375-406 – Landscaping, screening, and buffering
- § 375-407 – Building design standards
- § 375-409 – Signs



# §375-402 – Preservation Standards

- **New Preservation Standards Section created.**
- General Conservation Standards
- Standards applicable to properties in the Historic Resources Overlay

§375-402 is proposed to incorporate:

- Design standards for existing buildings from §375-407 Building and streetscape design.
- Historic Resources Overlay General and Rehabilitation Guidelines from §375-206

# §375-402 – Preservation Standards

- **New Preservation Standards Section created.**
- General Conservation Standards
- Standards applicable to properties in the Historic Resources Overlay

## Proposed Section and Language

### §375-402(1)

#### § 375-402 **Preservation standards.**

- (1) Purpose. The purpose of the standards in this § 375-402 is to promote the general welfare by providing for the protection, enhancement, perpetuation and use of existing buildings and structures to ensure that expansions or alterations contribute to and improve the visual quality of the City.
- (2) Applicability.
  - (a) No person shall carry out any exterior alteration, nor shall any person make any material change in the appearance of a property that is visible from a public street, alley or right-of-way without complying with the applicable provisions of this section.
  - (b) For properties located in the historic resources overlay, no exterior alterations shall be approved until the applicant has obtained a certificate of appropriateness.



# §375-402 – Preservation Standards

- New Preservation Standards  
Section created.
- **General Conservation Standards**
- Standards applicable to properties  
in the Historic Resources Overlay

## Current Section and Language

§375-407(4)(a), §375-407(4)(d)(i, ii, iii), §375-407(4)(f)(i), §375-407(4)(g)(i, ii,iii.), §375-407(4)(h)(i), §375-407(4)(i)

# §375-402 – Preservation Standards

- New Preservation Standards Section created.
- **General Conservation Standards**
- Standards applicable to properties in the Historic Resources Overlay

## Proposed Section and Language

§375-402(3)(a), §375-402(3)(b), §375-402(3)(c), §375-402(3)(d), §375-402(3)(e), §375-402(3)(f)

- (3) General conservation standards applicable to all properties. The following standards shall be applicable to the extent practicable:
  - (a) Building Materials.
  - (b) Porches.
  - (c) Roof shape. Original roof forms, profiles, and cornices shall be maintained.
  - (d) Fenestration.
  - (e) Siding and trim work.
  - (f) Exterior entrance staircases.

# §375-402 – Preservation Standards

- New Preservation Standards Section created.
- General Conservation Standards
- **Standards applicable to properties in the Historic Resources Overlay**

## Current Sections

§375-206(1)(c), §375-206(1)(d)

## Proposed Section and Location

§375-402(4)

- (4) Standards applicable to properties in the historic resources overlay.
- (a) General standards applicable in the HR-O:
  - (b) Rehabilitation.
  - (c) Additions and alterations.
  - (d) Windows.
  - (e) Stoops.
  - (f) Rails.
  - (g) Painting and surface treatment.
  - (h) Doors.



# §375-402 – Preservation Standards

- New Preservation Standards Section created.
- General Conservation Standards
- **Standards applicable to properties in the Historic Resources Overlay**

## Should Vs. Shall

### §375-402(4)(d) Windows

- Existing: *Original windows should be repaired rather than replaced whenever possible.*
- Proposed: *Original windows **shall** be repaired rather than replaced whenever possible.*

## Outline of Article IV Changes

- §375-402 – Preservation standards
- **§ 375-406 – Landscaping, screening, and buffering**
- § 375-407 – Building design standards
- § 375-409 – Signs



# §375-406 – Landscaping, screening, and buffering

§375-406 is proposed to incorporate:

- Historic Resources Overlay Fence, Wall, and Accessory structure guidelines from §375-206

## Current Sections

§375-206(1)(g)

## Proposed Section and Location

§375-406(8)(e)

(8) Walls and fences.

- (a) Applicability. All walls and fences shall conform to the provisions of this § 375-406(8), except temporary fences and barricades around construction sites, which are governed by the International Building Code, as amended and adopted by the City, and fences required to be erected by any state, federal, or other agency, and that are governed by the standards of those agencies.
- (e) Additional criteria specific to properties in the historic resources overlay.
- (i) When visible from a public right-of-way, proposed fences or other accessory structures, such as trellises or storage sheds, shall be reviewed by the Chief Planning Official and should be in general conformance with the review criteria in this section.
- (ii) Chain-link fences located on street frontage are not appropriate within a historic districts and are strictly prohibited.
- (iii) Wood fences generally should be painted or covered with a solid stain to avoid a too rustic appearance.

## Outline of Article IV Changes

- §375-402 – Preservation standards
- § 375-406 – Landscaping, screening, and buffering
- **§ 375-407 – Building design standards**
- § 375-409 – Signs



## §375-407 – Building design standards

- **Building Design Standards**
- Standards applicable to new construction in the historic resources overlay.
- Standards specific to the Downtown Albany Historic District.

§375-407 is proposed to incorporate:

- Historic Resources Overlay New Construction Guidelines and New Construction in or adjacent to the Downtown Albany Historic District Guidelines from §375-206

# §375-407 – Building design standards

- Building Design Standards
- **Standards applicable to new construction in the historic resources overlay.**
- Standards specific to the Downtown Albany Historic District.

## Current Section and Language

§375-206(1)(e)(i-ix)

## Proposed Section and Location

§375-407(5)(a)(i-vi)

# §375-407 – Building design standards

- Building Design Standards
- Standards applicable to new construction in the historic resources overlay.
- **Standards specific to the Downtown Albany Historic District.**

## Current Section and Language

§375-206(1)(f)(i-iii)

## Proposed Section and Location

§375-407(5)(b)(i), §375-407(5)(b)(ii)(A-C)

## Outline of Article IV Changes

- §375-402 – Preservation standards
- § 375-406 – Landscaping, screening, and buffering
- § 375-407 – Building design standards
- **§ 375-409 – Signs**





## §375-409 – Signs

- **Signs located in the historic resources overlay.**

§375-409 is proposed to incorporate:

- Historic Resources Overlay Signs Guidelines §375-206



## §375-409 – Signs

- **Signs located in the historic resources overlay.**

### **Current Section and Language**

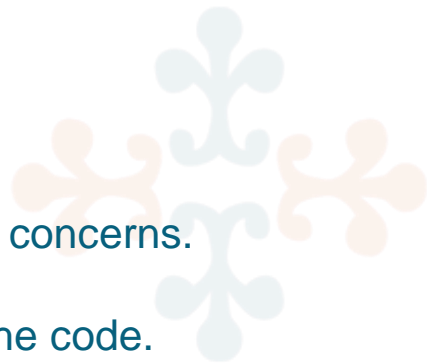
§375-206(1)(g)(ii)(A-E)

### **Proposed Section and Location**

§375-409(8)(a)(i-v)

## §375-409 - Signs

- **Clarify purpose and intent.**
- Bolster standards applicable to all signs to respond to developed concerns.
- Consolidate language pertaining to signs from other portions of the code.



# §375-409 - Signs

- **Clarify purpose and intent.**

Currently the purpose is too broad and would work against the general sentiments expressed by common council representatives that signs should be regulated so as to minimize adverse impacts on residential aesthetics. Right now the purpose of signage is:

- Promote and protect public health and welfare and safety
  1. Protect property values
  2. Create more attractive economic and business climate
  3. Enhance and protect the physical appearance of the community
  4. Preserve the scenic and natural beauty
  5. Reduce sign or advertising distractions and obstructions that may contribute to traffic accidents
  6. Reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way
  7. Curb deterioration of community's appearance and attractiveness.

# §375-409 - Signs

- **Clarify purpose and intent.**

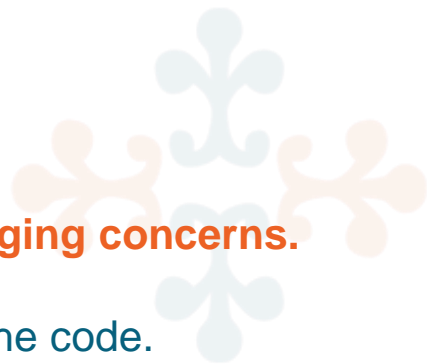
Proposed Change:

- To encourage the effective use of signs as a means of communication in the City while preserving the rights of free speech under the First Amendment to the United States Constitution.
- To maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth.
- To improve pedestrian and traffic safety.
- To minimize the possible adverse effect of signs on nearby public and private property.



## §375-409 - Signs

- Clarify purpose and intent.
- **Bolster standards applicable to all signs to respond to emerging concerns.**
- Consolidate language pertaining to signs from other portions of the code.



# §375-409 - Signs

- **Bolster standards applicable to all signs to respond to emerging concerns.**
- Clarify positions like prohibiting box signs by disallowing them outright, as opposed to using descriptive language to try to include box signs as disallowed.
- Reduce flag sizes to bring them into scale with the zoning districts they are in, as opposed to universal allowances that may result in overly large flags.
- *Flags are a vulnerable category. Flags are put under the sign code, but are not identified as a sign, inherently. Currently, a loophole exists to use flags as business signs without restriction except flag size. There is no limit on number of flags permitted.*

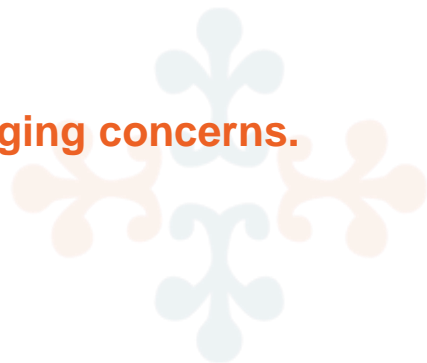
## §375-409 - Signs

- **Bolster standards applicable to all signs to respond to emerging concerns.**
- Increase size allowances for non permitted signage, but place restrictions to limit impact.
  - Increase non-permitted signage from 1 square feet to 4 square feet but limit to home occupation only.
  - Increase window signs from 15% to 25%; with 20% overall window area per floor, but consider requiring this under signage permit to regulate and bring signage into conformity – most existing window signs are not legally non-conforming and are out of compliance.
  - Change temporary sign language to limit temporary signage to two non-consecutive 30-day periods per calendar year.
  - Further define seasonal/holiday decorations and lighting to limit potential impact to pedestrian and traffic safety.
  - Add allowances for memorial and interpretive markers for cultural facilities.
  - Add allowances for for real-estate signs.



## §375-409 - Signs

- **Bolster standards applicable to all signs to respond to emerging concerns.**
- Modify existing allowances
  - Disallow Box Signs
  - Disallow Pole Signs
  - Consider disallowing post-and-panel signs.
- Allow limited signage for electronically or manual changeable copy in MU-CI and MU-DT districts as currently allowed in MU-NC, and MU-CU.
- Reduce maximum illumination of electronic copy significantly.
  - From 5,000 nits to 2,500 nits from dawn to dusk
  - From 500 nits to 300 notes from dusk to dawn
- Expand Special Sign Program to all zoning districts and change from a Minor Development Plan Review to an administrative review
- Increase signage allowances for industrial districts.



## §375-409 - Signs

- Clarify purpose and intent.
- Bolster standards applicable to all signs to respond to developed concerns.
- **Consolidate language pertaining to signs from other portions of the code.**



## §375-409 - Signs

- **Consolidate language pertaining to signs from other portions of the code.**
- **§ 375-410 Operating and maintenance.**
- **§ 375-506 Preexisting development and nonconformities.**





# USDO Review Website

<http://albanyny.gov/1919/USDO-Review>