

Section 375-4: Development Standards  
 Section 375-4(A): Dimensional Standards  
 Section 375-4(A)(3): Dimensional Standards Summary Tables

adjacent structure.

- C. Where the subject lot has no adjacent lots facing the same street and improved with a primary building, the required front setback shall match that of the adjacent structure.

(iv) **CONTEXTUAL SIDE SETBACK IN R-M DISTRICT**

Where the subject lot is located in an R-M district and has one or more adjacent lots facing the same street with a primary building between one and five feet from the side lot line, the required side setback on the subject lot shall not be closer than the side setback on the adjacent improved lot.

(v) **RESIDENTIAL CLUSTER SUBDIVISIONS**

As an alternative to complying with the standards contained in Table 375-4-1 and subsection (ii) above, a residential subdivision containing only single-family detached, two-family detached, or townhouse dwellings may be designed as a residential cluster subdivision with lots and parcels that comply with the standards in Section 375-4(D)(7) (Residential Cluster Subdivision).

(b) **MIXED-USE DISTRICTS**

(i) **GENERAL STANDARDS**

The dimensional standards for the Mixed-Use districts other than the MU-FW, MU-FC, MU-FS, and MU-FM districts are shown in Table 375-4-2. The dimensional standards for the MU-FW, MU-FC, MU-FS, and MU-FM districts are shown in Section 375-4(B) (Form-Based Zoning Standards).

Zone District	MU-NE	MU-NC	MU-CU	MU-CH	MU-DT	MU-CI
<b>Lot Standards</b>						
Min. lot width	22 ft.	20 ft.	20 ft.	50 ft.	20 ft.	80 ft.
Max. impervious lot coverage	70%	90%	90%	80%	100%	60%
<b>Setbacks</b>						
Min. front	General: 0 ft. Infill: Contextual See Section 375-4(A)(3)(b)(ii)	N/A	N/A	N/A	N/A	N/A
Max. front	General: 10 ft. Infill: Contextual See Section 375-4(A)(3)(b)(ii)	10 ft.	10 ft.	100 ft.	10 ft.	20 ft.
Min. side	General: 3 ft. for 1 side; 8 ft. for 2 sides; Infill: Contextual (See Section 375-4(A)(3)(b)(ii))	0 ft.	0 ft.	10 ft.	0 ft.	0 ft.
Min. rear	Min 0 ft.; Adjacent to R District Min. 15 ft.	Min 0 ft.; Adjacent to R District Min. 10 ft.	Min 0 ft.; Adjacent to R District Min. 15 ft.	20 ft.	0 ft.	Min 0 ft.; Adjacent to R District Min. 15 ft.
<b>Building Standards</b>						
Max. height, principal building	3 stories	3 ½ stories	5 stories [2]	5 ½ stories	N/A[1]	8 ½ stories [3]
Max. height, accessory buildings	1 ½ stories					

**Table 375-4-2: Mixed-Use Dimensional Standards**

Zone District	MU-NE	MU-NC	MU-CU	MU-CH	MU-DT	MU-CI
Max. no. of dwelling units	1 per 750 sq. ft. of gross floor area	Per building code				
<b>Notes:</b>						
[1] Buildings over 10 stories require design review; See Section 375-5(E)(20).						
[2] For lots more than 200 feet deep, any portion of a building located within 100 feet of an abutting R-1L or R-1M district is limited to 3 stories.						
[3] Any portion of a building located with 50 feet of any abutting R-1L or R-1M district is limited to 3 stories. Any portion of a building located within 50 feet of an R-2 or R-T district is limited to 5 stories.						

(ii) **CONTEXTUAL SETBACKS IN MU-NE DISTRICT**

Development in the MU-NE district shall comply with the provisions of Sections Section 375-4(A)(3)(a)(ii) and Section 375-4(A)(3)(a)(iii) where the conditions of those two sections regarding adjacent lots are applicable to the subject lot in the MU-NE district.

(iii) **CONTEXTUAL LOT WIDTHS**

- A. Where lots are platted or replatted on or after June 1, 2017, and more than 50 percent of the lots on the same block are occupied by primary structures, each new lot shall have a minimum width equal to no less than 75 percent and no more than 125 percent of the existing lot widths of platted lots on the block.
- B. Where the conditions in subsection A do not apply, the minimum General lot widths in Table 375-4-1 shall apply.

(c) **SPECIAL PURPOSE DISTRICTS**

The dimensional standards for Special Purpose districts are shown in Table 375-4-3 below.

**Table 375-4-3: Special Purpose Dimensional Standards**

New Zone District	I-1	I-2	LC
Current Zone District	C-M	M-1	LC
<b>Lot Standards</b>			
Min. lot width	25 ft.	50 ft.	N/A
Max. impervious lot coverage	N/A	N/A	10%
<b>Setbacks</b>			
Min. front	0 ft.	10 ft.	N/A
Min. side	10 ft.	15 ft.	N/A
Min. rear	General 20 ft.; From Residential district: 100 ft. if not completely enclosed within a building	General: 40 ft.; From Residential district: 200 ft. if not completely enclosed within a building	N/A: From Residential district: 20 ft.
<b>Building Standards</b>			
Max. height, principal building	2 stories	6 stories	2 stories
Max. height, accessory buildings	N/A	N/A	1 ½ stories

(4) **INCENTIVES AND AFFORDABLE HOUSING REQUIREMENTS**

The following incentives apply to new development and redevelopment in the R-M, Mixed-Use, and Special Purpose zone districts.

**(a) INCENTIVES**

Inclusion of the following types of building or site features will enable the applicant to vary the dimensional standards otherwise applicable to the project as described in this Section 375-4(A)(4). Only one of these incentives may be used on a single lot or parcel.

**(i) ENERGY EFFICIENT DEVELOPMENT**

New development or redevelopment of a primary building that is registered, designed, and documented for a LEED Platinum or LEED Gold certification, or equivalent, shall receive the following benefits, regardless of whether the final structure receives a LEED Platinum or LEED Gold certification, or equivalent. The Chief Planning Official shall determine whether a proposed alternative energy efficiency system or facility is equivalent.

- A. The project may increase the maximum impervious lot coverage by 20 percent; and
- B. The project may increase the maximum height of any primary building (or part of a primary building) located more than 100 feet from a Residential zoning district other than the R-M district by one story.

**(ii) LOW IMPACT DEVELOPMENT**

New development or redevelopment of a site that incorporates a blue (water retaining) roof, or a green (vegetated) roof, or other building or site features that are designed so that off-site flow of the first one inch of rainfall during the first 24 hours after rainfall ends is reduced by at least 50 percent shall receive the following benefits:

- A. The project may reduce any required building setback from any zoning district other than a Residential zoning district by 20 percent (provided the required reduction in off-site water flow is still achieved); and
- B. The project may increase the maximum height of any primary building (or part of a primary building) located more than 100 feet from a Residential zoning district other than the R-M districts by one story.

**(iii) AFFORDABLE HOUSING**

New residential or mixed-use development or redevelopment of a site in which at least 20 percent of all new dwelling units are rent or deed restricted so that they are affordable to households earning no more than 80 percent of the area median household income for the City of Albany shall receive the following benefits:

- A. The minimum number of off-street parking required by Section 375-4(E) shall be reduced by 20 percent.
- B. The project may increase the maximum height of any primary building (or part of a primary building) located more than 100 feet from a Residential zoning district other than the R-M district, by one story.

**(b) AFFORDABLE HOUSING REQUIREMENTS**

After December 1, 2017, each new residential or mixed-use development or redevelopment containing 50 or more new dwelling units shall sell or rent at least five percent of its new dwelling units at sales or prices affordable to persons earning no more than 100 percent of the area median household income for the City of Albany, as

determined by affordability methods used by the U.S. Department of Housing and Urban Development.

**(5) ENCROACHMENTS AND EXCEPTIONS**

The encroachments into required setbacks and exceptions to height limits shown in Table 375-4-4 are permitted.

<b>Table 375-4-4: Exceptions and Encroachments</b>	
<b>Structure or Feature</b>	<b>Conditions or Limits</b>
<b>Encroachments into Required Setbacks – unless prohibited by Section 323 (Street and Sidewalks)</b>	
Accessory clotheslines, play equipment, and rainwater harvesting barrels	May encroach into the side or rear setback.
Accessory rain garden or rain barrel	May encroach into front, side and rear setbacks.
Architectural features (sills, belt courses, eaves, cornices, chimneys, bay windows)	May project up to 3 ft. into setbacks
Alternative Energy Equipment or Facility, Geothermal	May encroach into front, side, or rear setbacks
Alternative Energy Equipment or Facility, Solar	May encroach into side and rear setbacks but no closer than 2 ft. from side lot line and no closer than 5 ft. from rear lot line
Alternative Energy Equipment or Facility, Wind	May encroach into required rear yards but no closer than 2 ft. from side lot line and not closer than 5 feet from rear lot line
Awnings and canopies	May project up to 4 feet into setbacks
Composting bin	May encroach into side and rear setback to within 2 ft. of lot line.
Little Library or Little Pantry	If no more than 4 cubic feet in enclosed area, may encroach into front setback but not closer than 1 ft. from front lot line
Minor Residential Structure that is less than 18 in. above grade	Except as listed for specific accessory structures, Minor Residential Structure may be located in any of the following areas that are not within an easement: (a) not more than 6 ft. into front yard from the façade, or (b) no closer than 5 ft. to any rear lot line, or (c) no closer than 2 ft. to any side lot line
Minor Residential Structure, Temporary placement less than 10 consecutive workdays	Except as listed for specific accessory structures, may be located in any front, side, or rear setback
Porch, unenclosed	May project up to 10 ft. into a required front or rear setback or 50% of the required front setback distance, whichever is less, May project up to 6 ft. into a street side or interior side setback on a corner lot, or 50% of the side yard setback distance, whichever is less, When a porch encroaches into any required setback, no side of the porch that is not adjacent to the primary structure may be more than 50% enclosed by opaque walls, windows, or screens. Porch railings up to 36 inches in height are permitted on all sides.
Satellite Dish Antenna	May encroach into side or rear setbacks but no closer than 2 ft. of side lot line and not closer than 5 feet of rear lot line unless necessary for compliance with federal Telecommunications Act, as amended
Secondary means of escape, unenclosed or lattice-enclosed stairs, fire escapes	May encroach no more than 5 ft. into any side or rear yard setback, except as required to comply with fire code or Americans with Disabilities Act, as amended
Walls and fences meeting the standards of section 374-4(f)(8)	May project into front, side, and rear setbacks
<b>Exceptions to Building Height Limits</b>	