Memo

To: City of Albany Common Council
From: Christopher P. Spencer | Commissioner of Planning & Development
Re: USDO Text Amendment #001
Date: June 8, 2018

The proposed text amendment would split the use category "Controlled Substance Dispensary" into two independent use classifications – "Marijuana Dispensary" and "Methadone Dispensary". This would allow district allowances to be tailored to the individual classification rather than shared. Despite the original intent of the USDO to simplify the overall administration of code by limiting use classifications in number, it has been our observation that the neighborhood impacts of Methadone Dispensary and Marijuana Dispensary vary greatly, and therefore it is recommended they be treated separately so both the districts they are permitted in and the use specific standards that accompany them can be adjusted to mitigate potential neighborhood impacts.

The district permissions for “Marijuana Dispensary” would remain the same as those currently applied to “Controlled Substance Dispensary.” “Methadone Dispensary” would be allowed as a Conditional Use in the MU-CH (Mixed-Use Community Highway), MU-Cl (Mixed-Use Campus/Institutional, I-1 (Light Industrial) and I-2 (General Industrial) districts.

The following use specific standards would be added and applicable to the new use categorization "Methadone Dispensary":

1. This facility shall not be permitted in locations where its busiest hours of operation would cause significant traffic congestion on any public street at peak traffic hours, as determined by the Albany Police Department, unless the facility enters into an Agreement with the City to schedule or limit hours of operation to avoid such significant traffic congestion.

2. Designated vehicular drop-off areas adequate in size to serve the anticipated use of the facility, and located to avoid traffic congestion on public streets, shall be provided.

3. Facilities must be at least 1,000 feet from the nearest property line of a lot containing a primary use that is a Household Living use, a Group Living use, a Religious Institution, or School;

4. Facilities must provide and follow a management plan for handling litter, outdoor queuing, security and loitering.

5. Facilities shall include a waiting and departure lounge of a sufficient in size to accommodate all scheduled clients, but a minimum of 500 square feet, which shall be open to patrons at least one hour before and after any official business is to be conducted. Such areas shall include restroom facilities that shall be open at least one hour prior to the beginning of scheduled donations.

6. In those zone districts where this use requires approval of a Conditional Use Permit, that permit shall only authorize the number of monthly visits specified in the application. Following the approval of the Conditional Use Permit, the applicant shall submit to the Chief Planning Officer the Monthly Summary
Report of activity at the facility filed with the New York State Office of Alcoholism and Substance Abuse Services. If the Monthly Summary Reports for two consecutive months show use of the facility higher than that approved by the Conditional Use Permit, a new Conditional Use Permit authorizing the higher level of services shall be required before that higher level of services may be continued.