

375: I-3	Definitions and rules of construction used in this USDO are in Article VI (Definitions and Rules of Construction) (<u>Rules of Construction; Definitions</u>).																									
375: II-1	MU-D <u>MU-DT</u>		Mixed-Use Downtown																							
375: II-21	Three <u>Four</u> mixed-use districts, Form-Based Warehouse, Form-Based Central Avenue, and Form-Based South End, and Form-Based Midtown are regulated based on their form and therefore are organized differently																									
375: II-33	Within 100 feet of property line of R-1L and R-1M zoned lot on portions of lots more than 300 <u>200</u> feet in depth.																									
375: II-49	<p style="text-align: center;">Table # Compliance with Other Standards Required</p> <table border="1"> <thead> <tr> <th><u>Standard</u></th> <th><u>USDO Section</u></th> </tr> </thead> <tbody> <tr> <td><u>Use regulations</u></td> <td><u>Article III</u></td> </tr> <tr> <td><u>Dimensional standards</u></td> <td><u>§ 375-401</u></td> </tr> <tr> <td><u>Form-based zoning standards</u></td> <td><u>§ 375-402</u></td> </tr> <tr> <td><u>Access, circulation, and connectivity</u></td> <td><u>§ 375-403</u></td> </tr> <tr> <td><u>Parking and loading</u></td> <td><u>§ 375-405</u></td> </tr> <tr> <td><u>Landscaping, screening, and buffering</u></td> <td><u>§ 375-406</u></td> </tr> <tr> <td><u>Outdoor lighting</u></td> <td><u>§ 375-408</u></td> </tr> <tr> <td><u>Signs</u></td> <td><u>§ 375-409</u></td> </tr> <tr> <td><u>Operating and maintenance</u></td> <td><u>§ 375-410</u></td> </tr> </tbody> </table>						<u>Standard</u>	<u>USDO Section</u>	<u>Use regulations</u>	<u>Article III</u>	<u>Dimensional standards</u>	<u>§ 375-401</u>	<u>Form-based zoning standards</u>	<u>§ 375-402</u>	<u>Access, circulation, and connectivity</u>	<u>§ 375-403</u>	<u>Parking and loading</u>	<u>§ 375-405</u>	<u>Landscaping, screening, and buffering</u>	<u>§ 375-406</u>	<u>Outdoor lighting</u>	<u>§ 375-408</u>	<u>Signs</u>	<u>§ 375-409</u>	<u>Operating and maintenance</u>	<u>§ 375-410</u>
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375: II-75	Unless specifically defined in Article VI (Definitions and Rules of Construction) (<u>Rules of Construction; Definitions</u>), words or phrases used in this § 375-206(3) shall be interpreted so as to give them the meaning they have in common usage and to give this subsection its most reasonable application.																									
375: II-81	Install one of the following, designed to detain the first one inch of rainfall, as shown in this drawing , and design the site to direct all rooftop stormwater and at least 75% of surface stormwater flows into that site feature.																									
375: II-82	Install a green roof or blue roof as described in § 375-602 <u>§375-401(4)(a)(ii)</u> (Definitions).																									
375: II-84	<u>Standards.</u> Any land use, structure, or activity that occurs or is proposed to occur on any lands within 1,000 feet of the mean high-water line of the Normans Kill, or within the one-hundred-year floodplain of the Normans Kill...																									
375: III-4	RESIDENTIAL USES		Use-Specific Standard in Article III																							
	Dormitory		§ 375-303(2)(b)(iii) (C)(2)(b)(iii)																							
375: III-12	TEMPORARY USES		MU-NC																							
	Mobile vendor		⌘																							
375: IV-2	<p style="text-align: center;">Table 375-4-1 Residential District Dimensional Standards</p> <table border="1"> <thead> <tr> <th><u>Zone District</u></th> <th><u>R-1L</u></th> <th><u>R-1M</u></th> <th><u>R-2</u></th> <th><u>R-T</u></th> <th><u>R-M</u></th> <th><u>R-V</u></th> </tr> </thead> </table>						<u>Zone District</u>	<u>R-1L</u>	<u>R-1M</u>	<u>R-2</u>	<u>R-T</u>	<u>R-M</u>	<u>R-V</u>													
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Development Type	Detached	Detached	Single-or Two-Family	Townhouse	Multifamily	Multifamily
Lot Standards						
<u>Minimum lot area</u>	<u>6,500 square feet</u>	<u>3,500 square feet</u>	<u>2,250 square feet</u>	<u>1,150 square feet</u>	<u>N/A</u>	<u>N/A</u>
<u>Minimum lot depth</u>	<u>110 feet</u>	<u>100 feet</u>	<u>90 feet</u>	<u>55 feet</u>	<u>N/A</u>	<u>N/A</u>
<u>Minimum lot width</u>						
<u>Infill on lots platted before June 1, 2017</u>	<u>55 feet</u>	<u>30 feet</u>	<u>25 feet</u>	<u>18 feet</u>	<u>20 feet</u>	<u>100 feet</u>
<u>Infill on lots platted on or after June 1, 2017</u>	<u>Contextual [1]</u>					
<u>General</u>	<u>70 feet</u>	<u>40 feet</u>	<u>25 feet</u>	<u>18 feet</u>	<u>22 feet</u>	<u>100 feet</u>
Maximum impervious lot coverage	30%	40%	70%	80%	80%	50%
Setbacks						
Minimum front						
<u>Infill</u>	<u>Contextual [2]</u>					
<u>General</u>	25 feet	15 feet	10 feet	0 feet	0 feet	10 feet
Minimum and maximum, side						
<u>Minimum 1 side</u>						
<u>Infill</u>	5 feet	3 feet from principal building on abutting lot	3 feet from principal building on abutting lot	0 feet	Contextual [2] [3]	15 feet
<u>General</u>					0 feet	
<u>Minimum 2 sides</u>						
<u>Infill</u>	20 feet	10 feet	10% of lot width	0 feet	Contextual [2] [3]	15 feet
<u>General</u>					0 feet	
<u>Maximum each side</u>	N/A	N/A	N/A	N/A	3 feet 6 inches	N/A

	Maximum rear	40 feet	25 feet	20% of lot depth	10% of lot depth	15 feet	2- feet
Building Standards							
	Maximum height, principal building	2 ½ stories	2 ½ stories	2 ½ stories	3 ½ stories	4 stories [3] [4]	5 stories [4] [5]
	Maximum height, accessory buildings	1 ½ stories	1 ½ stories	1 ½ stories	1 ½ stories	1 ½ stories	1 ½ stories
Maximum number of dwelling units							
	Fewer than 3 stories	1	1	2	1 per non-commercial floor, up to 2	1 per 750 square feet of gross floor area	Per building code
	3 or more stories	N/A	N/A	2	1 per non-commercial floor, up to 3		
Notes: [1] See § 375-401(3)(a)(ii) (Contextual lot widths). [2] See § 375-401(3)(a)(ii) (Contextual front yards). [2] [3] See § 375-401(3)(a)(iv) (Contextual side setback in R-M District). [3] [4] Where a building abuts the R-1L or R-1M Districts on a side or rear lot line, maximum height is three stories within 50 feet of those lot lines. [4] [5] Where a building abuts the R-1L or R-1M Districts on a side or rear lot line, maximum height is 3 stories within 500 feet of those lot lines.							
375: IV-4	Where the subject lot has only one adjacent lot facing the same street that has a primary building located within 25 feet of the side lot line <u>of a lot</u> with a primary structure, the required front setback shall match that of the adjacent structure. Where the subject lot has no adjacent lots <u>that are improved with a primary building that are facing the same street</u> and improved with a primary building , the required front setback shall match that of the adjacent structure.						
375: IV-5	Setbacks				MU-DT		
	Minimum rear				0 feet [5]		
	Building Standards				MU-CH		
	Maximum height, principal building				5 ½ stories [2]		
375: IV-6	Where the conditions in Subsection (3)(b)(iii)A do not apply, the minimum general lot widths in Table 375-4-1 <u>Table 375-4-2</u> shall apply.						
	New Zone District		I-1	I-2	LC		

	Current Zone District	C-M	M-1	LC
	Minimum rear	20 feet [1]	40 feet [2]	N/A [3]
	General	20 feet	40 feet	N/A
	From residential district	100 feet if not completely enclosed within a building	200 feet if not Completely enclosed within a building	20 feet
375: IV-71	(iii) No loading space shall be located within any required front or corner side yard.			
375: IV-78	An area equal to at least 7% of the surface area occupied by vehicle parking spaces, inclusive of driving aisles and driveways necessary for access to and circulation among those spaces, shall be landscaped. Landscaping shall include a minimum of one tree island containing at least 80 square feet of land area, which shall include at least one medium shade tree or larger for every 20 parking spaces. Parking lot screening provided under Subsection (6)(b) below shall not be used to meet this 17% <u>7%</u> landscaping requirement.			
375: IV-86	Windows and doors shall not be boarded up or otherwise visibly blocked.			
375: IV-90	Applicability. The standards in this § 375-408(4) apply in the MU-FW, MU-FC, MU-FS, MU-FM, MU-NE, MU-NC, MU-CU and MU-DT Zone Districts.			
375: IV-92	Severability. If any decision, subsection, sentence, phrase or portion of this § 375-409 is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion of these regulations shall be deemed separate and distinct, and <u>any such</u> holding shall not affect the validity or constitutionality of the remaining portions of this § 375-409, which shall remain in full force and effect.			
375: IV-98	General provisions. This § 375-409(7) applies to all displays on walls or structures that are not exempt from the requirements of this § 375-409, that exceed the height, size, duration, or another physical standard in this <u>section</u> for an attached sign in the zoning district where the wall or structure is located, and that do not qualify for approval through a special sign program under § 375-409(6).			
375: IV-100	Relocation. Off-premises signage removed from the prohibited areas in accordance with the provisions of this § 375-409(8) may be relocated and reconstructed in the areas listed in Subsection (8)(b) <u>(8)(a)</u> above.			
375: V-7	Application Type	Historic Resources Commission		
	Designation of historic landmarks	R <u>[R]</u>		
375: V-9	To interpret the provisions of this USDO in accordance with § 375-301(3), Article VI (Definitions and Rules of Construction) <u>(Rules of Construction; Definitions)</u> , and the intent and purpose statements included in this USDO;			
375: V-14	Change in applicant. If circumstances change so that the applicant of a pending application no longer meets the requirements of § 375-504(4)(a), any change in <u>the</u> applicant or person authorized to submit the application shall be documented in an original and notarized owner			

	<p>and interested party consent form delivered to the City before the application may advance to the next stage in the review process.</p> <p>Successive applications. If an application pursuant to this USDO has been denied by the City <u>pursuant to this USDO</u>, an application requesting the same or essentially the same approval shall not be accepted within 12 months after such denial.</p> <p>If deficiencies in complying with the applicable requirements are identified, the Chief Planning Official shall notify the applicant within 10 days of <u>the identification of</u> such deficiencies, and shall provide the applicant a reasonable opportunity to discuss the deficiencies and revise the application to address them.</p>
375: V-18	<p>A. The administrative adjustment is consistent with the character of development in the surrounding area-; <u>and</u></p> <p>B. Any adverse impacts resulting from the administrative adjustment will be mitigated to the maximum extent practicable-; <u>and</u></p> <p>C. The administrative adjustment is of a technical nature (i.e., relief from a dimensional or design standard), and is either:</p> <ol style="list-style-type: none"> 1. Required to compensate for some unusual aspect of the development site or the proposed development that is not shared by landowners generally; 2. Proposed to protect sensitive natural resources or save healthy existing trees; or 3. Required to eliminate a minor inadvertent failure to fully comply with a standard-; <u>and</u> <p>D. The administrative adjustment will not substantially interfere with the convenient and enjoyable use of adjacent lands, and will not pose a danger to the public health or safety.</p>
375: V-26	<p>Decisions of the Chief Planning Official <u>or Chief Building Official</u>.</p> <p>A party aggrieved or adversely affected by any decision of the Chief Planning Official <u>or Chief Building Official</u> may seek review of the decision by the Board of Zoning Appeals, <u>or in the case of a minor certificate of appropriateness to the Historic Resources Commission, or in the case of a minor development plan review to the Planning Board</u>.</p> <p>C. The Board of Zoning Appeals, <u>Historic Resources Commission, or Planning Board, as appropriate</u>, shall decide each appeal applying the same criteria applied by the Chief Planning Official or Chief Building Official in making its decision.</p> <p>D. The Board of Zoning Appeals, <u>Historic Resources Commission, or Planning Board</u>, may affirm, reverse, or modify the decision being appealed to bring it into conformance with the USDO criteria applicable to approval of that type of application.”</p>
375: V-30	<p>Applicability. The minor development plan <u>review</u> procedures and standards in this § 375-505(4) shall apply to any development plan associated with the following:</p>

375: V-33	(iv) If one or more of the existing lots, or a structure on one or more of those lots, does not comply with the requirements of this USDO, the proposed adjustment will not create any new nonconformity between the requirements of this USDO and any of the lots or any of the structures on the lots whose lot lines are to be adjusted; <u>and</u>
375: V-34	<p>Review criteria. An application for the lot consolidation shall be approved only if the Chief Planning Official determines that:</p> <ul style="list-style-type: none"> (i) It is consistent with the Comprehensive Plan; <u>and</u> (ii) It is consistent with any provisions of this USDO and the Code of the City of Albany; <u>and</u> (iii) Each of the existing lots and the structures on those lots complies with the requirements of this USDO, and after the consolidation the resulting lot will still comply with the requirements of this USDO; Either: <ul style="list-style-type: none"> A. <u>Each of the existing lots and the structures on those lots complies with the requirements of this USDO, and after the consolidation the resulting lot will still comply with the requirements of this USDO; or</u> B. <u>If one or more of the existing lots, or a structure on one or more of those lots, does not comply with the requirements of this USDO, the proposed consolidation will not create any new nonconformity between the requirements of this USDO and any of the lots of any of the structures on the lots being consolidated.</u> <p>If one or more of the existing lots, or a structure on one or more of those lots, does not comply with the requirements of this USDO, the proposed consolidation will not create any new nonconformity between the requirements of this USDO and any of the lots of any of the structures on the lots being consolidated.</p>
375: V-35	(11) Tree and vegetation permit. <u>All applicable provisions of § 375-504 (General procedures) apply unless specifically modified by the provisions of this subsection.</u>
375: V-36	The excavation or fill does not exceed two feet in vertical depth at its deepest point measured from the original ground surface and does not exceed 50 cubic yards of material on any one lot; however, no fill shall be placed on a surface having a slope steeper than one vertical to 10 horizontal, and no fill shall be placed that will <u>after alter</u> the existing drainage pattern.
375: V-48	Demolition of a structure that is not located on property owned by the Albany County Land Bank;
375: V-57	The requested relief, if granted, will not <u>after alter</u> the essential character of the neighborhood; and
375: V-60	Designation of historic landmarks <u>and historic districts</u> . All applicable provisions of § 375-504 (General procedures) apply unless specifically modified by the provisions of this subsection.
375: V-64	Evidence may include but is not limited to photographs of the property or use (dated or with an affidavit as to the date of the photograph), utility bills, property tax statements or receipts,

	copies of leases or subleases, evidence of goods and services rendered from the property (dated or with an affidavit as to the date <u>date</u> of the evidence), or notarized affidavits from the owner(s) of <u>property one or more properties</u> within 300 feet of the subject property.				
375: V-69	A complaint registered by the Chief Planning Official signed by 50% of the property owners within 200 feet of a lot or building, or the Common Council member in whose ward such lot or building is situated, that the lot or the use of the property or building is considered to be a general nuisance or a hazard to the health, safety, welfare of uses or structures within 200 feet of such <u>use lot</u> or uses; or				
375: VI-12	DWELLING, TWO-FAMILY DETACHED — A detached or semidetached building with not more than two dwelling units that are entirely separated by vertical walls or horizontal floors, unpierced except for access to the outside or to a common hallway or cellar. Side-by-side or duplex dwellings are considered "two-family dwellings" regardless of individual ownership of either half of its structure, provided that they are on the same zoned lot of record.				
375: VI-22	NONCOMMERCIAL FLOOR — A horizontal internal surface of a building that is at least 50% as large as the footprint of the building on the lot at ground level, and that is only occupied by a group living use, a household living use, and <u>an</u> accessory dwelling unit, and/or by a permitted home occupation.				
375: VI-25	PRINCIPAL USE — The primary or predominant use to which the lot or building is or may be devoted and to which all other uses are accessory. <u>A lot or building may have only one principal use.</u>				
375: VII-1	§ 375-701. Review of applications; exemptions <u>Application Fees.</u> <table border="1" data-bbox="331 1125 1456 1270"> <thead> <tr> <th>Cubic Yards</th> <th>Fee</th> </tr> </thead> <tbody> <tr> <td>1,001 – 10,000</td> <td>\$50 <u>for the initial 1,000 cubic yards</u>, plus \$15 for each additional 1,000 cubic yards or fraction thereof</td> </tr> </tbody> </table>	Cubic Yards	Fee	1,001 – 10,000	\$50 <u>for the initial 1,000 cubic yards</u> , plus \$15 for each additional 1,000 cubic yards or fraction thereof
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