ZONING TEXT AMENDMENT APPLICATION

Part 1. Application Notes

1. Applicant requests and attends a pre-application meeting with the Chief Planning Official or his/her designee.
2. A Zoning Text Amendment is reviewed by the Chief Planning Official who then initiates the amendment process.
3. The Planning Board reviews the proposed amendment at a public hearing and makes a recommendation to Common Council.
4. The Common Council reviews the application, holds a public hearing and decides the application in accordance with Section 375-5(E)(24)(c) of the USDO.

Part 2A. Applicant Information

Applicant Name: City of Albany Common Council
Mailing Address: 24 Eagle Street #202, Albany, NY 12207
Phone No.: (518) 434-5087 Email:

Part 2B. Legislative Sponsor Information (if applicable)

Sponsor Name(s): Doesschate 9th Ward

Part 3. USDO Sections Affected

Proposed Section(s) of the USDO to be Amended: 375-4(A)(4)(b)

Part 4. General Purpose of Amendment

(Attach additional sheets if necessary.)

To suspend the application of the USDO incentive that allows developers to increase the height of the primary building on a site by one story if the developer incorporates into design plans a blue roof or green 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:
Part 5. Necessity for Amendment and Changes to Existing Law
(Attach additional sheets if necessary.)

In the proposed 383 page draft changes to the USDO, the administration has recommended suspending the low impact incentive through December 31, 2019 because this has been far and away the most utilized incentive and the administration wants both to test the effectiveness of the other incentives contained in the USDO and make the low-impact incentive more robust. This legislation takes the administration’s proposed language and increases the suspension time to June 30, 2020. By introducing it as a stand alone amendment, it will ensure this important measure is adopted as soon as possible to stem the permanent adverse impact and unintended consequences of this provision can have on the City.

The routine increase of many developments by a full story in predominantly residential areas has caused great consternation amongst residents since it is inconsistent with the overall design and utilization plan intended when the USDO was adopted in exchange for little to no benefit to the public and the sustainability of the City. The current USDO has certain protections for water retention for developments that duplicate the benefits intended by this provision while enabling developers to build much taller than expected buildings near residential properties.

The Sustainability Advisory Committee’s initial report included recommendations that all new developments be required to employ energy efficient and sustainable technology. The inclusion of these types of features should be the norm and not entitle developers to increase the height of buildings beyond what the City determined to be appropriate building heights and setbacks in its overall zoning plan. We agree that this provision should be suspended as soon as possible and studied for its efficacy.

The current 6 month amendments proposed by the administration amount to a substantial re-write of this 383 page document and have taken almost 2 years just to be proposed. Considering the comprehensiveness of those changes and the renumbering (and changed citations) throughout the document, it is likely that the actual review and adoption by the various individuals and bodies will (and should) take at least another four to six months. In the meantime, this incentive should be suspended immediately so as to not exacerbate the long term impact of this questionable provision that the administration agrees should be suspended and studied.

Part 6. Submittal Requirement Checklist
(Submit additional sheets if necessary)

<table>
<thead>
<tr>
<th>Required Documents</th>
<th>Electronic Copies</th>
<th>Electronic Submission (.pdf) (Required Document Name)</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Master Application</td>
<td>1</td>
<td>Master Application</td>
</tr>
<tr>
<td>☐ Zoning Text Amendment Application Form</td>
<td>1</td>
<td>ZTA</td>
</tr>
<tr>
<td>☐ Copy of Existing and Proposed Text</td>
<td>1</td>
<td>Text Changes</td>
</tr>
<tr>
<td>☐ Full Environmental Assessment Form as required by SEQR</td>
<td>1</td>
<td>Full EAF</td>
</tr>
<tr>
<td>☐ Application fee as established in the Albany Fee Schedule – $500 Payable to The City of Albany Treasurer</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B. Voluntary of Upon Request

☐ Any additional information determined to be necessary by the Chief Planning Official | 1 | [Document Name] |

Electronic document submissions shall be sent via email to planningboard@albanyny.gov, USB Flash Drive, or by another medium approved by the City of Albany Planning Staff. CD and DVD submissions are not accepted.