

SECTION V

TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM

A. EXISTING LAWS AND REGULATIONS

1. Albany Flood Damage Prevention Ordinance

This ordinance establishes rules and regulations for flood damage prevention in the City of Albany. It is based upon a Federal model and received certification from the Federal Insurance Administration. It provides building standards for areas within 100 and 500 year flood boundaries. The ordinance will effectively implement Policies 16 and 17 by regulating erosion control measures and minimizing flood damage through administration of the criteria it establishes for new development.

2. Zoning Ordinance (Including recent amendments)

The City of Albany's Zoning Ordinance, as mentioned earlier, was revised in July 1990 to reflect the new waterfront zoning classifications proposed by the LWRP. This Zoning Ordinance is the primary tool used for controlling land use within the municipality. Descriptions of the new waterfront zoning districts are set forth in chapter B of this section.

3. Site Plan Review Ordinance

This ordinance regulates new construction, conversions and expansion. It controls the design and placement of such features as parking lots, placement of entrance drives, drainage, landscaping, etc. An important feature of the ordinance is the section directing the Planning Board to consider the overall impact on the neighborhood, including architectural compatibility. This gives the City design control over such elements as color and texture of materials, massing and general design compatibility.

The Site Plan Review Ordinance will be useful in implementing Policies 6, 11, 12 and 17 by providing a review process for design issues which relate to all aspects of new development and to ensure that projects are designed to compliment the character of the area where sited, as well as neighboring land use activities.

4. Sign Ordinance

This ordinance was revised in 1984. The new standards forbid rooftop signs and reinforces the City's control over signs and their placement. The ordinance also sets forth a provision calling for the removal of billboards after various amortization periods. It also provides for amortization of non-conforming signs and reinforces Policies 23 and 24.

5. Grading and Mining Ordinance

Grading, rather than mining, is the primary focus of this ordinance as applied within Albany's waterfront area. Grading plans are reviewed to guard against wind and soil erosion, slipping, topsoil stripping and improper earth moving practices. Erosion control measures may be required as a condition of approval.

This ordinance will reinforce Policies 11, 12, 13, 14, 15 and 16.

6. Historic Resources Commission

Much of the waterfront area falls under the jurisdiction of the Historic Resources Commission. Therefore, any proposed facade changes of new construction within the several historic districts (See Section II - Inventory and Analysis, Part G. - "Historic Resources") must first be reviewed by the Commission to determine its architectural compatibility within these regulated areas.

The Commission, and the ordinance, which regulates its activities, will reinforce Policies 23, and 25. The Commission regulates the project design and aesthetics (new construction, renovation and demolition) which fall within or adjacent to historic district boundaries.

B. ADDITIONAL LOCAL LAWS AND REGULATIONS ADOPTED

1. Adoption of New Zoning Districts

The addition of several new zoning classifications were adopted to implement various provisions of the LWRP. These three zoning classifications and the attendant permitted use and area/bulk schedules were adopted by the Common Council as an amendment to the zoning ordinance.

The official zoning map was also amended by an ordinance of the Common Council to designate those areas which are covered by these zoning classifications. Following is a description of each of the three waterfront zoning classifications:

*** WF-1 - Waterfront Residential/Commercial**

This zoning classification is designed to encourage residential, mixed use development or renovation primarily within the South End Sub-area. The U-Haul Building is a prime example of a structure suitable for residential conversion with supporting commercial/retail facilities as accessory uses. Proposals for mixed development containing a larger commercial component along with residential use will also be permitted by special use

component along with residential use will also be permitted by special use permits as per Section 27-125 of the City Zoning Ordinance.

* WF-2 -Waterfront Recreation

This zoning classification is designed primarily to encourage moderate-intensity recreational development within and adjacent to the Corning Preserve and boat launch area. It will permit a range of public or private recreational uses providing activity destinations, and encouraging greater public use of the Preserve while still maintaining its open-space recreational character. Since the City of Albany controls the Preserve it can assure that any improvements which takes place there is consistent with those LWRP policies that are applicable: Policies 9, 19 & 19A, 20, 21 and 22.

* LC - Land Conservation

This zoning classification is designed to protect, maintain and enhance passive, open-space recreation areas in the Patroon Island Sub-area and other publicly-owned preserve, park or greenspace areas through-out the City of Albany. Although the establishment of this zoning classification properly reflects the existing and desired use of Lower Patroon Island, it is anticipated that various City and State-owned park lands throughout the City will ultimately be rezoned to reflect this zoning classification.

It should be noted here that any new private development or conversions in the WF-1 or WF-2 areas would be subject to site plan review by the City of Albany Planning Board and any use within these zoning districts requiring these or other City approvals would be subject to a consistency review under the LWRP Consistency Ordinance discussed in Appendix F. (See Appendix E for a list of proposed uses for each of the new zoning classifications.)

2. Local Waterfront Program Consistency Ordinance

An LWRP consistency ordinance was adopted which requires that actions undertaken directly or indirectly (permitted or funded) by the City to be done in a manner consistent with the provisions of the LWRP to the maximum extent practical. (See Appendix F for the text of this proposed ordinance.)

C. PRIVATE ACTIONS NECESSARY TO IMPLEMENT THE LWRP

Although the City of Albany will encourage new development through various subsidies and incentives, much of the redevelopment will be privately initiated.

The investment of private funds in economically feasible development proposals will be necessary to realize the waterfront development envisioned within this program, particularly in the South End and Port Sub-areas and in the Corning Preserve.

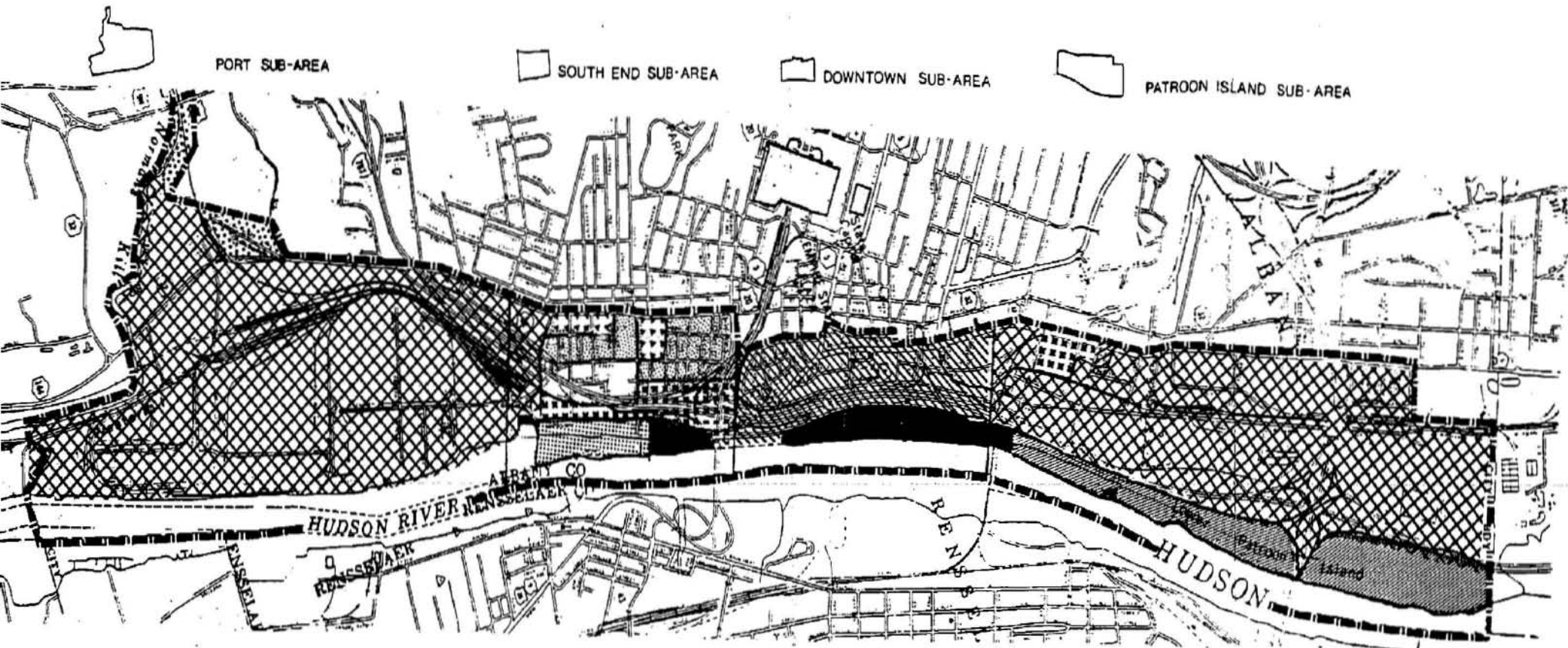
D. MANAGEMENT STRUCTURE NECESSARY FOR IMPLEMENTATION OF THE PROGRAM

In order to assure that actions undertaken by the City are consistent with the provisions of this LWRP, City agencies must first make a determination of consistency prior to undertaking the action. Such agencies will first receive a recommendation of consistency or inconsistency from the City's Director of Planning. The review of local actions is more fully described in the appended LWRP Consistency Ordinance.

E. LOCAL REVIEW OF STATE AND FEDERAL ACTIONS

Review of proposed State and federal actions within the City's WRA will be undertaken in accordance with the procedural guidelines established by the NYS Department of State. These guidelines are described in detail in Appendix G of this document.

Map No. 13 **PRESENT ZONING** (AS PER CHANGES ADOPTED ON 7/16/90)













CITY OF ALBANY



Local Waterfront
Revitalization Program

The preparation of this map was financed through a Federal Grant from the Office of Great Lakes Resource Management, National Oceanic and Atmospheric Administration under the Coastal Zone Management Act, as amended. This map was prepared for the New York State Department of State.

KEY:

	WF-1		WF-2		LC		R-1		R-3
	R-4		C-1		C-3		C-M		M-1

Scale: 1" = 1600'

