

Amendments to the Albany Development Code (ADC)

Draft code amendments are written as follows: additions **bold red underlined** and deletions in ~~strike-out~~. Sections not amended are omitted unless needed for context. Omitted sections are indicated by asterisks: ***

ARTICLE 8 DESIGN STANDARDS

Commentary: Article 8 Generally

As discussed, the proposed “two-track” system of review would allow applicants to request Adjustments to the standards in Article 8. Adjustments are available for the residential standards and the commercial/institutional standards—i.e., all sections of Article 8 except for Telecommunications Facilities and Supplemental Design Standards for the Oak Creek Transition Area.

NOTE: Throughout Article 8, tables and figures have been renamed in a new format to make them easier to identify and locate (“Section # - table #”, “Section # - figure #”).

- 8.000 Overview. The purpose of this Article is to establish additional standards for certain uses. These standards are intended to reduce adverse effects on surrounding property owners and the general public, to create a business environment that is safe and comfortable, to further energy conservation efforts within the City, to enhance the environment for walking, cycling, and mass transit use, and to ensure that high-quality development is maintained throughout Albany.

An applicant for a development that does not meet the design standards in Article 8 may apply for one or more Adjustments pursuant to ADC 2.060 - 2.080 except that Adjustments are not permitted to the standards in Section 8.500 (Telecommunication Facilities) and Sections 8.600 through 8.620 (Supplemental Design Standards for the Oak Creek Transition Area).

The following list is a summary of the topics covered in this article.

- Single-Family Homes
- Multiple Family Development
- Commercial and Institutional Site Design
- Supplemental Standards in Village Centers
- Telecommunications Facilities
- Supplemental Design Standards for the Oak Creek Transition Area

[Ord. 5445, 4/12/00, Ord. 5801, 2/13/13; Ord. 5832, 4/9/14]

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SINGLE-FAMILY HOMES

Commentary: **8.100 Purpose**

As discussed, the proposed “two-track” system of review requires that each standard have a robust purpose statement. We have deleted the overall purpose for the Single-Family Homes section and added purpose statements to sections 8.130, 8.133, and 8.140.

~~8.100 Purpose. The design standards for single family homes are intended to create pedestrian friendly, sociable, safe and attractive neighborhoods through human scale design. These standards emphasize the functional relationship between the home and the street. Compatibility standards protect the architectural character of existing neighborhoods. These design standards are adaptable to many different architectural styles. [Ord. 5445, 4/12/00]~~

8.110 Applicability.

(1) The standards of ADC Sections 8.110 through 8.160 apply to all new single-family detached units, manufactured homes, two-family units (duplexes), **two detached primary units**, and single-family attached units on individual lots in all zones that allow single-family housing, except as otherwise noted.

[Ord. 5894, 10/14/17]

(2) In addition, except as otherwise noted, the standards of ADC Sections 8.110 through 8.160 apply to ~~multi~~**ple**-family units with individual driveways permitted pursuant to ADC 12.100(2) that are located in the WF, CB, or DMU zone, or in the HD zone in a building where ground-floor residential use is permitted pursuant to ADC 5.070(17).

[Ord. 5894, 10/14/17]

(3) These standards do not apply to existing structures, to new additions to existing structures, or to manufactured home parks.

[Ord. 5894, 10/14/17]

(4) Development on flag lots or on lots that slope up or down from the street with an average slope of 20 percent or more is exempt from these standards.

[Ord. 5445, 4/12/00; Ord. 5894, 10/14/17]

8.120 Relationship to Historic Overlay Districts. For property inside the Historic Overlay Districts and properties designated as Historic Landmarks, the provisions in Article 7 also apply. For development subject to historic review under Article 7, the review body may grant flexibility in meeting any of the design standards where necessary to achieve historic compatibility.

[Ord. 5445, 4/12/00; Ord. 5894, 10/14/17]

Commentary: **8.130 Home Orientation**

For the Home Orientation section below, we added a purpose statement to provide guidance for an Adjustment, which emphasizes the need for an entrance that is visible or clearly identifiable from the street.

8.130 Home Orientation. **The purpose of these standards is to create pedestrian-friendly, sociable, safe and attractive single-family neighborhoods through human-scale design. By ensuring that the pedestrian entrance is visible or clearly identifiable from the street, these standards enhance public**

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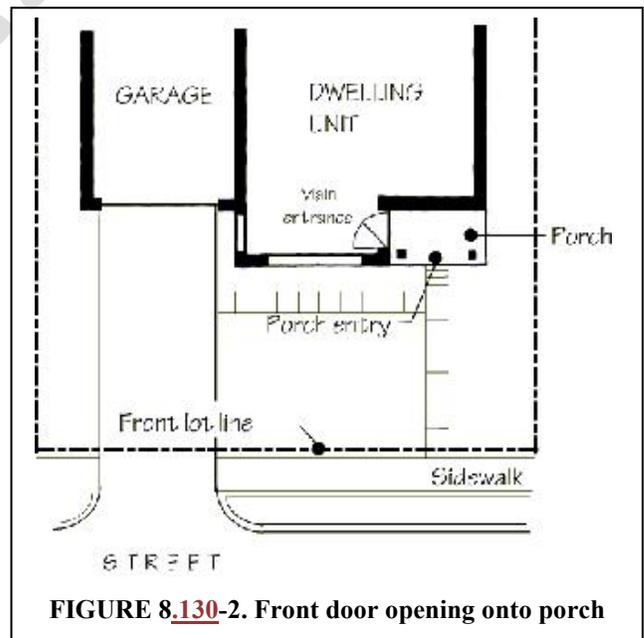
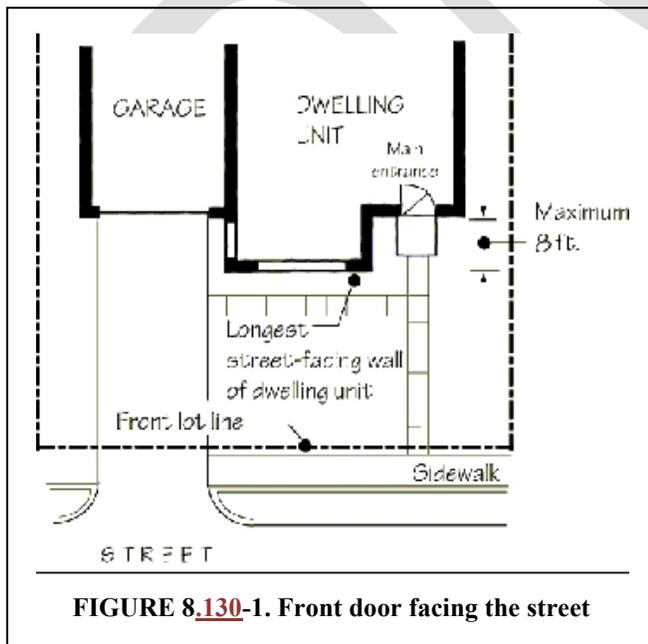
safety for residents and visitors and provide opportunities for community interaction.

- (1) At least one main entrance of each new home shall be within eight feet of the longest street-facing wall of the dwelling unit (excluding the garage); and either: [Ord. 5894, 10/14/17]
 - (a) Face the street (see Figure 8.130-1);
 - (b) Be at an angle of up to 45 degrees from the street; or
 - (c) Open onto a porch (see Figure 8.130-2). The porch must:
 - i. Be at least 25 square feet in area;
 - ii. Have at least one entrance facing the street; and
 - iii. Have a roof that is:
 - No more than 12 feet above the floor of the porch; and
 - At least 30 percent solid. This standard may be met by covering 30 percent of the porch area with a solid roof, or by covering the entire area with a trellis or other open material if no more than 70 percent of the area of the material is open. [Ord. 5445, 4/12/00]

Commentary: 8.130(2) Sites with more than one street frontage

On corner lots, there may be situations where having the door within 8 feet of the longest street-facing wall of the dwelling unit does not work. We added subsection (2) to clarify that when the home is on a corner lot or has more than one public street frontage, the applicant can choose on which frontage to meet the standards.

(2) On sites with frontage on both a private street and a public street, the standards apply to the site frontage on the public street. On all other sites with more than one street frontage, the applicant may decide on which frontage to meet the standards.



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~~(2)~~**(3)** In the DMU, CB, HD, and WF zoning districts, in order to provide a transition between public space (the sidewalk) and private space (the home) while maintaining a visual and physical connection to the street, entrances to individual dwelling units must be set back at least five feet from the front lot line. The entrance must be covered for a depth of at least three feet.

[Ord. 5894, 10/14/17]

Commentary: **8.133 Street-Facing Windows**

We added a purpose statement for the Street-Facing Windows section below to provide guidance for an Adjustment, which emphasizes public safety and a more pleasant pedestrian environment.

- 8.133 Street-Facing Windows. **The purpose of these standards is to create pedestrian-friendly, sociable, safe, and attractive neighborhoods. The standards enhance public safety by allowing people to survey their neighborhood from inside their residences; and also provide a more pleasant pedestrian environment by preventing large expanses of blank facades along streets.**

Commentary: **8.133(1)-(2) Street-facing window standards**

Changes to the standards in this section allow windows in both garage and pedestrian doors to count toward the 15% minimum coverage requirement.

- (1)** At least 15 percent of the area of each façade that faces a street lot line, ~~excluding the area of any street-facing garage doors for motor vehicle ingress/egress,~~ must be windows or main **pedestrian** entrance doors. [Ord. 5894, 10/14/17]
- (2)** ~~All windows on a street-facing facade, including windows in garage and pedestrian doors, may be counted toward meeting this standard. Windows in garage doors for motor vehicle ingress/egress do not count toward meeting this standard, but windows in garage walls do count toward meeting this standard.~~ [Ord. 5894, 10/14/17]
- (3)** For a pedestrian door to count toward meeting this standard, it must be the main entrance and face the street. [Ord. 5894, 10/14/17]
- (4)** For a corner lot, only one side of the unit must meet this standard.

[Ord. 5445, 4/12/00; Ord. 5894, 10/14/17]

Commentary: **8.140 Additional Standards for Infill and Redevelopment**

For the Infill and Redevelopment section below, direction from Planning Commission and City Council was to retain most of the standards, but to simplify and clarify them so that they are easier to apply.

The proposed approach includes clearly defining some of the terms used in this section (e.g., “comparable dwelling,” “comparable lot”); clarifying how to determine whether a development qualifies as “infill”; clarifying the standards for setbacks, garages/carports, and building height while retaining the essential requirements and outcomes of those standards; and adding several graphics to illustrate the standards. While the Infill and Redevelopment section in this draft is longer than in

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the existing Code, it is intended to be easier for staff and applicants to interpret and apply. City of Albany planners have tested the revised Code using a real-world example and have indicated that it is indeed easier to use.

The introductory paragraph below is amended to include an infill-specific purpose statement based on the existing purpose statement for Single-Family Homes in Section 8.100. The applicability statement is deleted, but the applicability standards are retained in subsections (1) and (2).

- 8.140 Additional Standards for Infill and Redevelopment. **The purposes of these standards are to preserve continuity in neighborhood appearance so that new homes fit in with the existing homes in the neighborhood in terms of features such as setbacks, height, and garages. These standards only apply to proposals for infill development in residential zoning districts that allow single-family housing.** These standards apply to every new house, manufactured home, duplex, and attached house sited as infill development, except in the HD, DMU, CB, and WF zones. For the purpose of this section, “infill development” means a dwelling that is proposed on land that is zoned for residential use where at least 75 percent of the abutting parcels have a dwelling, but not counting any parcel that is too small for a residence and any parcel that is large enough that it can be divided into four or more lots. These standards also apply where a home is removed to make way for a new house, manufactured home, duplex, and attached house. These standards do not apply to a dwelling that is proposed on land that is large enough that it can be divided into four or more lots. [Ord. 5894, 10/14/17]

Commentary: 8.140(1) Definitions

The following definitions clarify the language in the existing introductory paragraph.

- (1) Definitions. For the purposes of this section, the following terms are defined.**
- (a) “Comparable Dwelling” means an existing detached single-family dwelling (including manufactured dwellings), an attached single-family dwelling, or a duplex that is located on a comparable lot as defined below.**
 - (b) “Comparable Lot” means a vacant or developed lot within a residential zoning district that allows detached single-family dwellings and that is not separated from the subject site by public right-of-way. Vacant lots smaller than one-fourth (1/4) the minimum lot size are not included within the definition of “comparable lots.”**
 - (c) “Subject Site” means a property within a residential zoning district that allows detached single-family dwellings that is the site of a proposed new detached single-family (including manufactured dwellings), an attached single-family dwelling or a duplex. Subject sites include both vacant sites and those sites where a dwelling was, or will be, removed to allow for the new development. Sites larger than four times the minimum lot size of the applicable zone are not included within the definition of “subject site.”**

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Commentary: **8.140(2) Determining “infill development”**

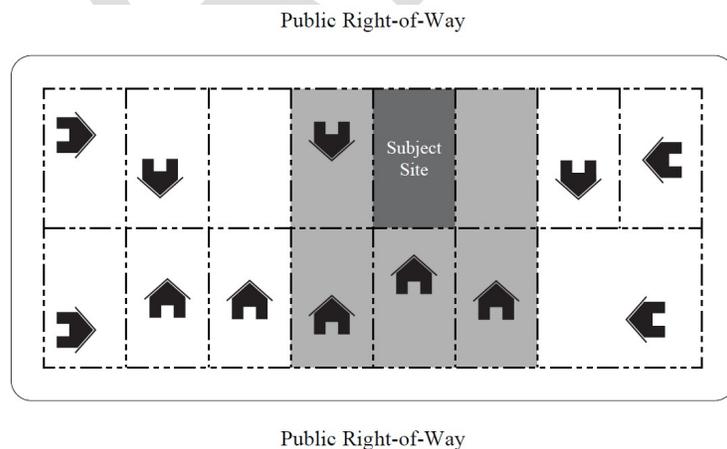
Subsection (2) clarifies how to perform the calculation to determine whether a proposed development qualifies as “infill” (greater than 75% of abutting parcels have comparable dwellings). The outcome of the calculation will be consistent with the existing Code, but the process is clearer. The graphic in Figure 8.140-1 provides an example of how the calculation is performed.

(2) Determining whether a proposal is “infill development.” To determine whether the proposed development on the subject site is infill development (see example in Figure 8.140-1):

- (a) Identify the total number of comparable lots that abut the subject site (i.e., share a common property line with the subject site, including those that touch at the corners).**
- (b) Identify the number of comparable lots abutting the subject site with comparable dwellings, excluding those lots that are larger than four times the minimum lot size of the applicable zone.**
- (c) If the number of lots with comparable dwellings identified in subsection (2)(b) is equal to or greater than 75% of the total number of comparable lots identified in subsection (2)(a), then the proposal is “infill development” and subject to the standards of subsections (3) through (6), below.**

FIGURE 8.140-1. Determining whether a proposal is “infill development” (example)

In this example, four out of five comparable lots that abut the subject site have comparable dwellings (4 / 5 = 80%); therefore, the proposal in this example is infill development.



Commentary: **8.140(3) Submittal Requirements**

The revised submittal requirements below require that applicants provide information only about “comparable” dwellings and lots, rather than all of those within 150 feet. This way, only those dwellings that are being compared for the sake of the infill standards need to be included in the vicinity/site plan.

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- ~~(1) At the time of application for a building permit, the applicant shall submit a vicinity plan showing development on lots that are located within 150 feet on either side of the subject property. The vicinity plan must show footprints of all existing buildings (including garages), the footprint of the proposed development, and the lot lines. The setback of existing homes and garages from the street shall be noted. Building heights of all homes must also be noted.~~
- ~~(2) Based on the information shown on the vicinity plan, the applicant shall submit a site plan that demonstrates how the proposed home and/or garage or carport complies with all of the following design features:~~
- (3) Submittal Requirements. At the time of application for a building permit, an applicant for infill development shall submit a vicinity/site plan that demonstrates how the proposed infill development on the subject site complies with standards in subsections (4) through (6) below. The vicinity/site plan must show the following for comparable lots: lot lines, footprints of dwellings, garages and carports, and the direction buildings are facing. Setbacks from the street shall be noted. Building heights must also be noted for those comparable dwellings used to demonstrate compliance with the infill height requirements in standard (6).**

Commentary: **8.140(4) Minimum and Maximum Front Setbacks**

The Home Setback section has been retitled as Minimum and Maximum Front Setbacks; however, few substantive changes have been made and most of the amended standards will have outcomes that are consistent with the existing standards. Following are the few exceptions—in general, these changes make the Code a bit less restrictive:

- The analysis to determine comparable dwellings only includes those dwellings with frontage and primary entrances oriented to the same street as the proposed dwelling. The rationale is that if a nearby home does not face the same street, its front setback should not be relevant in determining the new home's setback
- An exemption to the setback requirements is allowed when only one comparable dwelling meets the criteria to determine whether it is included in the setback evaluation. This is intended to avoid unintended consequences associated with having only one comparable dwelling that could potentially result in an unreasonable standard.
- There is an added provision in subsection (4)(a) that prohibits a new development from violating the minimum setback standards for the zoning district. This is intended to close an existing loophole that allows dwellings and garages to be too close to the street.
- The maximum setback for garages is deleted, since it is beneficial to the streetscape to have garages setback behind the dwelling.

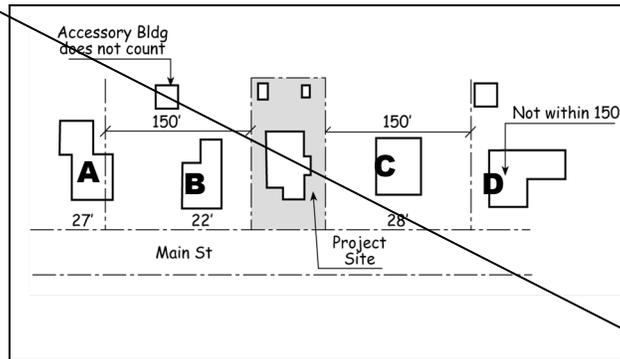
In addition, setback standards are formatted in a table to make them easier to read, and Figures 8.140-2 and 8.140-3 are added to illustrate how to identify comparable dwellings for the analysis and how to apply the setback standards.

- ~~(a) Home Setback. A home shall be set no more than five feet closer to the street than the closest home, and no more than five feet farther from the street than the farthest home when compared~~

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~~with other homes within 150 feet on either side of the lot. See Figure 8-3.~~



~~FIGURE 8-3. Existing House Setbacks: For this example, three houses (A, B, C) are located within 150 feet on either side of the lot. Of the three houses, B is closest to the street. The minimum setback is $22-5=17$ feet. House C is the farthest from the street. The maximum setback is $28+5=33$ feet.~~

(4) Minimum and Maximum Front Setbacks. The minimum and maximum front setbacks of an infill development are based on an evaluation of comparable dwellings that meet the following criteria (see example Figure 8.140-2):

- **All or a portion of the comparable dwelling's lot is within 150 feet of the subject site;**
- **The comparable dwelling's lot has frontage on the same street as the subject site and is not a flag lot;**
- **The comparable dwelling's lot is not larger than four times the minimum lot size of the applicable zone; and,**
- **The primary entrance of the comparable dwelling is oriented toward the same street as the proposed dwelling.**

If only one comparable dwelling meets the above criteria, the subject site is exempt from the infill setback standards in this subsection.

- (a) Infill development is subject to the minimum and maximum setback standards in Table 8.140-1 (see example in Figure 8.140-3). Notwithstanding the foregoing, no development shall be located such that it violates minimum setback standards for the zoning district.**

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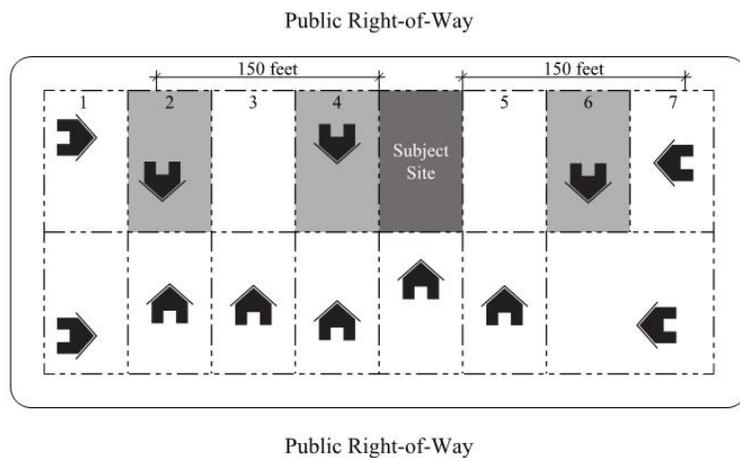
TABLE 8.140-1: Minimum and Maximum Setback Standards for Infill Development

<u>Proposed Infill Development</u>	<u>Minimum Setback</u>	<u>Maximum Setback</u>
<u>Dwelling</u>	<u>No more than 5 feet closer to the front property line than the closest comparable dwelling on a comparable lot meeting the criteria in 8.140(4)</u>	<u>No more than 5 feet farther from the front property line than the farthest comparable dwelling on a comparable lot meeting the criteria in 8.140(4)</u>
<u>Garage or Carport</u>	<u>No more than 5 feet closer to the front property line than the closest garage or carport of a comparable dwelling on a comparable lot meeting the criteria in 8.140(4)</u>	<u>None</u>

FIGURE 8.140-2. Infill development setbacks – Identifying comparable dwellings (example)

In this example, minimum and maximum front setback on the subject site are determined based on comparable dwellings on Lots “2,” “4,” and “6.”

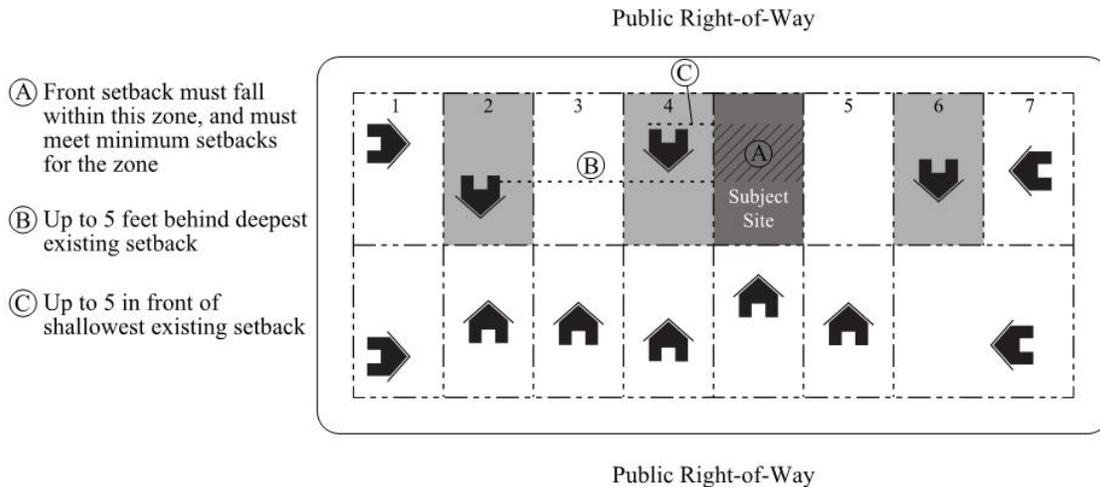
Lot “1” is more than 150 feet from the subject site and the primary entrance of the dwelling on Lot “7” is oriented to a different street; therefore, the comparable dwellings on Lots “1” and “7” are not in the analysis.



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FIGURE 8.140-3. Infill development setbacks –Applying the setback standards (example)



Minimum setback - dwelling. Of the comparable dwellings on Lots “2,” “4,” and “6,” the dwelling on Lot “4” is the closest to its front property line; therefore, a dwelling on the subject site can be no closer to its front property line than five feet closer than the dwelling on Lot “4,” while still meeting the minimum setbacks for the zone.

Maximum setback - dwelling. Of the dwellings on Lots “2,” “4,” and “6,” the dwelling on Lot “2” is the farthest from its front property line; therefore, a dwelling on the subject site can be no farther from its front property line than five feet farther than the dwelling on Lot “2,” while still meeting the minimum setbacks for the zone.

Commentary: 8.140(5) Required Garage or Carport

For the Garage/Carport standards below, few substantive changes have been made and most of the amended standards will result in outcomes that are consistent with the existing standards. Following are the few exceptions—as with the setback standards, these changes make the Code a bit less restrictive:

- Consistent with the setback standards, an exemption to the garage/carport requirements is allowed when only one comparable dwelling meets the criteria to determine whether it is included in the garage/carport evaluation. This is intended to avoid unintended consequences associated with having only one comparable dwelling that could potentially result in an unreasonable standard.
- The existing standard requiring the garage or carport to be of “like materials and color as the home” has been replaced because it is not clear and objective. The proposed language addresses the same issue in a clear and objective manner by listing the materials that are prohibited for garages/carports. Applicants may request an Adjustment if they wish to use one of the prohibited materials.

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Also consistent with the setbacks section, standards in this section are formatted in a table to make them easier to read, and Figures 8.140-4 and 8.140-5 are added to illustrate how to identify comparable dwellings for the analysis and how to apply the garage/carport standards.

~~(b) Garage Setback.~~

- ~~i. A garage is required if more than 50 percent of the homes within 150 feet on either side of the lot has a garage. If more than 50 percent of the homes have a carport, then a carport or garage is required. If there is a mixture of garages or carports for more than 50 percent of the homes, then a carport or garage is required. The garage or carport shall be of like materials and color as the home.~~
- ~~ii. The garage or carport may be attached or detached from the dwelling.~~
- ~~iii. The garage or carport shall be set no more than five feet closer to the street than the closest garage or carport, and no more than five feet farther from the street than the farthest home, garage or carport when compared with other homes, garages and carports within 150 feet on either side of the lot.~~

(5) Required Garage or Carport. Infill development may be required to have a garage or carport based on an evaluation of comparable dwellings that meet the following criteria (see example in Figure 8.140-4):

- **All or a portion of the comparable dwelling’s lot is within 150 feet of the subject site;**
- **The comparable dwelling’s lot has frontage on the same street; and,**
- **The comparable dwelling’s lot is not larger than four times the minimum lot size of the applicable zone.**

If only one comparable dwelling meets the above criteria, the subject site is exempt from the infill garage and carport standards in this subsection.

(a) A proposed infill development requires a garage or carport as specified in Table 8.140-2 (see example in Figure 8.140-5)

TABLE 8.140-2: Infill Garage and Carport Requirements

<u>If more than 50 percent of the comparable dwellings on comparable lots meeting the criteria in subsection (5):</u>	<u>Proposed infill development requires:</u>
<u>i. have a garage</u>	<u>A garage</u>
<u>ii. have a carport</u>	<u>A carport or garage</u>
<u>iii. have either a carport or a garage</u>	<u>A carport or garage, provided that if (i) is true, a garage is required.</u>

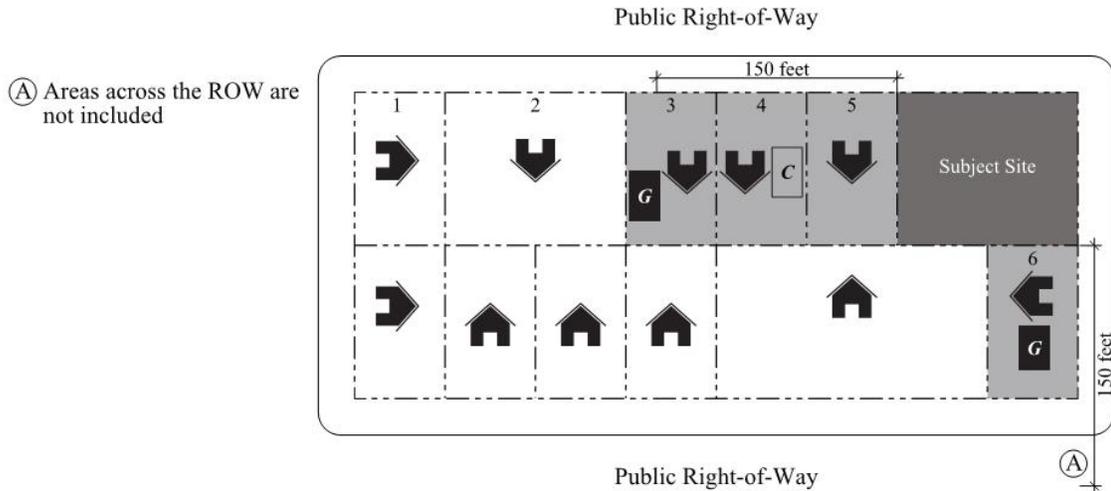
(b) The garage or carport may be attached or detached from the dwelling.

(c) The garage or carport’s exterior walls and roof shall not be constructed of the following materials: polyethylene, plastic or vinyl (except vinyl residential siding), fabric, untreated wood (except cedar or redwood), corrugated metal, or sheet metal.

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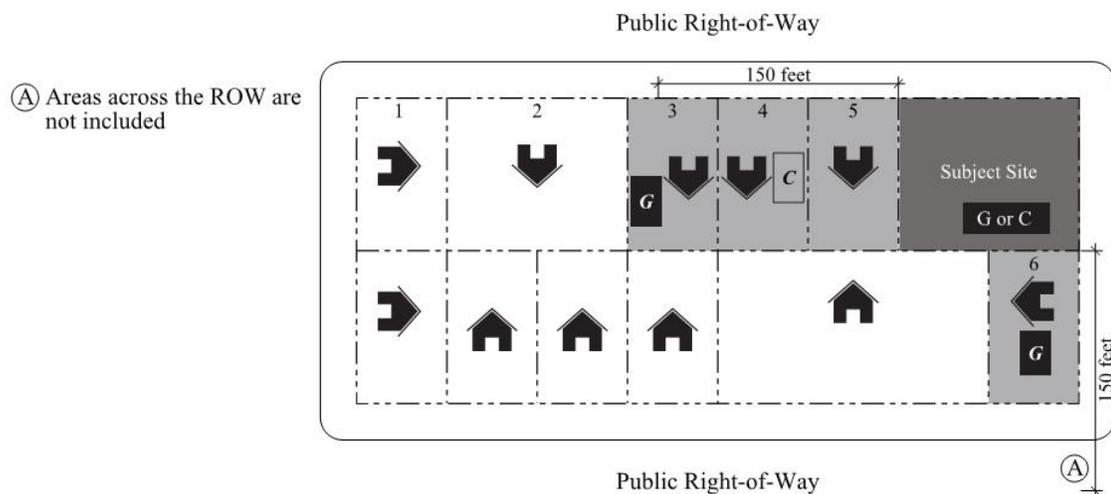
FIGURE 8.140-4. Infill Development garage / carport requirements – Identifying comparable lots (example)



In this example, garage / carport requirements for the subject site are determined based on an analysis of Lots “3,” “4,” “5,” and “6.”

Lots “1” and “2” are more than 150 feet from the subject site; therefore, these lots are not included in the analysis.

FIGURE 8.140-5. Infill Development – Applying the garage / carport requirements (example)



In this example, there are 4 comparable lots that meet the criteria in subsection (5). Of the 4 lots:

- **2 dwellings have garages (50%)**
- **1 dwelling has a carport (25%)**
- **3 dwellings have either a Carport or a Garage (75%)**

Because more than 50% of the dwellings on comparable lots have a garage or carport (and more

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than 50% are not garages), the infill development on the subject site must have either a carport OR a garage.

Commentary: **8.140(6) Maximum Building Height**

For the Building Height section, few substantive changes have been made and most of the amended standards will result in outcomes that are consistent with the existing standards. Following are the few exceptions—as with the setback and garage/carport standards, these changes make the Code a bit less restrictive:

- Consistent with the setback and garage/carport standards, an exemption to the building height requirements is allowed when only one comparable dwelling meets the criteria to determine whether it is included in the building height evaluation. This is intended to avoid unintended consequences associated with having only one comparable dwelling that could potentially result in an unreasonable standard.
- There is an added provision in subsection (6)(b) that prohibits a new development from violating the height standards for the zoning district. This is intended to close an existing loophole that could allow dwellings to exceed the height limit.

Also consistent with the setbacks and garage/carport sections, Figure 8.140-6 is added to illustrate how to identify comparable dwellings for the analysis and how to apply the building height standards.

- (c) ~~Building Height. A home shall be no more than one story higher than the lowest home when compared with homes on either side of the subject property. See Figure 8-4.~~

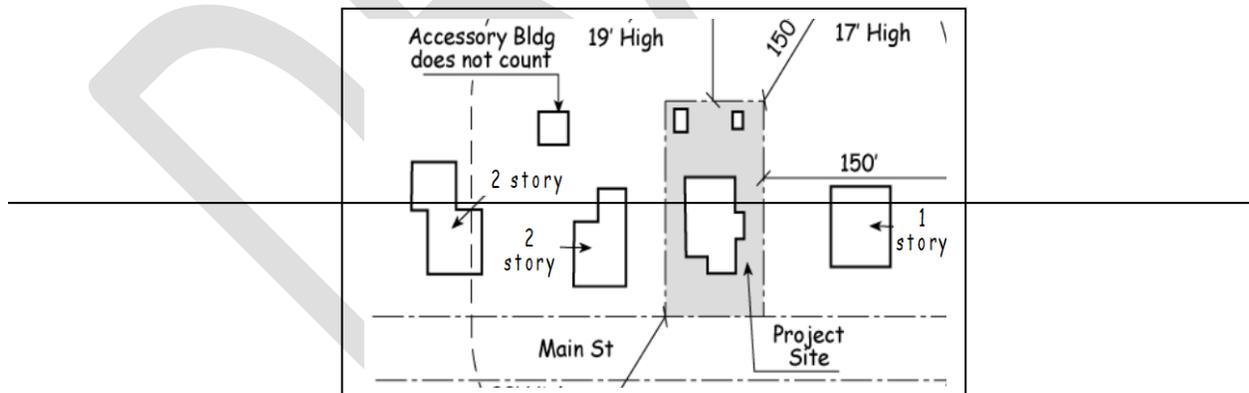


FIGURE 8-4. Existing House Heights: For this example, the maximum height is two stories.

(6) Maximum Building Height. The maximum building height of an infill development is based on an evaluation of comparable dwellings on comparable lots that meet the following criteria:

- **The comparable dwelling's lot is abutting the subject site;**
- **The comparable dwelling's lot has frontage on the same street; and**
- **The comparable dwelling's lot is not larger than four times the minimum lot size of the**

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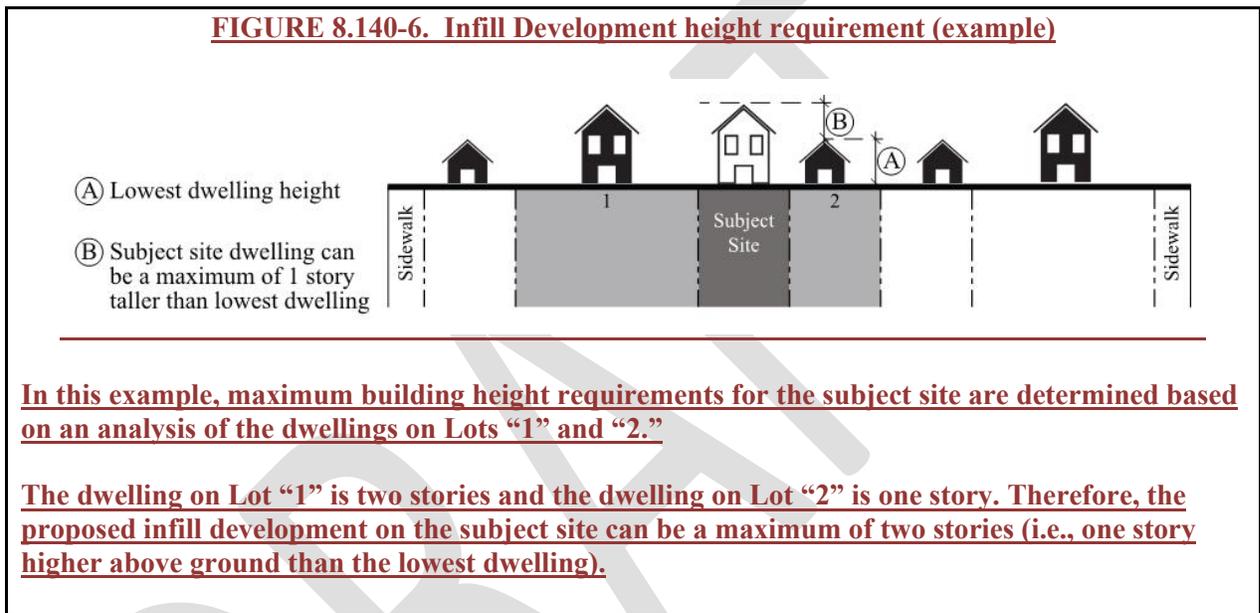
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applicable zone.

If only one comparable dwelling meets the above criteria, the subject site is exempt from the infill height standards in this subsection (see example in Figure 8.140-6).

(a) Maximum Building Height. A proposed dwelling on the subject site shall be no more than one story higher above ground than the lowest comparable dwelling that meets the criteria in subsection (6).

(b) Notwithstanding the foregoing, no development shall be constructed such that it violates height standards for the zoning district.



(7d) Home Orientation. The main entrance of each home shall comply with home orientation standards in Section 8.130.

(8e) Street-Facing Windows. The street-facing façade of each home shall comply with the window standards in Section 8.133. [Ord. 5445, 4/12/00]

8.150 **Parking and Access in the DMU, CB, HD, and WF Zoning Districts.** These standards are intended to support a pedestrian-friendly street environment by minimizing the visual and safety impacts of driveways, parking, and garages; and to preserve on-street parking. See Article 12 for additional access standards. [Ord. 5894, 10/14/17]

(1) **Driveway standards.**

(a) **Development sites abutting an alley:** Vehicle access shall be via the alley rather than the public street. [Ord. 5894, 10/14/17]

(b) **Development sites that do not abut an alley:** Vehicle access shall meet i or ii, below.

i. Provide vehicle access from not more than one driveway to each public street abutting the development site. [Ord. 5894, 10/14/17]

ii. Provide vehicle access to properties within the development site from shared or paired

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driveways with a minimum spacing between driveways of 25 feet (see Figure 8-5-**8.150-1**). The distance between driveways is measured along the front property line.

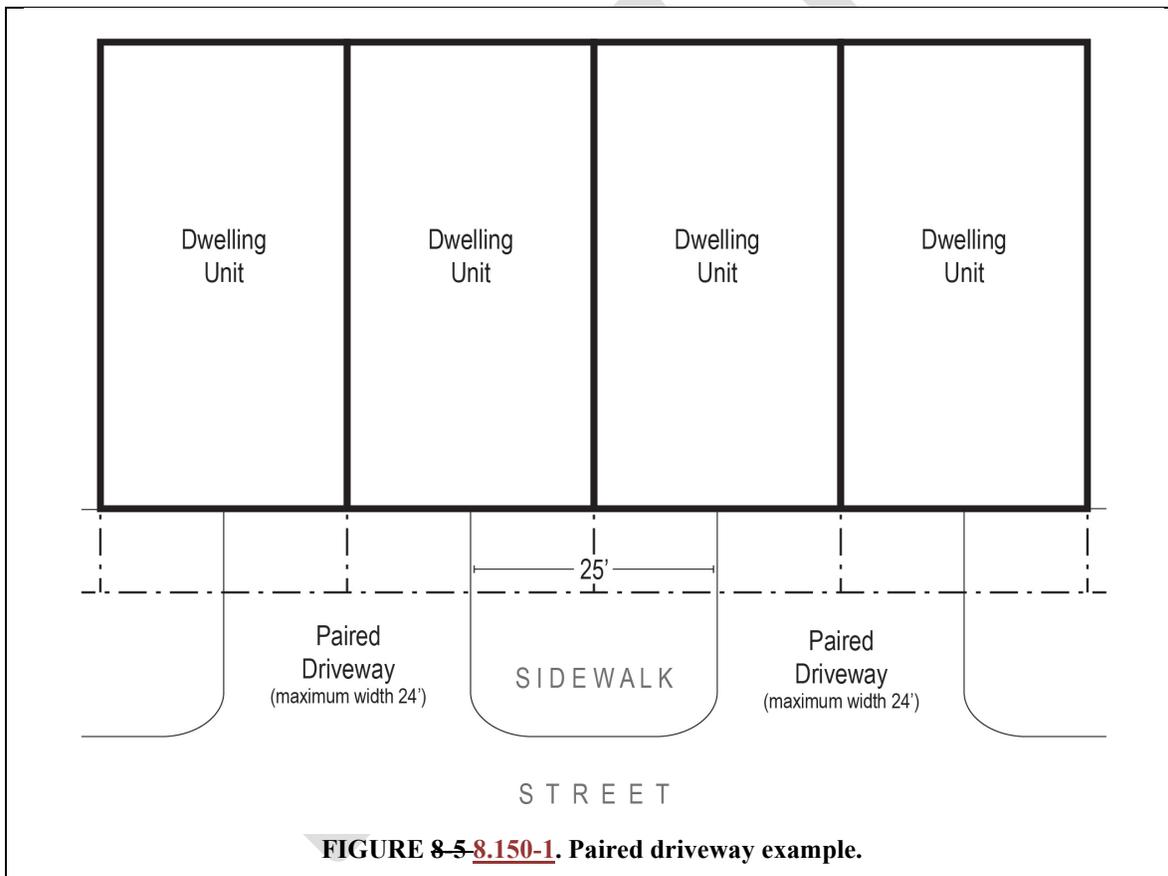
[Ord. 5894, 10/14/17]

Commentary: 8.150(2) Conditional review option

Text included in the introduction to Article 8 states that all standards in this section can be modified with an Adjustment, which makes subsection (2) unnecessary.

~~(2) Conditional review option. Developments that do not meet the standards of (1)(a) or (b), above, may be reviewed through a Conditional Use process, pursuant to ADC 2.230-2.265.~~

[Ord. 5894, 10/14/17]



~~(23) Parking location. Parking between the building façade and the front lot line is not permitted, except in driveways serving individual units (including shared or paired driveways), where permitted under (1), above.~~

[Ord. 5894, 10/14/17]

~~(34) Garages. When parking is provided in a garage attached to the primary structure, and garage doors for motor vehicle ingress/egress face a street, the following standards must be met. A garage door is considered to be facing a street where the opening is parallel to, or within 45 degrees of, a front lot line.~~

[Ord. 5894, 10/14/17]

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- (a) No more than one street-facing garage door for motor vehicle ingress/egress is permitted per dwelling unit. Each street-facing garage door for motor vehicle ingress/egress may not exceed 12 feet in width. [Ord. 5894, 10/14/17]
 - (b) See ADC Table 5.**090-1**-2 for garage setback standards. [Ord. 5894, 10/14/17]
- (45) The standards of ADC Section 12.230 regarding design requirements abutting arterials do not apply. However, the standards of ADC 12.100 regarding limiting the location, width, and number of accesses to arterials do apply. [Ord. 5894, 10/14/17]
- 8.160 Facade design and articulation in the DMU, CB, HD, and WF Zoning Districts. [Ord. 5894, 10/14/17]
- (1) In order to promote buildings that provide visual interest and facade details that give a sense of quality and permanence, the front facade shall include a minimum of two of the architectural features listed below for each dwelling unit. For a corner lot, only one front facade of the dwelling unit(s) must meet these standards. Lots with frontage on First or Second Avenue shall meet this standard on the First or Second Avenue frontage. [Ord. 5894, 10/14/17]
 - (a) Porch: must meet the standards in ADC 8.130(1)(c). [Ord. 5894, 10/14/17]
 - (b) Dormer: minimum width of four feet, inset at least three feet from all side walls. [Ord. 5894, 10/14/17]
 - (c) Balcony: facing the street and accessible from an interior room, with a minimum depth of three feet. [Ord. 5894, 10/14/17]
 - (d) Eaves: overhang of not less than 12 inches. [Ord. 5894, 10/14/17]
 - (e) Offset: offset in facade or roof of at least two feet that extends for at least four feet. [Ord. 5894, 10/14/17]
 - (f) Bay window: projects from front elevation by 12 to 24 inches. [Ord. 5894, 10/14/17]
 - (g) Other: feature not listed but providing visual relief or contextually appropriate design similar to options a-f. [Ord. 5894, 10/14/17]
 - (2) To provide privacy for ground floor residential uses, for residential buildings within 5 feet of the front lot line, street-facing ground floor windows shall be separated from the front lot line with a landscaped buffer at least three feet deep extending the for at least the width of the window(s). The landscaped buffer shall meet at least one of the following standards. [Ord. 5894, 10/14/17]
 - (a) For every three linear feet of width, provide at least one three-gallon shrub, with the remaining area treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover. [Ord. 5894, 10/14/17]
 - (b) For every two linear feet of width, provide at least 1 one-gallon shrub or perennial that typically achieves a mature height of at least 3 feet, with the remaining area treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover. [Ord. 5894, 10/14/17]
 - (c) Other suitable landscaping that provides both privacy and visual interest and includes living plants, shrubs, and/or trees. [Ord. 5894, 10/14/17]

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MULTIPLE-FAMILY DEVELOPMENT

- 8.200 Purpose. These sections are intended to set standards for quality designs in new multiple-family developments. Good design results when buildings are visually compatible with one another and adjacent neighborhoods and contribute to a residential ~~district~~ **neighborhood** that is attractive, active, and safe. [Ord. 5445, 4/12/00]

Commentary: **8.205 Applicability**

Proposed revisions to this section are intended to simplify the applicability of the multi-family standards for Units Above or Attached to a Business. Per ADC Section 22.310 “Units Above or Attached to a Business” (i.e., the residential component of a mixed-use building) are defined as a separate use type from multi-family units. The current subsection (2) below states that all multiple-family design standards apply to first-story street-facing units, but that only certain standards apply to units above or behind a business. The current text in subsection (2) was added as part of the downtown Code amendments project in 2017; however, the distinction in this subsection may be unnecessarily complicated. The proposed amendments would simplify the applicability by applying all multiple-family design standards to all Units Above and Attached to a Business. While this would broaden the applicability language, some standards won’t apply in some situations. For example, standards that apply only to the ground floor clearly would not apply to the “units above a business” since those units are not on the ground floor. Similarly, standards that apply only to the street-facing façade will not apply to “units behind a business.”

For mixed-use development that contains residential and commercial uses, it is also important to define how the Multiple-Family and Commercial/Institutional design standards apply. This is important because all residential standards must be clear and objective, whereas commercial and institutional standards are not required to be. While the applicability section states that the multiple-family standards apply to the residential components of mixed-use (i.e., Units Above or Attached to a Business), the proposed amendments clarify that non-residential components of mixed-use are subject to the commercial and institutional design standards.

- 8.205 Applicability. [Ord. 5894, 10/14/17]
- (1) Except as specified in ADC Section 8.110(2), the standards of ADC Sections 8.220 through 8.300 apply to the development of new Multiple Family residential buildings (accessory buildings are exempt). [Ord. 5894, 10/14/17]
- (2) ~~The standards of ADC Sections 8.220 through 8.300 apply~~ **and to the residential components of new buildings with Units Above or Attached to a Business (see ADC Section 22.310). Non-residential components of mixed-use development are subject to the Commercial and Institutional Site Design Standards of Sections 8.330 through 8.390.** as follows: [Ord. 5894, 10/14/17]
- (a) ~~Dwelling units located on the first story facing a street line are subject to all standards in this section that apply within the relevant zoning district.~~ [Ord. 5894, 10/14/17]
- (b) ~~In addition, certain standards are applicable to the development of units above or behind a~~

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~~business, where noted.~~ [Ord. 5894, 10/14/17]

(~~23~~) Except as required to meet building code, fire code, or other regulations, expansions, and modifications to existing buildings and sites must not decrease conformance with these standards. [Ord. 5894, 10/14/17]

(~~34~~) Unless otherwise specified, these standards apply in all zoning districts. [Ord. 5894, 10/14/17]

8.210 Relationship to Historic Overlay Districts. For property inside the Historic Overlay Districts and properties designated as Historic Landmarks, the provisions of Article 7 also apply. For development subject to historic review under Article 7, the review body may grant flexibility in meeting any of the design standards where necessary to achieve historic compatibility. [Ord. 5445, 4/12/00; Ord. 5894, 10/14/17]

Commentary: 8.220 Recreation and Open Space Areas

Generally speaking, the Recreation and Open Space Areas section has been reworked to add more specificity, in order to make the requirements clear and objective, as well as more flexibility for developers. Added flexibility was a desire expressed by both the Task Force and the Planning Commission/City Council. We also expanded the purpose statement for this section to provide better guidance for an Adjustment. Additional commentary is provided for each applicable subsection below.

8.220 Recreation and Open Space Areas. ~~In all new multiple family developments, a portion of the land not covered by buildings and parking shall be of adequate size and shape and in the proper location to be functional for outdoor recreation and relaxation. The standards are also intended to ensure that project open space is an integral part of the overall development design, not merely leftover space. In larger developments, there should be a variety of common space activities.~~ **The purpose of these standards is to ensure that new multiple-family developments and mixed-use developments with multiple-family units provide spaces for outdoor recreation and relaxation that are adequately sized, located, and functional. The standards are also intended to ensure that a development project's open space is an integral part of the overall development design, not merely leftover space.**

The applicability and minimum requirements for common open space, children's play areas, and private open space are stated in Table 8.220-1.

Commentary: Table 8.220-1. Recreation and Open Space Requirements by Zoning District

The proposed new Table 8.220-1 indicates applicability and general requirements for each category of open space: common open space, children's play areas, and private open space. The overall Common Open Space requirement has been switched from being based on a percentage of living space (0.25 square feet of open space for each 1.0 square feet of living space) to a percentage of the site area (15% of total site area). This should be simpler to apply and should make it more feasible to

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develop multi-family developments at desired densities while still complying with space-requiring standards for parking, stormwater, landscaping, etc.

Table 8.220-1 includes separate standards for the CB, HD, DMU, LE, WF and MUR districts, since those were updated more recently (in 2017), and since recreation requirements for more urban developments in downtown districts should not be equivalent to those in other districts. Multi-family development in the downtown districts is exempt from several of the recreation and open space standards, as outlined in the table.

Also note that the requirement for private open space has been reduced from 100% of multi-family units to 80% of units.

DRAFT

Amendments to the Albany Development Code (ADC)

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TABLE 8.220-1. Recreation and Open Space Requirements by Zoning District

<u>Open Space</u>	<u>CB, HD, DMU, LE, WF and MUR Zoning Districts</u>	<u>All Other Zoning Districts</u>
<u>Common Open Space</u>		
• <u>Developments with fewer than 10 units</u>	<u>Not required</u>	<u>Not required</u>
• <u>Developments with 10 or more units as part of a multiple-family development or ten or more units above or attached to a business</u>	<u>250 square feet (useable floor area) in size subject to ADC 8.220(1)</u>	<u>15% of the total development site area, and subject to the standards in ADC 8.220(2)</u>
<u>Children’s Play Areas</u>		
• <u>Developments with fewer than 10 units that each have 2 or more bedrooms</u>	<u>Not required</u>	<u>Not required</u>
• <u>Developments with 10 or more units that each have 2 or more bedrooms</u>	<u>Not required</u>	<u>Required and subject to the standards in ADC 8.220(2)(a)(ix)</u>
<u>Private Open Space</u>	<u>Not required</u>	<u>Required for at least 80% of units and subject to the standards in ADC 8.220(3)</u>

Commentary: 8.220(1)-(2) Common Open Space

For ease of review, the Common Space and Children’s Play Areas sections have been struck out entirely and replaced with proposed new language.

For Common Open Space, the list of possible open space amenities expands on the list in the existing ADC, while providing more specificity for each amenity. The intent is to establish a firmer baseline for minimum requirements (in terms of size and features), and to ensure good outcomes, while allowing a wider range of possible amenities. Maximum percentages are included with some of the amenities (such as pools and sport courts) to ensure some variety, should these amenities be included. Lawns, rooftop gardens, and natural areas may occupy 100% of the required open space. Children’s play areas were added to the list of common open space amenities so that they may count toward the minimum requirement (which the current ADC does not allow). Children’s play areas have also been better defined, and the requirements for them to be centrally located and within 300 feet of dwelling units have been removed, since those were deemed to be unnecessary and challenging to implement.

The proposed amendments also allow a credit toward the minimum open space requirements if developments include “higher value” recreation amenities. The credit is further discussed below, with Subsection 8.220.2.c.ii.

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- (1) ~~Common Space~~. For projects of 10 or more units, common open space shall be required at a ratio of 0.25 square feet for each 1.0 square feet of living space. In lieu of the common space standards below, new construction of ten or more units in the CB, HD, DMU, LE, WF and MUR zoning districts is subject to ADC Section 8.225. ~~_____~~ [Ord. 5832, 4/9/14; Ord. 5894, 10/14/17]
- (a) Areas designated as common space shall be at least 500 square feet in size with no horizontal dimension less than 20 feet. The space shall be functional or protect natural features, and shall include one or more of the following types of uses:
- ~~swimming pools, spas, and adjacent patios and decks~~
 - ~~developed and equipped adult recreation areas~~
 - ~~sports courts (tennis, handball, volleyball, etc.)~~
 - ~~community centers~~
 - ~~food and ornamental gardens~~
 - ~~lawn, deck or hard surface areas in which user amenities such as trees, shrubs, pathways, covered picnic tables, benches, and drinking fountains have been placed~~
 - ~~natural areas~~
- (b) Developments shall provide a mix of passive and active recreational uses from the above list if the open space can accommodate more than one use.
- (c) Indoor or covered recreational space may count towards 50 percent of the common open space requirement.
- (d) No more than 20 percent of the common space requirement shall be on land with slopes greater than 20 percent.
- (e) Areas Excluded. Streets and parking areas, including areas required to satisfy parking lot landscape standards, shall not be applied toward the minimum usable open space requirement. Required setback areas may be applied toward the minimum usable open space requirement, except active, noise generating amenities must meet required setbacks.
- (f) Designated on Site Plan. Areas provided to satisfy the minimum common space requirement shall be so designated on the development site plan and shall be reserved as common space. Adult recreation areas shall not be allowed in any required setback and shall be centrally located.
- (g) Open Space and Recreation Area Credit. A credit, not to exceed 25 percent of the common space requirements, may be granted if there is direct access by a pedestrian path, not exceeding 1/4 mile, from the proposed multiple family developments to an improved public park and recreation area or public school playground.
- (h) Approved vegetated post construction stormwater quality facilities are allowed in common open space areas. ~~_____~~ [Ord. 5832, 4/9/14; Ord. 5842, 1/01/15]
- (2) ~~Children's Play Areas~~. Multiple family developments larger than ten units (excluding one bedroom and studio units) shall designate one or more children's play areas. Developments located in the CB, HD, DMU, LE, WF, and MUR zoning districts are exempt from this standard. ~~_____~~ [Ord. 5832, 4/9/14; Ord. 5894, 10/14/17]
- (i) Children's play areas shall be placed within 300 feet of the units they are intended to serve. More than one play area may be needed in larger developments.
- (j) No horizontal dimension of a children's play area shall be less than 20 feet.
- (k) Placement of children's play areas shall not be allowed in any required setback and shall be centrally located.
- (l) Children's play areas may be part of the common open space area but do not count toward the use requirement as outlined in Section 8.220(1)(a). ~~_____~~ [Ord. 5445, 4/12/00]

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- (1) Common Open Space in the CB, HD, DMU, WF, LE and MUR Zoning Districts. When required by Table 8.220-1, common open space shall provide a minimum of one indoor or outdoor common area amenity with no dimension less than 15 feet. Common area amenities must include fixed or movable seating.**
- (2) Common Open Space in All Other Zoning Districts. When required by Table 8.220-1, in all zoning districts except the CB, HD, DMU, WF, LE, and MUR Zoning Districts, the following standards apply.**

 - (a) Required common open space areas shall have no horizontal dimension less than 20 feet and shall be entirely improved with one or more of the following amenities:**

 - i. Inground permanent swimming pools with a minimum area of 400 square feet, or inground spas or hot tubs. Patios and decks within 50 feet of the swimming pool, spa, or hot tub may be included. These amenities may not account for more than 60% of the required common open space.**
 - ii. Regulation sized and equipped sports courts for tennis, handball, volleyball, and/or basketball. These amenities may not account for more than 50% of the required common open space.**
 - iii. Gardens for use by residents to grow food. Gardens must have irrigation available for use by the residents. This amenity may not account for more than 50% of the required common open space.**
 - iv. Lawn, ornamental gardens, and landscaped areas including trees and shrubs. Areas may include picnic tables, benches, and drinking fountains. This amenity may not account for more than 70% of the required common open space. If this amenity accounts for more than 50% of the required common open space, at least one bench or picnic table must be provided. Pathways, decks, or other hard surface areas or covered areas may be included but may not exceed 30% of the landscaped area.**
 - v. Rooftop terrace accessible to residents. Terrace must include barbeques, tables and seating that are available for use by residents.**
 - vi. Areas within Significant Natural Resource overlay districts, per ADC 6.260, or stands of mature trees greater than or equal to 6 inches diameter at breast height that form a contiguous tree canopy (including areas within 10 feet of the drip line). These amenities may not account for more than 50% of the required common open space. Areas used for cluster development density transfers are not eligible for meeting common open space requirements.**
 - vii. Indoor community room. This amenity may not account for more than 50% of the required common open space.**
 - viii. Approved vegetated post-construction stormwater quality facilities. This amenity may not account for more than 20% of the required common open space.**
 - ix. Children's Play Areas. Each children's play area must include a play structure at least 100 square feet in area, and at least three (3) of the following: a swing structure with at least two (2) swings, a slide, permanent sand box, permanent wading pool, or other children's play equipment approved for use in a public playground. Required**

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play equipment may or may not be attached to the primary play structure. Equipment must be manufactured to American Society for Testing and Materials (ASTM) F1487-11 standards or other comparable standards applicable to public playground equipment. Open space within 50 feet of the play structure may be included. Each children's play area must be fenced along any perimeter that is within 10 feet of a street, alley, property line, or parking area.

(b) Limitations to Common Open Space Areas.

- i. Streets and parking areas, including areas required to satisfy parking lot landscape standards, shall not be applied toward the minimum usable open space requirement.**
- ii. Required setback areas may be applied toward the minimum usable open space requirement, except that sport courts, swimming pools and spas, children's play areas shall not be allowed in any required setback.**
- iii. No more than 20 percent of the common open space requirement shall be on land with slopes greater than 20 percent.**

(c) Common Open Space Area Credit.

Commentary: 8.220(2)(c)(i) Open space credit for path to park

Note: The credit in subsection (i) is an existing open space credit provided in the ADC. As currently drafted, the two credits could be combined for a total credit of 45%.

- i. A credit, not to exceed 25 percent of the required common open space area, shall be granted if there is direct access by a pedestrian path, not exceeding 1/4 mile, from the proposed multiple-family development to an improved public park and recreation area or public school playground.**

Commentary: 8.220(2)(c)(ii) Open space credit for high value outdoor amenities

Subsection (ii) proposes a new credit toward the minimum required open space area for providing "high value" outdoor open space amenities. The proposed credit quantifies the value of the amenities based on the dollar amount spent on them, calculated as a percentage of the total project cost. The idea is that amenities such as pools and sport courts will cost more to install than landscaping or patios and should count for more—but also that high-quality landscaping should count for more than low-quality landscaping. The intent is to provide flexibility for the type of high value amenities for which a developer receives the credit.

- ii. A credit toward the minimum common open space area required by Table 8.220-1 shall be granted to development projects providing high value outdoor recreation amenities. Provision of high value amenities is determined by the dollar amount spent on the amenities as a proportion of the overall project cost (including all construction costs except land cost). The credit is calculated as follows: if one percent (1%) of the**

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overall project development cost is spent on outdoor recreation facilities, the minimum amount of required common open space shall be reduced by 10 percent. Further reductions in the minimum required common open space area shall be proportional to spending. For example, if 1.5 percent of a project's cost is spent on outdoor recreation facilities, the minimum required common open space area shall be reduced by 15 percent. The total reduction shall not exceed 20 percent of the minimum required open space area. It is the responsibility of the applicant to document the overall project cost and the cost of the recreation amenities by providing cost estimates at the time of land use application.

- ~~8.225 Common Area Amenities in the CB, HD, DMU, WF, LE, and MUR Zoning Districts. New construction of ten or more units as part of a multiple family development or ten or more units above or attached to a business shall provide one indoor or outdoor common area amenity at least 250 square feet in size (useable floor area), with no dimension less than 15 feet. Common area amenities must include fixed or movable seating. [Ord. 5894, 10/14/17]~~
- ~~8.230 Private Open Space. In all newly constructed multiple family developments except in the CB, HD, DMU, WF, and LE zoning district and assisted living and nursing home developments, private open space shall be provided as follows: [Ord. 5832, 4/9/14; Ord. 5886, 1/6/17; Ord. 5894, 10/14/17]~~
- ~~(1) At Grade Dwellings. Dwellings located at finished grade, or within five feet of finished grade, shall provide at least 96 square feet of private open space per unit, with no dimension less than eight feet. Private open space for at grade dwellings may be provided within interior courtyards created within a single building or cluster of buildings. Private open space for at grade dwellings shall be screened from view from public streets.~~
 - ~~(2) Above Grade Dwellings. Dwellings located more than five feet from finished grade shall provide a minimum of 80 square feet of private open space per dwelling unit (such as a yard, deck or porch), with no dimension less than six feet. Private open space for units located more than six feet above grade may be provided individually, as with a balcony or collectively by combining into a larger area that serves multiple units.~~
 - ~~(3) Access to Private Open Space. All private open space shall be directly accessible from the dwelling unit through a doorway.~~
 - ~~(4) Privacy Requirements. Private open space, excluding front porches, shall be physically and visually separated from common open space. [Ord. 5445, 4/12/00; Ord. 5832, 4/9/14]~~

Commentary: 8.220(3) Private open space

The existing Code's requirements for private open space were identified as being excessive and presenting a barrier to housing development. The Code currently requires Private Open Space for 100% of units. As indicated in Table 8.220-1, the proposed amendments would reduce this to 80% of units. Amendments would also reduce the minimum area requirement from 96 sf to 80 sf for at-grade units and from 80 sf to 72 sf for above-grade units. Requirements for access to private open space from dwelling units and separation from common open space have been retained. Front porches have been exempted from requirements for screening from public streets.

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- (3) Private Open Space. When required by Table 8.220-1, private open space shall be provided that meets the standards of this section. Development in the CB, HD, DMU, WF, LE, and MUR Zoning Districts and assisted-living and nursing home developments in all zoning districts are exempt from these requirements.**
- (a) For dwelling units providing required private open space, each dwelling unit located at finished grade, or within five feet of finished grade, shall have at least 80 square feet of private open space. All other dwelling units providing required private open space shall each have at least 72 square feet of private open space.**
- (b) No dimension of the required private open space shall be less than six feet.**
- (c) All required private open space shall be directly accessible from the dwelling unit through a doorway.**
- (d) Except for front porches, required private open space shall be physically and/or visually separated from common open space.**
- (e) Except for front porches, required private open space for at-grade dwellings shall be screened from view from public streets.**
- (f) Private open space that is provided at-grade may be within interior courtyards created within a single building or cluster of buildings.**
- (g) Private open space that is above grade may be provided individually, as with a balcony, or collectively by combining into a larger area that serves multiple units.**
- (4) Open Space Designated on Site Plan. Areas provided to satisfy the minimum open space requirements shall be so designated on the development site plan and shall be reserved as common or private space, as applicable.**

Commentary: 8.240 Setbacks and Building Orientation

This proposed section combines existing ADC Sections 8.240 Maximum Setbacks and 8.260 Building Orientation & Entries. The second part of the purpose statement was moved from Section 8.260. The first part of the purpose statement has been fleshed out to provide better guidance for an Adjustment.

8.240 ~~Maximum Setbacks for Street~~ **and Building Orientation.**

- (1) Purpose. The purpose of the standards in this section is to create and maintain street frontages that are attractive, create an environment that is conducive to walking, and provide natural surveillance of public spaces. The standards are also intended to promote building and site design that contributes positively to a sense of neighborhood and to the overall streetscape by carefully relating building mass, entries, and yards to public streets.**
- (2) Applicability. In all zoning districts except HD, CB, DMU, and WF, new multiple-family developments shall meet the following maximum setback and building orientation standards of this section. New multiple-family development in the HD, CB, DMU and WF zoning districts is subject to maximum setback standards in ADC Section 5.120 and building orientation standards in ADC Section 8.265.** [Ord. 5894, 10/14/17]

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Commentary: 8.240(3) Standards

The sections below provide two options for meeting the Setback and Orientation standards: the “Street Orientation” option (which is largely similar to the existing standards in ADC 8.240 and 8.260), and the “Enhanced Landscaping” option. The proposed amendments would allow these options for all multi-family development, except in the downtown zones.

Note: Standards in Subsections iv through vi appear as new text in this section, but were moved from Section 8.260 Building Orientation & Entries (which has been struck out). Subsection v is new; it provides a clear and objective standard for the design of front entries of ground floor units.

(3) Standards. On sites with frontage on a collector or local public street, buildings shall either meet all the standards of section (a) or all the standards of section (b) below.

A summary of the two options for meeting the Setback and Building Orientation standards, and references to applicable Code sections, are provided in Table 8.240-1. This table only summarizes standards in ADC Section 8.240; other standards in the Code related to setbacks, landscaping, and parking also apply.

TABLE 8.240-1: Summary of Street Orientation and Enhanced Landscaping Options

	<u>Street Orientation Option</u>	<u>Enhanced Landscaping Option</u>
<u>Frontage</u>	<u>Buildings must occupy at least 40% or 50% of site frontage, depending on site width in accordance with ADC 8.240(3)(a)(i)-(ii).</u>	<u>No additional requirements in Section 8.240.</u>
<u>Minimum Setback</u>	<u>No additional requirements in Section 8.240.</u>	<u>15 feet in addition to base zone setback in accordance with ADC 8.240(3)(b)(i).</u>
<u>Maximum Setback</u>	<u>Buildings must be setback no more than 25 feet in accordance with ADC 8.240(3)(a)(i).</u>	<u>No additional requirements in Section 8.240.</u>
<u>Entries</u>	<u>Entries of units within 25 feet of collector or local public street must face street and must be recessed or have covered porches in accordance with ADC 8.240(3)(a)(iii)-(iv).</u>	<u>No additional requirements in Section 8.240.</u>
<u>Parking Location</u>	<u>No parking allowed between building and street in accordance with ADC 8.240(3)(a)(v).</u>	<u>Parking allowed between building and street for up to 25% of building frontage in accordance with ADC 8.240(3)(b)(ii).</u>
<u>Landscaping</u>	<u>No additional requirements in Section 8.240.</u>	<u>Enhanced landscaping required within setback in accordance with Table 8.240-2.</u>

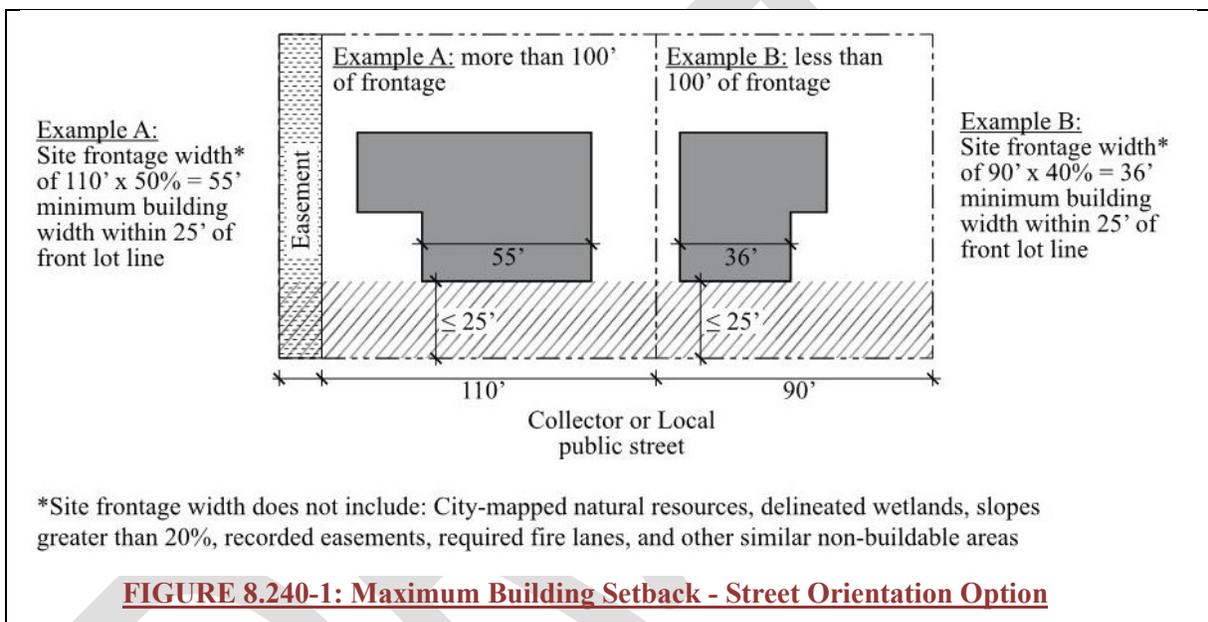
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(a) Street Orientation Option.

(+) i. The applicable maximum building setback requirement is based on the site frontage width, as follows:

- On sites with 100 feet or more of frontage on a collector or local public street, at least 50 percent of the site width shall be occupied by a building(s) placed no **farther** ~~farther~~ than 25 feet from the front lot line. See Figure 8-6 **8.240-1**, Building **Example A**. [Ord. 5894, 10/14/17]
- (2) On sites with less than 100 feet of frontage on a collector or local public street, at least 40 percent of the site width shall be occupied by a building(s) placed no **farther** ~~farther~~ than 25 feet from the front lot line. See Figure 8-6 **8.240-1**, Building **Example B**. **Permitted flag lots are exempt from meeting this standard.**



- (3) ii.** As used in these standards, “site width” does not include significant natural resources as mapped by the City, delineated wetlands, slopes greater than 20 percent, recorded easements, required fire lanes and other similar non-buildable areas as determined by the City.

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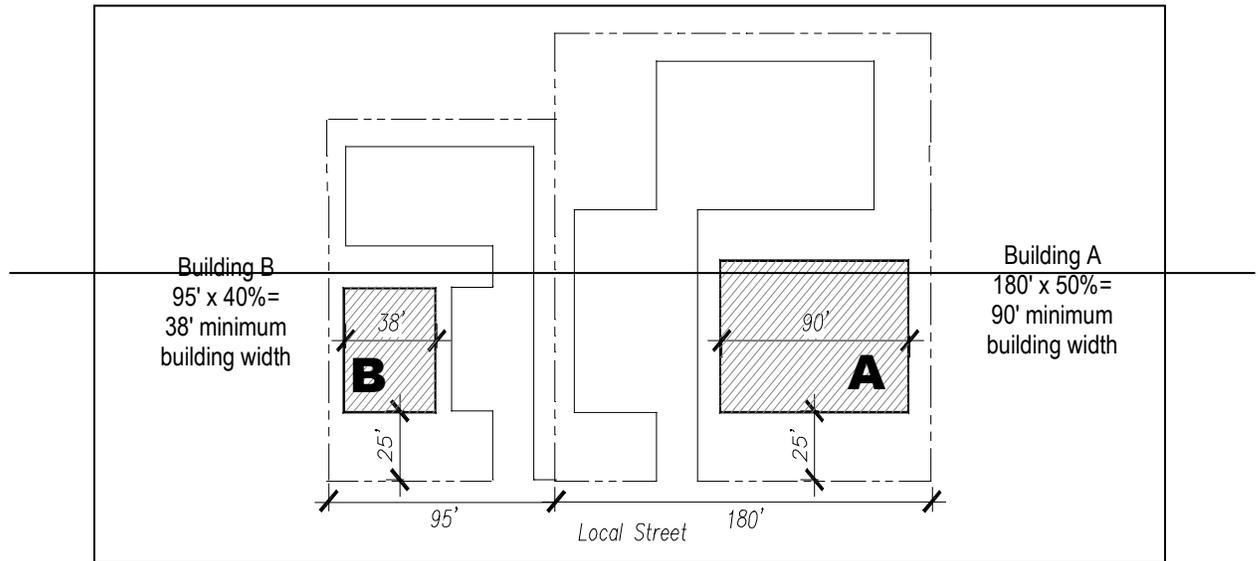
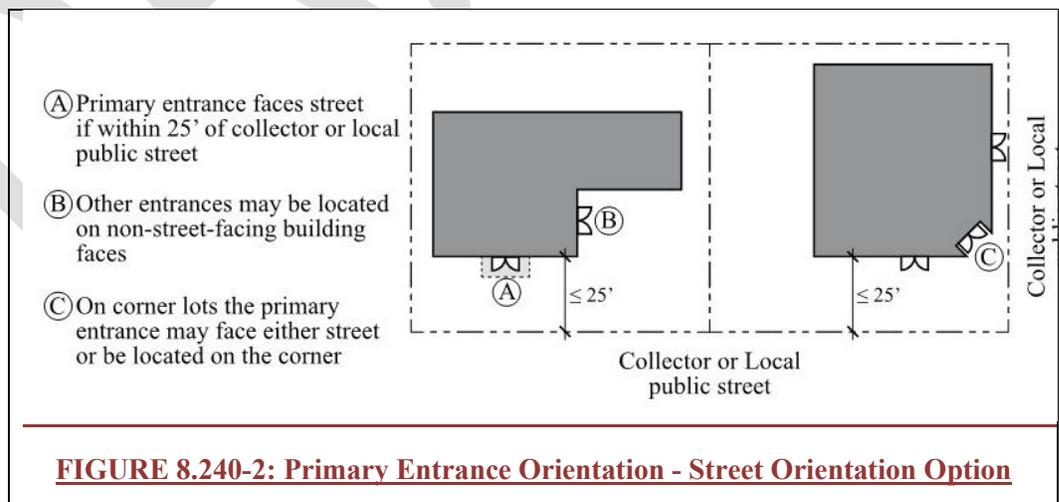


FIGURE 8-6. Maximum setback for multiple family homes.

iii. The primary entrance(s) of ground floor units of residential building(s) located within 25 feet of a collector or local public street shall face the street. Primary entrances shall provide access to individual units, clusters of units, courtyard dwellings, or common lobbies. The following exceptions to this standard are allowed:

- **On corner lots, the main building entrance(s) may face either of the streets or be oriented to the corner.**
- **For buildings that have more than one entrance serving multiple units, only one entrance must meet this requirement. (See Figure 8.240-2.)**



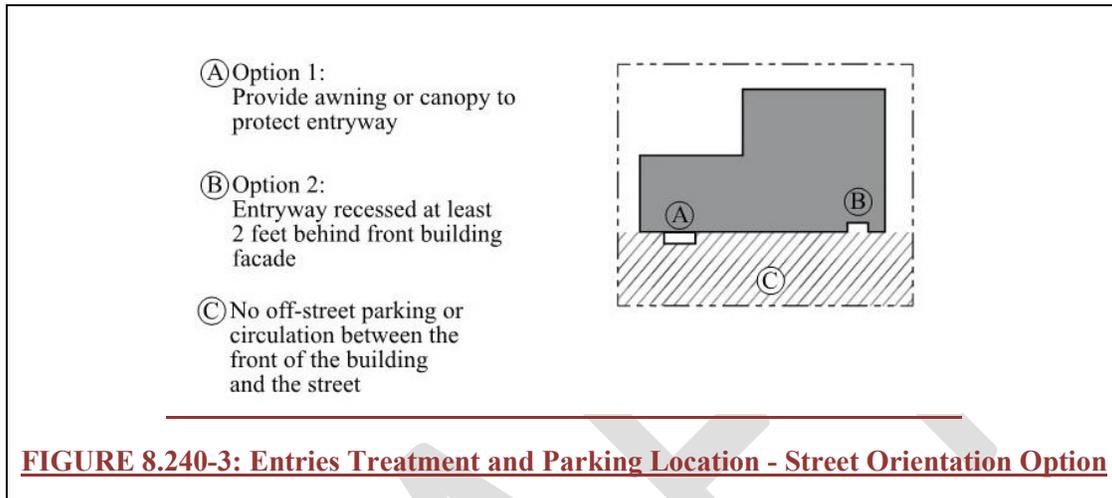
iv. Ground floor entries to individual units shall provide a covered front porch, or a front entry that is recessed a minimum of two feet behind the front building facade. Primary building entries (including shared entries to residential units) shall provide

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an awning or canopy, or be recessed a minimum of two feet behind the front building facade.

v. No off-street parking or circulation shall be located between the front of the building and the street. (See Figure 8.240-3.)



Commentary: 8.240(3)(b) Enhanced Landscaping Option

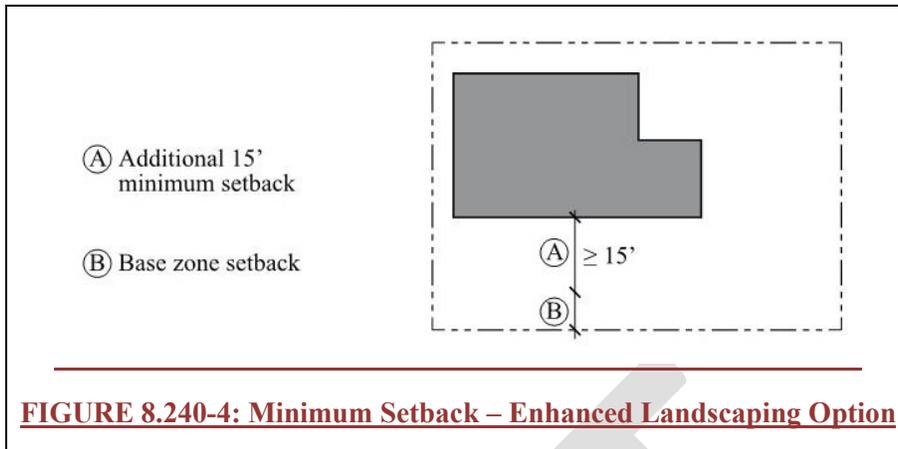
As mentioned above, the Enhanced Landscaping Option is a new alternative to the existing building orientation and setback standards. The intent is to provide more flexibility for multi-family development in less urban settings, while still ensuring an adequate interface with the streetscape by requiring additional landscaping along the site frontage. Parking is allowed between the building and the street on up to 25% of the building frontage, no maximum setback is required, and entries are not required to face the street, as long as “enhanced landscaping” is provided within the setback area. Proposed “enhanced landscaping” standards require more tree planting than is currently required in the front setback for multi-family development, as well as additional shrubs and ground cover.

(b) Enhanced Landscaping Option. The following standards apply to the lot line(s) abutting a collector or local public street.

i. Buildings and off-street parking and circulation areas shall be subject to the minimum setback for the zoning district plus an additional 15-foot setback (see Figure 8.240-4). The entire setback area shall be landscaped to meet the minimum standards in Table 8.240-2 (see Figures 8.240-5 and 8.240-6). There is no maximum setback.

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ii. Off-street parking and circulation areas may be located between the building and the street for a maximum of 25% of the building’s frontage (see Figure 8.240-5).

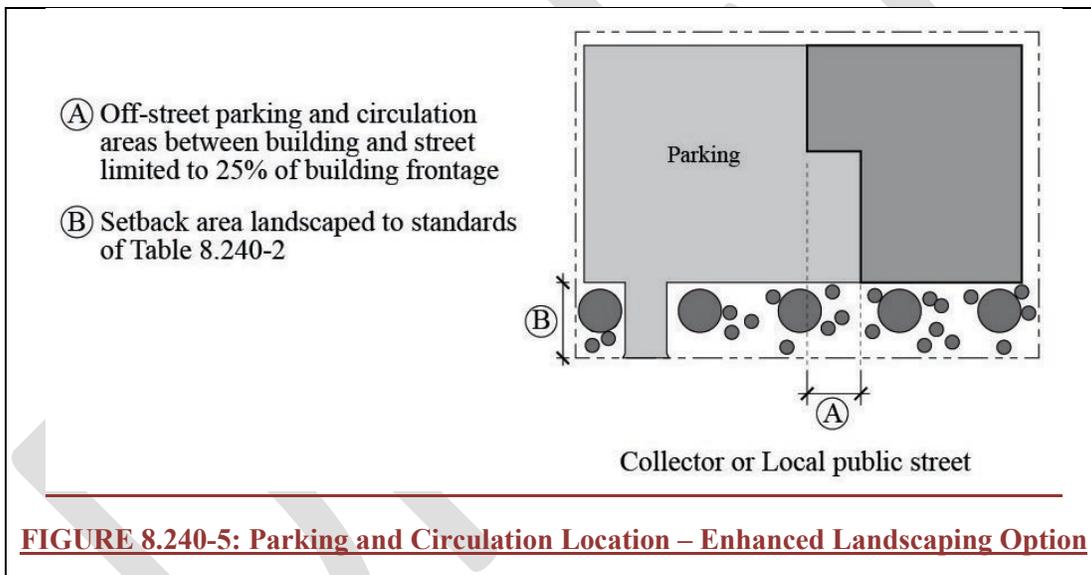


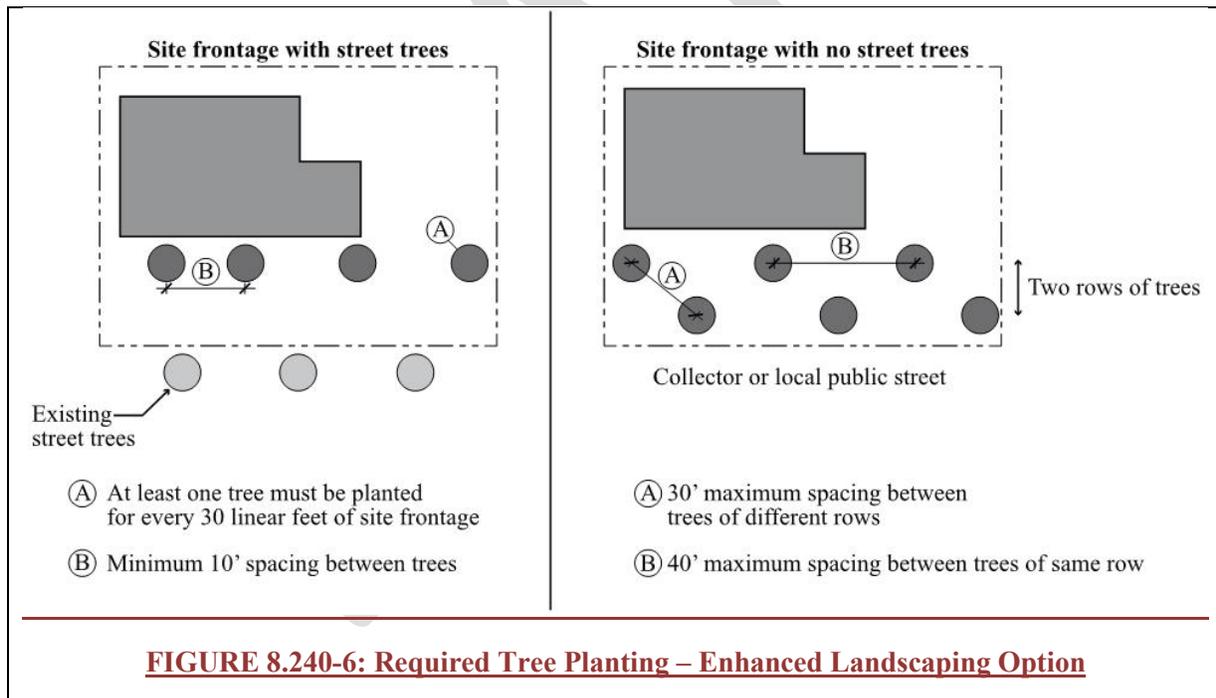
TABLE 8.240-2: Minimum Landscaping Required in Setback

<p><u>Trees</u></p>	<ul style="list-style-type: none"> <u>Must be at least 6 feet tall at the time of planting</u> <u>Trees must maintain a minimum spacing of 10 feet on center (see Note 1)</u> <u>Mature height of planted shrubs and ground cover must not exceed 3 feet. The tree canopy of mature trees must be maintained at 6 feet or higher above ground</u>
<ul style="list-style-type: none"> <u>Street Frontages with Street Trees (see Figure 8.240-6)</u> 	<ul style="list-style-type: none"> <u>1 tree for every 30 linear feet of street frontage</u>

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<ul style="list-style-type: none"> • <u>Street Frontages without Street Trees (see Figure 8.240-6)</u> 	<ul style="list-style-type: none"> • <u>Planted in at least two rows</u> • <u>Each row shall have a minimum of 1 tree for every 40 linear feet of street frontage</u> • <u>Maximum spacing of 30 feet on center for trees within different rows</u> • <u>Maximum spacing of 40 feet on center for trees within same row</u>
<p><u>Shrubs</u></p>	<ul style="list-style-type: none"> • <u>4 three-gallon shrubs or accent plants for every 10 linear feet of street frontage.</u> • <u>Required shrubs may be clustered</u>
<p><u>Ground Cover</u></p>	<ul style="list-style-type: none"> • <u>The remaining area shall be planted with vegetative ground cover plantings except that rock, bark, or similar landscape cover materials may be used for up to 25 percent of the required landscape area</u>
<p><u>(Note 1) Adjustments to the tree spacing standards, which would result in trees being planted closer than 10 feet on center, must receive a Crime Prevention Through Environmental Design (CPTED) review from the City of Albany Police Department.</u></p>	



Commentary: 8.250 Functional Design and Building Details

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The proposed amendments delete Section 8.250 and apply Section 8.255 (which currently applies only to the downtown zones) to all multi-family development. Section 8.255 was updated in 2017 and offers a clear and objective approach to building design standards that could also apply outside the downtown zones.

- ~~8.250 **Functional Design and Building Details.** These standards are intended to promote functional design and building details in new construction that contribute to a high-quality living environment for residents and enhance compatibility with the neighborhood. These standards apply in all zoning districts except HD, DMU, CB, and WF, which are subject to ADC Section 8.255. [Ord. 5894, 10/14/17]~~
- ~~(2) The design of new buildings shall avoid long, flat, uninterrupted walls or roof planes. Changes in wall plane and height, and the inclusion of elements such as balconies, porches, arbors, dormers, gables and other human-scale design elements such as landscaping should be used to achieve building articulation.~~
- ~~(3) Buildings shall be massed so individual units or the common main entrance is clearly identifiable from the private or public street that provides access unless the units are located on upper floors above non-residential uses. [Ord. 5832, 4/9/14]~~
- ~~(4) Stairways shall be incorporated into the building design. External stairways, when necessary, should be recessed into the building, sided using the same siding materials as the building, or otherwise incorporated into the building architecture.~~
- ~~(5) Building facades shall be broken up to give the appearance of a collection of smaller buildings. [Ord. 5445, 4/12/00]~~

Commentary: 8.255 Façade design, articulation, and windows.

The purpose statement for this section is partly taken from the purpose statement from Section 8.250, partly from subsection 8.255(2), and the rest is new language.

- 8.255 ~~Façade design, articulation, and windows in the HD, DMU, CB, and WF Zoning Districts.~~ **The purpose of the standards in this section is to promote functional design and building details in new construction that provide visual interest, contribute to a high-quality living environment for residents, give a sense of quality and permanence, and enhance compatibility with the surrounding community.** [Ord. 5894, 10/14/17]
- (1) **Regulated façades.** These standards apply to any façade that faces toward or within 45 degrees of a front lot line, except as otherwise specified below. [Ord. 5894, 10/14/17]
- (a) For a corner or multiple frontage lots, only one front façade must meet these standards. A Willamette River setback line established pursuant to ADC 5.200 through 5.207 may be considered a front lot line for purposes of these standards. For lots with frontage on First or Second Avenue, the front façade facing First or Second Avenue shall meet these standards. [Ord. 5894, 10/14/17]
- (b) Where there is more than one building on the site, these standards do not apply to any portion

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of a building that is separated from the front lot line by another building, based on a line perpendicular to the front lot line (see Figure 8.255-1-7). [Ord. 5894, 10/14/17]

- (c) Accessory buildings less than 750 square feet are exempt from these standards. [Ord. 5894, 10/14/17]

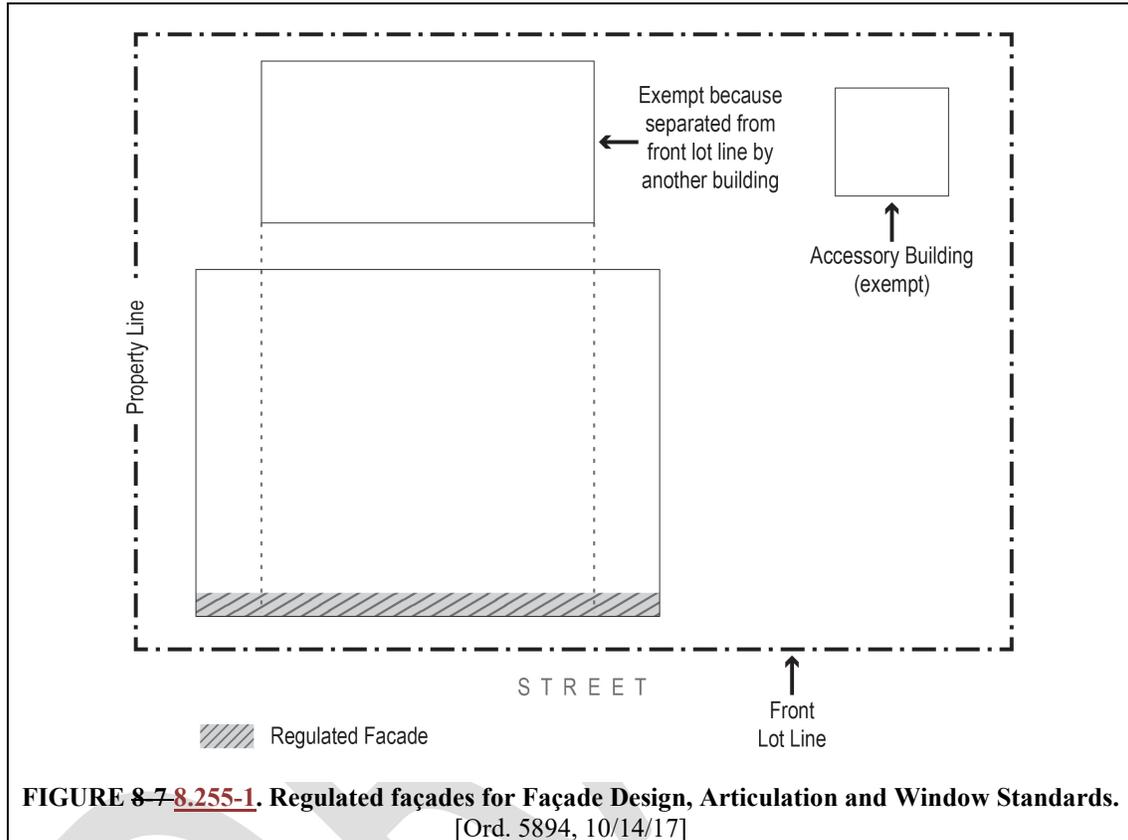


FIGURE 8-7 8.255-1. Regulated façades for Façade Design, Articulation and Window Standards. [Ord. 5894, 10/14/17]

Commentary: 8.255(2) Façade design and articulation

As mentioned above, the struck-out text in this section was moved to the purpose statement for Section 8.255. These standards will apply to all multi-family development.

- (2) Façade design and articulation. ~~In order to promote buildings that provide visual interest and façade details that give a sense of quality and permanence, r~~Regulated façades shall include a minimum of two of the architectural features listed below. [Ord. 5894, 10/14/17]
 - (a) Recessed entrance(s): three to six feet deep (relative to building façade). [Ord. 5894, 10/14/17]
 - (b) Eaves: overhang of not less than 12 inches. [Ord. 5894, 10/14/17]
 - (c) Offset: offset in facade or roof of at least two feet that extends for at least four feet. [Ord. 5894, 10/14/17]
 - (d) Bay window: projects from front elevation by 12 to 24 inches. [Ord. 5894, 10/14/17]

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- (e) Balcony: one per dwelling unit facing the street, with a minimum depth of three feet. [Ord. 5894, 10/14/17]
- (f) Decorative top: e.g., cornice or pediment with flat roof or brackets with a pitched roof. [Ord. 5894, 10/14/17]
- (g) Other: feature not listed but providing visual relief or contextually appropriate design similar to options a-~~g~~f. [Ord. 5894, 10/14/17]

Commentary: 8.255(3) Street-Facing Windows

A different minimum window coverage standard is proposed for multi-family development outside of the downtown zones (15%).

- (3) Street-Facing Windows. In the HD, DMU, CB, and WF zoning districts, At at least 25 percent of the portion of the regulated façade between two and eight feet above grade and at least 25 percent of the total area of each regulated façade must contain windows or doors that meet all of the criteria in (a) through (c), below. In all other zoning districts, at least 15 percent of the total area of each regulated façade must contain windows or doors that meet all of the criteria in (a) through (c), below. [Ord. 5894, 10/14/17]
 - (a) Made of transparent material with a minimum visible transmittance of 0.4. (Only the transparent portion of doors may be counted towards required window areas.) Windows with a visible transmittance rating less than 0.4 and windows that are frosted, fritted, patterned, or obscure may be counted towards up to half of the required window area provided that the windows in total allow views from the building to the street. [Ord. 5894, 10/14/17]
 - (b) Located in any part of the building except garages and parking areas. [Ord. 5894, 10/14/17]
 - (c) Face towards or within 45 degrees of the front lot line. [Ord. 5894, 10/14/17]
- (4) In the DMU, CB, WF, and HD zoning districts, to provide privacy for ground floor residential uses, for residential buildings within five feet of the front lot line, street-facing ground floor windows shall be separated from the front lot line with a landscaped buffer at least three feet deep extending for at least the width of the window(s). The landscaped buffer shall meet at least one of the following standards. [Ord. 5894, 10/14/17]
 - (a) For every three linear feet of width, provide at least one three-gallon shrub, with the remaining area treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover. [Ord. 5894, 10/14/17]
 - (b) For every two linear feet of width, provide at least one one-gallon shrub or perennial that typically achieves a mature height of at least three feet, with the remaining area treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover. [Ord. 5894, 10/14/17]
 - (c) Other suitable landscaping that provides both privacy and visual interest and includes living plants, shrubs, and/or trees. [Ord. 5894, 10/14/17]

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Commentary: 8.260 Building Orientation and Entries

Note: The Building Orientation and Entries section has been combined with the Maximum Setbacks standards in Section 8.240 above; therefore, it has been struck out.

~~8.260 Building Orientation and Entries. These standards are intended to promote building and site design that contributes positively to a sense of neighborhood and to the overall streetscape by carefully relating building mass, entries, and yards to public streets. These standards apply in all zoning districts except HD, DMU, CB, and WF, which are subject to ADC 8.265. [Ord. 5894, 10/14/17]~~

~~(6) As many of the dwelling unit entries as possible shall face public local residential streets and along the internal street system of larger scale developments. Internal units may face a courtyard or plaza, but not a parking lot. The use of front porches or entry patios and terraces is encouraged.~~

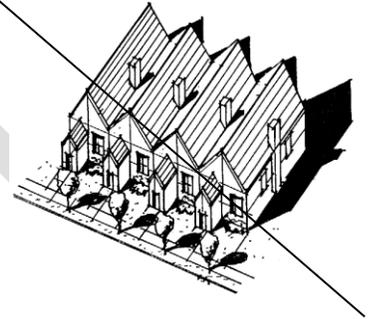
~~(2) Building entries and entries to individual units shall be clearly defined, visible for safety purposes, and easily accessible. Arches, gateways, entry courts, and awnings are encouraged to shelter entries.~~

~~(3) Individual entries are encouraged; the use of long access balconies and/or corridors that are monotonous and impersonal are discouraged.~~

~~(4) The primary entrance(s) of ground floor units of residential building(s) located within 25 feet of a local street may face the street. Primary entrances may provide access to individual units, clusters of units, courtyard dwellings, or common lobbies. No off-street parking or circulation shall be located between the front of the building and the street. The following exceptions to this standard are allowed:~~

~~(m) On corner lots, the main building entrance(s) may face either of the streets or be oriented to the corner.~~

~~(n) For buildings that have more than one entrance serving multiple units, only one entrance must meet this requirement. [Ord. 5445, 4/12/00]~~



~~8.265 Building Orientation and Entries in the HD, DMU, CB, and WF Zoning Districts. These standards are intended to promote building and site design that contributes positively to the overall streetscape by balancing connection to the street, transitions between public space and private space, and privacy. Providing appropriate transitions and privacy can make building occupants feel comfortable having windows uncovered and using outside space, which strengthens connections to the street and can help deter crime and vandalism. [Ord. 5894, 10/14/17]~~

~~(1) The main entrance to individual dwelling units on the ground floor and to lobbies for buildings with internally-accessed units shall face a street, courtyard, or plaza (not a parking lot). For corner lots, the main entrance may face either street. [Ord. 5894, 10/14/17]~~

~~(2) In order to provide a transition between public space (the sidewalk) and private space (the dwelling) while maintaining a visual and physical connection to the street, entrances to individual dwelling units on the first story must be set back at least five feet from the front lot line, and must be covered for a depth of at least three feet. [Ord. 5894, 10/14/17]~~

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Commentary: 8.270 Transition to Lower Density Uses

The purpose statement for this section has been expanded to provide better guidance for an Adjustment. The “impacts” that these standards are intended to reduce have been better defined to include concepts of privacy and of solar access.

8.270 Transition to Lower Density Uses.

(1) Purpose. The standards of this section are intended ~~The following design standards shall be incorporated into the design of multiple family housing to create transitions between multiple-family developments and nearby, lower-density residential development, in order to reduce the impacts of building mass and scale.~~ **the multiple-family development on lower-density development. These impacts may include incompatible building mass and scale, reduced privacy, and loss of solar access for the lower-density development.**

(2) Applicability. These standards apply **to multiple-family housing** in all zoning districts except HD, DMU, CB, and WF, which are subject to special interior setbacks in ADC Section 5.115. [Ord. 5894, 10/14/17]

Commentary: 8.270 (3)-(4) Transition setback standards

The existing language in these subsections applies the additional transition setback when multi-family sites abut single-family homes. The proposed changes would instead apply the additional setback when abutting single-family zones (no matter what is developed on the abutting site), and to only pre-existing single-family homes in other districts.

Whereas the existing transition setback is unlimited, the proposed amendments establish a cap so that the transition setback can be no larger than 30 feet.

The requirement for smaller-scale buildings to be sited adjacent to single-family districts has also been deleted, since it is redundant to the transition setback requirement. And the prohibition on vehicle areas adjacent to single-family homes has been deleted, since it was noted that it may be preferable to have screened parking adjacent to a single-family home, as compared to a multi-family building.

~~(1)(3)~~ **When abutting single family homes, Multiple-family** buildings shall be set back at least one foot for each foot in building height from ~~the~~ **a shared** property line, **up to a maximum required setback of 30 feet, when the abutting lot sharing the property line meets criteria (a) or (b) below, or both.** Building height is measured from the average grade to the top of the wall facing the property line or to the top of the highest window or door, whichever is higher.

(a) The abutting lot is in a residential single-family zoning district or in the HM zoning district.

(b) The abutting lot has a pre-existing single-family home and is in a zoning district other than the NC, CC, RC, LI, HI or IP. For the purposes of this section a “pre-existing single-

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family home” is one constructed prior to [date of code adoption].

- (2) ~~Smaller scale buildings should be sited in the area immediately adjacent to single family zoning districts, and larger scale buildings sited at the interior of the development or adjacent to other multiple family developments.~~
- (3)(4) ~~Parking and maneuvering areas, driveways, a~~ **Active** recreation areas, loading areas and dumpsters ~~should~~ **shall** not be located between multiple-family buildings and abutting **pre-existing** single-family homes.

[Ord. 5445, 4/12/00]

Commentary: 8.280 Pedestrian Connections

This section needed to be revised to make the requirements clear and objective. The proposed changes include requiring that pedestrian connections be built to a minimum standard to ensure that they are “clear,” “easily identifiable,” “safe,” and “convenient.”

The proposed changes also clarify which areas of the site require pedestrian connections (per subsection (2)) and provide clarification and remove subjective language for subsection (5).

8.280 Pedestrian Connections.

- (1) **Purpose. The standards of this section are intended to ensure that Pedestrian-pedestrian** circulation systems ~~shall be~~ **are** designed to provide clear, ~~and~~ identifiable, **safe, and convenient** connections within the multiple-family development and to adjacent uses and public streets/sidewalks.
- (1)(2) Each multiple-family development shall contain an internal pedestrian circulation system that makes clear, easily identifiable and safe connections between individual units and parking **areas,** and shared **common** open space areas-, **children’s play areas, and public rights-of-way. In order to ensure that connections are clear, easily identifiable, and safe, all pedestrian connections shall meet the following standards:**
- (a) **Except as required for crosswalks, per ADC Section 8.280(4), where a walkway abuts a vehicle circulation area, it shall be physically separated by a curb that is raised at least six inches or by bollards.**
- (b) **Walkways shall be constructed of concrete, asphalt, brick or masonry pavers, or other hard surface, and not less than five feet wide.**
- (2)(3) All pedestrian ways shall comply with the requirements of the Americans with Disabilities Act.
- (3)(4) The pedestrian circulation system shall be designed **In order** to provide safe crossings of streets, ~~and~~ driveways, **and parking areas, crossings shall be clearly marked with either contrasting paving materials (such as pavers, light-color concrete inlay between asphalt, or similar contrasting material) or** Reflective **reflective** striping ~~should be used at crossings to~~ **that emphasizes** the crossing under low light and inclement weather conditions.

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- ~~(3)~~ **(5) Safe, convenient, and attractive pedestrian-Pedestrian** connections shall be provided between the multiple-family development and **all** adjacent uses such as parks, schools, retail areas, bus stops, and other pedestrian ways. ~~Connections.~~ **At least one connection** shall be made to ~~all~~ **each** adjacent streets and sidewalks at **for every 200 linear feet of street frontage** ~~to 300-foot intervals.~~ **Sites with less than 200 linear feet of street frontage shall provide at least one connection to the street and/or sidewalk.** [Ord. 5445, 4/12/00]

Commentary: 8.290 Vehicle Circulation System

The standards in this section have been largely reworked in the proposed amendments. The requirement that internal vehicle circulation systems mimic public streets and block patterns—which were challenging to interpret—have been removed. These ambiguous standards have been replaced by simpler design standards for interior travel aisles that are longer than 100 feet and are not lined with parking stalls. Proposed standards include requirements for raised curbs and a sidewalk and landscaping on at least one side of the aisle. Measures to slow traffic speeds were made into a list of clear and objective options, rather than a list of suggested measures.

8.290 Vehicle Circulation System.

- (1) Purpose. The standards of this section are intended to ensure that** ~~On-site~~ **on-site vehicle** circulation ~~shall be~~ **is** clearly identifiable, safe, **and** pedestrian-friendly ~~and interconnected.~~

- (2) Applicability. Development in the** ~~These standards apply to multiple-family developments in all zoning districts except~~ **HD, DMU, CB and WF zoning districts on sites under three acres is exempt from these standards.** [Ord. 5894, 10/14/17]

- ~~(1) Internal vehicle circulation system of a multiple-family development shall be a continuation of the adjacent public street pattern wherever possible and promote street connectivity. Elements of the public street system that shall be emphasized in the internal circulation system include the block pattern, sidewalks, street trees, on-street parking and planter strips.~~

- ~~(2) The vehicle circulation system and building pattern shall mimic a traditional local street network and break the development into numerous smaller blocks with all of the public street system elements highlighted above. Private streets are acceptable unless a public street is needed to extend the public street grid. The connectivity and block length standards in Articles 11 and 12 apply to all public and private streets.~~

- ~~(3) The streets that form the primary internal circulation system may include parallel parking and accessways to parking bays or courts but should not be lined with head-in parking spaces.~~

- ~~(4) Interior roadways shall be designed to slow traffic speeds. This can be achieved by meandering the roadway, keeping road widths to a minimum, allowing parallel parking, and planting street trees to visually narrow the road.~~

[Ord. 5445, 4/12/00]

- (3) Interior drive aisles meeting the standards in subsections (3)(a) through (3)(c) are required when a connecting drive aisle is more than 100 feet in length. “Connecting drive aisles” provide a link between public or private streets and parking stalls and do not include those**

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drive aisles that are lined with angled or perpendicular parking stalls.

(a) Drive aisles shall have raised curbs and a minimum 5-foot wide sidewalk on at least one side, which is unobstructed by obstacles that would impede pedestrians, including overhanging cars.

(b) Drive aisles shall have a minimum 5-foot wide landscaped strip on at least one side of the drive aisle with trees planted in accordance with the standards in ADC 9.240(1).

(c) Traffic calming shall be provided through at least one of the following techniques:

i. Meandering the drive aisle to achieve a maximum design speed of 15 mph.

ii. Installing speed bumps or speed humps at a minimum interval of one every 300 feet of drive aisle. A minimum of one speed hump or speed bump must be provided if the drive aisle is less than 300 feet long.

iii. Providing parallel parking on at least one side for at least 50% of the length of the drive aisle.

iv. Planting trees on both sides along the full length of the drive aisle in accordance with the standards in ADC 9.240(1) to visually narrow the drive aisle.

Commentary: 8.300 Parking Location

Much of the original Parking section has been deleted, since most of the standards are redundant to other standards in Articles 8 and 9. The only standard that remains is the one requiring that parking be within 100 feet of building entrances. The proposed change would only require that 50% of units meet the 100-ft location requirement.

8.300 ~~Parking Location. Multiple family development shall provide attractive street frontages and visual compatibility with neighborhoods by minimizing the placement of parking lots along public streets.~~

(1) Purpose. The standards of this section are intended to ensure that residents of multiple-family developments have convenient access to parking areas on-site.

(2) Applicability. See Article 9 for additional parking lot standards. These standards apply in all zoning districts except HD, DMU, CB, and WF, which are subject to ADC Section 8.305. See Article 9 for additional parking lot standards. [Ord. 5894, 10/14/17]

~~(1) Parking lots, carports, and garages shall not be sited between multiple family buildings and the public local street unless site size and configuration make this impossible. Where available, private access to parking is encouraged.~~

(3) Parking areas shall be broken into numerous small parking bays and landscaped to minimize their visual impact. Large, uninterrupted rows of parking are prohibited. Required parking must be located within 100 feet of the building entrance for each a minimum of 50 percent of units in a development. The integration of garages into residential buildings is encouraged. [Ord. 5445, 4/12/00]

8.305 Parking and Access in the HD, DMU, CB, and WF Zoning Districts. These standards are intended to support a pedestrian-friendly street environment by minimizing the placement of parking lots along

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public streets and minimizing driveways that create the potential for pedestrian conflicts. They are also intended to preserve on-street public parking. See Article 9 for additional parking lot standards and Article 12 for additional access standards. [Ord. 5894, 10/14/17]

- (1) Parking between the building façade and the front lot line is not permitted. [Ord. 5894, 10/14/17]
- (2) Entrances to garages serving individual units shall not face a front lot line. [Ord. 5894, 10/14/17]
- (3) The minimum spacing between driveways shall be 25 feet, where reasonably feasible. The distance between driveways is measured along the front property line. [Ord. 5894, 10/14/17]
- (4) The standards of ADC Section 12.230 regarding design requirements abutting arterials do not apply. However, the standards of ADC 12.100 regarding limiting the location, width, and number of accesses to arterials do apply. [Ord. 5894, 10/14/17]
- (5) Parking areas within a building shall provide screening (such as landscaping or decorative metal panels) that provides at least 25 percent opacity for any street-facing openings other than entries or exhaust fan vents. [Ord. 5894, 10/14/17]

DRAFT

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COMMERCIAL AND INSTITUTIONAL SITE DESIGN

Commentary: **8.310 Purpose**

The overall purpose statement for Commercial and Institutional Site Design standards in Article 8 emphasizes the importance of the pedestrian environment. The proposed amendments would update 8.310 to remove the reference to “commercial districts” for clarity and consistency with the heading of the section.

- 8.310 **Purpose.** These sections are intended to set threshold standards for quality design in ~~new commercial, mixed use,~~ and institutional development, **and in the non-residential components of mixed-use development.** Good design results in buildings that are visually compatible with one another and adjacent neighborhoods and contribute to ~~a commercial district that is~~ **an** attractive, active, and safe **built environment.** ~~These qualities, in turn, contribute to the creation of commercial districts that facilitates~~ easy pedestrian movement and a rich mixture of land uses. [Ord. 5832, 4/9/14]

Commentary: **8.315 Applicability**

Currently, the standards in this section apply to commercial (e.g. retail and service businesses, offices, etc.) and institutional **uses** (e.g., utilities, schools, religious institutions, and hospitals, etc.) in all **zones**. Proposed amendments to the Applicability statement would exempt utility substations and other facilities that do not have on-site personnel, since special site and building design standards would not be appropriate for these types of buildings, and all development in the Heavy Industrial (HI) District.

The HI zoning district is proposed to be exempted because only limited commercial uses (and no non-exempt institutional uses) are allowed, and industrial uses are not subject to design standards. However, the Light Industrial (LI) and Industrial Park (IP) zoning districts are not exempted because a range of commercial and institutional uses are allowed in these districts, and the Development Code and Comprehensive Plan emphasize the importance of visual appearance of these areas and compatibility with nearby residential areas.

- 8.315 **Applicability.** These standards apply to the design of new development and to the expansion of existing developments where commercial and/or institutional uses, as defined in Article 22, are existing or proposed, including when such uses are part of a mixed-use development or live/work dwelling unit, **with the following exceptions:-**
- Modifications to existing developments for which the Director has waived review under the provisions of ADC Section ~~1.070~~ **1.105** are not subject to these standards.
 - **Utility substations and other utility facilities that do not have on-site personnel are not subject to these standards. However, telecommunication facilities are subject to other design standards in Article 8.**
 - **Only the non-residential portion of a mixed-use development is subject to these standards. New residential Units Above or Attached to a Business are subject to Multiple Family Design Standards as stated in Section 8.205.**

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Certain standards provide additional exemptions for modifications to existing sites or buildings. Unless otherwise specified, these standards apply in any **zoning** district **except the Heavy Industrial (HI) Zoning District**.

[Ord. 5445, 4/12/00; Ord. 5832, 4/9/14; Ord. 5894, 10/14/17]

Commentary: Section 8.320 Relationship to Historic Overlay Districts

No changes are proposed.

- 8.320 Relationship to Historic Overlay Districts. For property inside the Historic Overlay Districts and properties designated as Historic Landmarks, the provisions of Article 7 also apply. For development subject to historic review under Article 7, the review body may grant flexibility in meeting any of the design standards where necessary to achieve historic compatibility.

[Ord. 5445, 4/12/00; Ord. 5894, 10/14/17]

Commentary: 8.330 Entrance Orientation and Parking Location

The title of the Building Orientation section has been updated to reflect that the standards also address entry orientation and design. The purpose statement has been expanded to reference CPTED principles.

As currently written, these standards apply to all “development.” The amendments would limit applicability to new buildings (excluding accessory buildings), with existing buildings only required to “not decrease conformance.”

- 8.330 ~~Building~~ **Entrance Orientation and Parking Location**. ~~Building orientation and maximum setback standards are established~~ **The purpose of the entrance orientation and parking location standards is to help create an attractive streetscape and pleasant pedestrian environment that is conducive to walking, and to help further Crime Prevention Through Environmental Design (CPTED) principles such as natural surveillance of public spaces.** These standards apply **to new buildings (excluding accessory buildings)** in all zoning districts except HD, DMU, CB, and WF. Development in HD, CB, DMU, and WF shall demonstrate appropriate building orientation through compliance with maximum front setback standards in ADC Section 5.120. **Except as required to meet building code, fire code, or other regulations, expansions and modifications to existing buildings and sites shall not decrease conformance with these standards.**

[Ord. 5894, 10/14/17]

Commentary: 8.330(1) Main Entrance

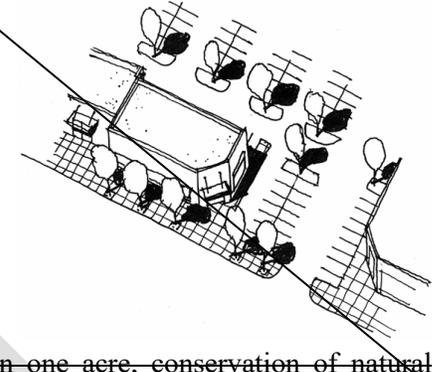
This section has been updated and clarified. Existing more general language regarding building orientation has been replaced with an easier to implement standard for main entrances. “Main entrance” is defined in Article 22. A reference was added to the Pedestrian Connection standards in ADC 8.370 that require a connection between the building main entry and the street. The existing standard requiring

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building entries to be “clearly defined” and “highly visible” was moved up from the end of the section and made clearer by specifying a menu of options.

- (1) **Main Entrance.** New buildings shall be oriented to existing or new public streets. Building orientation is demonstrated by placing buildings and their public entrances close to streets ~~so~~ **and providing** pedestrians ~~with~~ **have** a direct **connection** and convenient route from the street sidewalk to building entrances **in conformance with ADC 8.370(2)(b).**
- (a) ~~On sites smaller than three acres, new buildings shall be oriented to the public street/sidewalk and off street parking shall be located to the side or rear of the building(s), except where it is not feasible due to limited or no street frontage, the site is an infill site less than one acre, conservation of natural resources, or where there are access restrictions.~~ [Ord. 5832, 4/9/14]
- (b) ~~Buildings on sites larger than three acres may be setback from the public street and oriented to traffic aisles on private property if the on-site circulation system is developed like a public street with pedestrian access, landscape strips, and street trees.~~
- ~~(1) Customer entrances should be clearly defined, highly visible, using features such as canopies, porticos, arcades, arches, wing walls, and planters.~~ [Ord. 5445, 4/12/00; Ord. 5832, 4/9/14]



- (a) At least one main entrance, which is in compliance with subsection (1), must be designed to include at least three (3) of the following architectural features: canopy, portico, arcade, arch, wing wall, planters, recessed doorway, transom windows, ornamental light fixtures, larger or more prominent doors, pilasters or columns that frame the doorway, or other similar features that increase the visibility of the entrance for pedestrians.**
- (b) Buildings separated from the street by other buildings are exempt from this standard.**

Commentary: 8.330(2) Parking Location.

The existing list of exceptions to the requirement for parking to be located to the side or rear of buildings was generally retained and new exceptions were added, including constraints caused by site dimensions, preservation of trees, and topography. The exception for large sites over three acres was updated to remove confusing language regarding the circulation system being developed like a public street. Instead, for the parking lot to be allowed in front of the building on a large site, it needs to meet the special landscape standards for Large Parking Areas in Section 8.380.

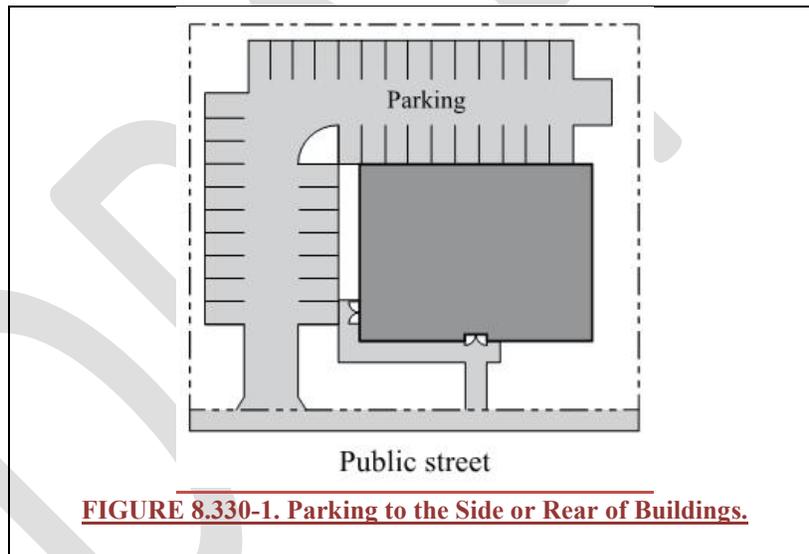
- (2) Parking Location. Off-street parking must be located to the side or rear of the building(s) and not between the building and the street, except where the applicant demonstrates that one or more of the situations listed in (a)-(e) below applies and the buffer standard in subsection (3) is met (see Figure 8.330-1). Adjustments to this standard pursuant to ADC 2.060-2.080 to allow parking in front of the building may be approved upon finding that the proposed setbacks are comparable to the setbacks on adjacent developed non-residential sites**

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and steps have been taken to mitigate the impact of parking in order to meet the purpose of the standard.

- (a) Locating parking to the side or rear of the building is not feasible due to the dimensions of the site including, but not limited to, the width, shape, or size of the site or the amount of site frontage.**
- (b) Locating parking to the rear or side of the building is not feasible due to the conservation of designated natural resources or the preservation of five or more trees over 25 inches in circumference (approximately 8 inches in diameter) or one or more individual trees equal to or greater than six and one-half feet in circumference (approximately 25 inches in diameter). Trees must be healthy specimens that can and will be retained and which are not exempt from site plan review for tree felling pursuant to ADC 9.204.**
- (c) Locating parking to the rear or side of the building is not feasible due to topographic constraints or natural hazards on the site.**
- (d) The site frontage is subject to access restrictions from a public street that would preclude placement of the parking to the side or rear of the building.**
- (e) The site is larger than three acres and the parking lot has been designed in accordance with the standards in Section 8.380, regardless of the number of parking spaces.**



Commentary: 8.330(3) Parking lot buffer

The new standard below requires a parking lot buffer when parking is located in front of the building. The intent is to mitigate the negative impacts of a large parking area being adjacent to the sidewalk. The proposed standard is intended to balance pedestrian comfort and convenience (which community members have expressed is important) with the desire for additional flexibility for site layout.

The proposed standard would require a 10-foot strip extending the length of the parking lot where it is adjacent to the street. This is already a requirement for arterial street frontages. Also, the minimum front

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setback in commercial and industrial zoning districts is 10 or 15 feet and parking is prohibited in that front setback. As such, a 10-foot buffer is consistent with existing standards.

(3) Parking Lot Buffer. Where a landscape buffer is required pursuant to subsection (2), a minimum ten-foot-wide landscape buffer meeting the landscaping standards in ADC 9.240 must be placed between the parking area and the street, running the length of the parking area. In zoning districts that require a landscaped front setback, the parking lot buffer requirement may be met by the required front setback standard if landscape plantings are provided at the same or greater density.

Commentary: 8.340 General Building Design
 The proposal is to delete Section 8.340 and to update and apply Section 8.345 (which currently applies only to the downtown zones) to all commercial and institutional development.

~~8.340 — **General Building Design.** The following standards apply in all zoning districts except HD, CB, DMU, and WF, which are subject to ADC Section 8.345. New commercial buildings shall provide architectural relief and interest, with emphasis at building entrances and along sidewalks, to promote and enhance a comfortable pedestrian scale and orientation. Blank walls shall be avoided except when not feasible. [Ord. 5555, 2/7/03; Ord. 5894, 10/14/17]~~

~~(7) — Ground floor windows shall be provided along frontages adjacent to sidewalks. The main front elevation(s) of buildings shall provide windows or transparency at the pedestrian level in the following minimum proportions:~~



TABLE 8-1. Required window percentages by district.

District	% Ground Floor Windows
RC, CC, NC, OP, MUC	25%
MS, LE, PB, ES, MUR, WF	50%

~~[Ord. 5555, 2/7/03, Ord. 5556, 2/21/03; Ord. 5894, 10/14/17]~~

~~The minimum window and door requirements are measured between two and eight feet from the ground. Only the glass portion of doors may be used in the calculation. [Ord. 5555, 2/7/03]~~

~~If there are upper floor windows, they shall continue the vertical and horizontal character of the ground level windows.~~

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- (3) ~~Walls that are visible from a public street shall include a combination of architectural elements and features such as offsets, windows, entry treatments, wood siding, brick, stucco, synthetic stucco, textured concrete block, textured concrete), and landscaping. [Ord. 5445, 4/12/00]~~

Commentary: 8.345 Façade design, articulation, and windows

This section has been updated to apply to all zones (not just downtown). The approach taken in the downtown standards better defines which facades are regulated and uses a clearer and more objective menu-based approach. Community members have indicated that having ground floor windows is important but that the window requirements should vary depending on the type of building, use, street, or part of town. The proposed amendments would also mean that the statement limiting applicability to new buildings (with existing buildings only required to “not decrease conformance”) would apply in all zones.

8.345 Façade design, articulation, and windows in the HD, DMU, CB, and WF Zoning Districts. The following standards are intended to provide architectural relief and interest and to promote pedestrian-oriented design. These standards apply to new buildings (excluding accessory buildings). Except as required to meet building code, fire code, or other regulations, expansions and modifications to existing buildings and sites shall not decrease conformance with these standards. [Ord. 5894; 10/14/17]

- (1) Regulated façades. The following standards apply to any façade that faces toward or within 45 degrees of a front lot line, with the exceptions below. See definition of front lot line in Article 22 for application on lots with multiple frontages; however, a lot line abutting First or Second Avenue shall always be considered a front lot line for purposes of these standards. A Willamette River setback line established pursuant to ADC 5.200 through 5.207 may be considered a front lot line for purposes of these standards. [Ord. 5894; 10/14/17]
- (a) Where there is more than one building on the site, these standards do not apply to any portion of a building that is separated from the front lot line by another building, based on a line perpendicular to the front lot line (see Figure 8.345-1-7). [Ord. 5894; 10/14/17]
- (b) Accessory buildings less than 750 square feet are exempt from these standards. [Ord. 5894; 10/14/17]

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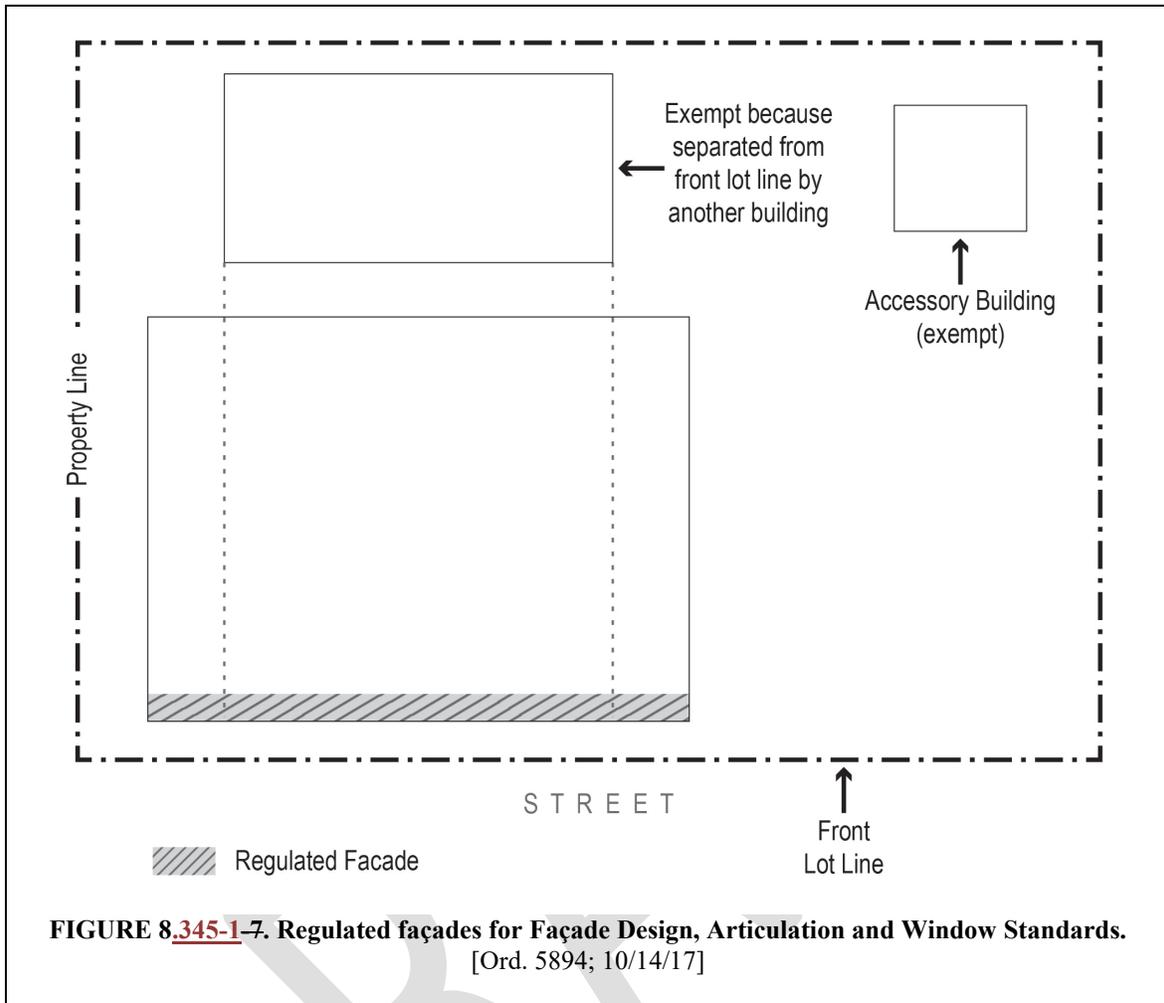


FIGURE 8.345-1-7. Regulated façades for Façade Design, Articulation and Window Standards.
[Ord. 5894; 10/14/17]

- (2) Façade design and articulation. In order to promote buildings that provide visual interest and façade details that give a sense of quality and permanence, regulated façades shall include a minimum of two types of architectural features from the list below. Buildings that include units above or attached to a business may use features listed in ADC 8.255(2) to meet this standard as well as those listed below; however, features included in both lists may only be counted once.
- [Ord. 5894; 10/14/17]
- (a) Recessed entrance(s): three to six feet deep. [Ord. 5894; 10/14/17]
 - (b) Inset windows: windows inset 4 inches to 18 inches from the adjacent building façade. [Ord. 5894; 10/14/17]
 - (c) Weather protection: awnings or other weather protection constructed of durable materials that extend at least four feet in horizontal distance from the building wall ~~overall~~ **over all** public entrances. [Ord. 5894; 10/14/17]
 - (d) Decorative top: e.g., cornice, pediment, or parapet with a flat roof. [Ord. 5894; 10/14/17]
 - (e) Other: feature not listed but providing visual relief or contextually appropriate design similar to options a-d. [Ord. 5894; 10/14/17]

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- (3) **Ground Floor Windows**. Ground floor windows or entrance doors shall be provided along regulated façades at the pedestrian level in accordance with the standards below.

[Ord. 5894; 10/14/17]

- (a) The minimum required percentage of the ground floor façade, ~~measured between 2 and 8 feet above grade,~~ that must contain windows is specified in Table 8.**345-1-2** by zoning district. **The ground floor façade subject to this standard shall be the area measured between 2 and 8 feet above grade.**

[Ord. 5894; 10/14/17]

Commentary: Table 8.345-1 Required ground-floor window percentages by district

The proposed amendments for zoning districts outside the downtown area amounts to a reduced window coverage requirement compared to what is in the Code today. The amendments would keep the current minimum window coverage standards (25% or 50%, depending on the district) just for the “primary façade” and require a lesser coverage standard if there is a “secondary” regulated street-facing façade (e.g., on a corner lot). There are also exceptions to the secondary façade requirement in 8.345(3)(b) to allow additional flexibility.

TABLE 8.345-1-2. Required ground-floor window percentages by district: ~~HD, CB, DMU~~ and ~~WF~~ zoning districts.

District	% Windows
<u>RC, CC, NC, OP, MUC</u> <i>(see 8.345(3)(b))</i> <i>(see Figure 8.345-2)</i>	<u>25% – one primary façade</u> <u>15% – one secondary façade</u>
<u>MS, LE, PB, ES, MUR</u> <i>(see 8.345(3)(b))</i>	<u>50% – one primary façade</u> <u>25% – one secondary façade</u>
WF <i>(see 8.345(3)(c))</i>	50%
CB, DMU <i>(see 8.345(3)(c))</i>	60%
HD <i>(see 8.345(3)(c))</i>	75%

Commentary: 8.345(3)(b)

Subsection (b) below defines “primary façade” and “secondary façade.” The primary façade is the one with the main building entrance, if applicable; if not, it is the longest regulated (i.e., street-facing) façade. The standards provide some flexibility to applicants in cases where there is no clear distinction between the primary and secondary facades. In these cases, the applicant can choose which façades to define as primary and secondary, or can distribute the window requirements between the two facades.

This subsection provides additional flexibility by allowing exceptions to the minimum window coverage standard for secondary facades. Exceptions are allowed when the secondary façade is more than 50 ft from the street, when it is used for loading, or when it is screened from the street.

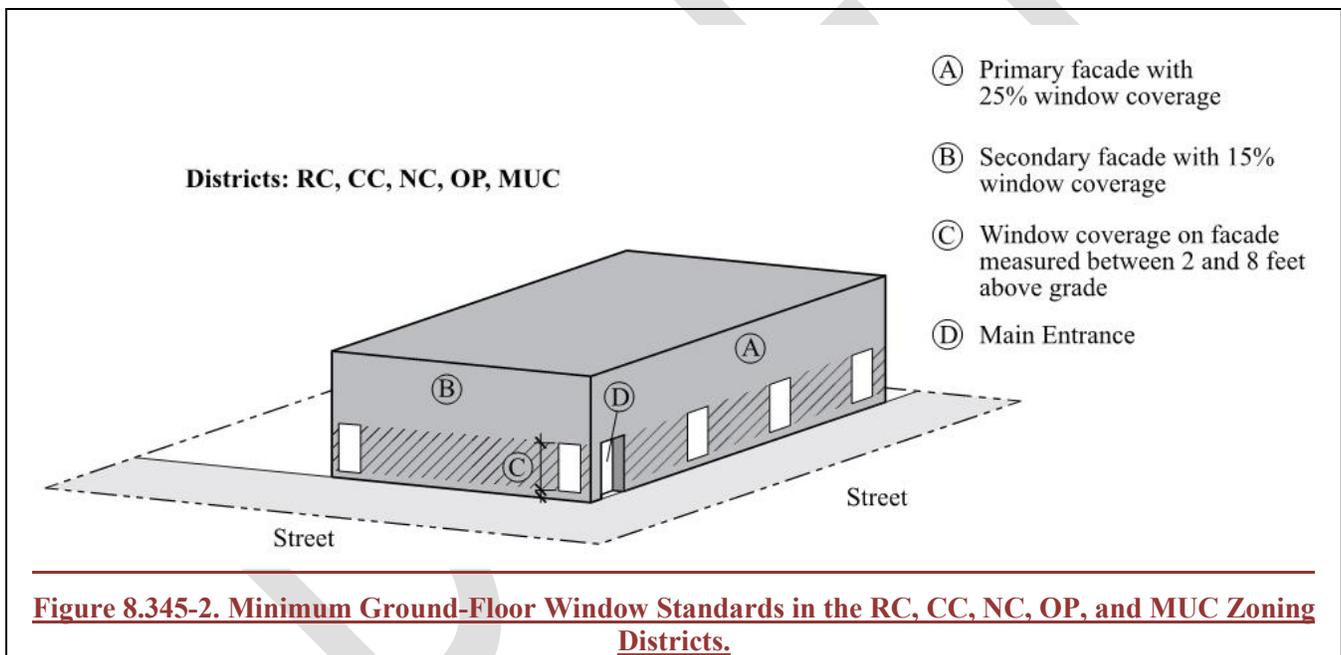
(b) For the ground floor window requirements in the RC, CC, NC, OP, MUC, MS, LE, PB, ES, and MUR zones, “primary façade” means a regulated facade that includes a main

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entrance pursuant to ADC 8.330. “Secondary façade” means a regulated façade on a lot with two or more frontages that is not the primary façade. If there is no façade which meets the definition of “primary façade,” the primary façade shall be the longest regulated façade. If more than one façade meets the definition of “primary façade,” then the applicant can choose which regulated façade shall be subject to the primary façade standard and which regulated façade shall be subject to the secondary façade standard or they can distribute the required windows across both façades. (See Figure 8.345-2, which illustrates minimum ground-floor window coverage on primary and secondary façades in the RC, CC, NC, OP, and MUC zoning districts.) No minimum ground-floor windows are required for secondary façades if an applicant demonstrates that one or more of the situations applies:

- i. The façade is more than 50 feet from the street.**
- ii. More than 70 percent of the façade contains loading bays or docks.**
- iii. The façade is screened from the street by another structure or by a sight-obscuring hedge, wall, or fence with a minimum height of 6 feet.**



(c) In the CB, DMU, and HD zoning districts, building elevations that are separated from the street by a rail line require at least 50 percent windows. [Ord. 5894; 10/14/17]

(d) ~~(b)~~ In order to count towards the required window area, windows must meet all of the criteria in (i) through (iii), below. [Ord. 5894; 10/14/17]

- i. Made of transparent material with a minimum visible transmittance of 0.5. (The transparent portion of doors may count towards required window areas.) Windows with a visible transmittance rating less than 0.5 and windows that are frosted, fritted, patterned, or obscure may be counted towards up to half of the required window area provided that the ground-floor windows in total allow views from the building to the street.

[Ord. 5894; 10/14/17]

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- ii. Located in any part of the building except garages and parking areas. [Ord. 5894; 10/14/17]
- iii. Face towards or within 45 degrees of the front lot line. [Ord. 5894; 10/14/17]

Commentary: 8.345(4) Windows on upper stories

No change in current practice; added clarifying text only.

- (4) Windows on upper stories. ~~Buildings~~ **In the HD, CB, DMU and WF zoning districts, buildings** with two or more stories shall provide windows occupying at least 25 percent of the regulated façade on the upper stories. Windows on upper stories must meet all of the criteria in (a) through (c), below. [Ord. 5894; 10/14/17]
 - (a) Made of transparent material with a minimum visible transmittance of 0.4. (The transparent portion of doors may count towards required window areas.) Windows with a visible transmittance rating less than 0.4 and windows that are frosted, fritted, patterned, or obscure may be counted towards up to half of the required window area provided that the windows in total allow views from the building to the street. [Ord. 5894; 10/14/17]
 - (b) Located in any part of the building except garages and parking areas. [Ord. 5894; 10/14/17]
 - (c) Face towards or within 45 degrees of the front lot line. [Ord. 5894; 10/14/17]

Commentary: 8.350 Street Connectivity and Internal Circulation

The purpose statement has been expanded to provide better guidance for an Adjustment.

- 8.350 Street Connectivity and Internal Circulation. The following standards emphasize the importance of connections and circulation between uses and properties. **They are intended to promote efficient circulation between properties and a pedestrian-friendly street edge and to improve safety for both drivers and pedestrians.**
- (1) Applicability. The standards apply to both public and private streets. Development in the HD, DMU, CB and WF zoning districts on sites under three acres is exempt from these standards. [Ord. 5894; 10/14/17]

Commentary: 8.350(2) Connectivity between sites

Subsection (2) has been reworded to make its intent a bit clearer.

- (2)~~(1)~~ **Connectivity between sites.** To promote connectivity and dispersal of traffic and efficient circulation between properties, new development ~~New commercial buildings~~ may be required to provide street or driveway stubs and reciprocal access easements to, **and for, adjacent properties.** ~~promote efficient circulation between uses and properties, and to promote connectivity and dispersal of traffic.~~

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Commentary: **8.350(3) Internal circulation system**

The requirement to mimic a local street network and break the development into blocks has been reworked to make it clearer and easier to interpret. The proposed amendments would require drive aisles longer than 100' to have design features that somewhat mimic a public street, including curbs, sidewalks on at least one side, and a landscape strip planted with trees on at least one side.

(3) Internal circulation system.

(a) Interior drive aisles meeting the standards in subsection (b) are required when a connecting drive aisle is more than 100 feet in length. "Connecting drive aisles" provide a link between public or private streets and parking stalls and do not include those drive aisles that are lined with angled or perpendicular parking stalls.

(b) Interior drive aisles required by subsection (a) shall meet standards (i) through (iv), below. See Figure 8.350-1.

- i. Drive aisles shall have raised curbs and a minimum 5-foot wide sidewalk on at least one side, which is unobstructed by obstacles that would impede pedestrians, including overhanging cars.**
- ii. Drive aisles shall have a minimum 5-foot wide landscaped strip on at least one side of the drive aisle with trees planted in accordance with the standards in ADC 9.240(1).**
- iii. Traffic calming shall be provided through at least one of the following techniques:**
 - Meandering the drive aisle to achieve a maximum design speed of 15 mph.**
 - Installing speed bumps or speed humps at a minimum interval of one every 300 feet of drive aisle. A minimum of one speed hump or speed bump must be provided if the drive aisle is less than 300 feet long.**
 - Providing parallel parking on at least one side for at least 50% of the length of the drive aisle.**
 - Planting trees on both sides along the full length of the drive aisle in accordance with the standards in ADC 9.240(1) to visually narrow the drive aisle.**

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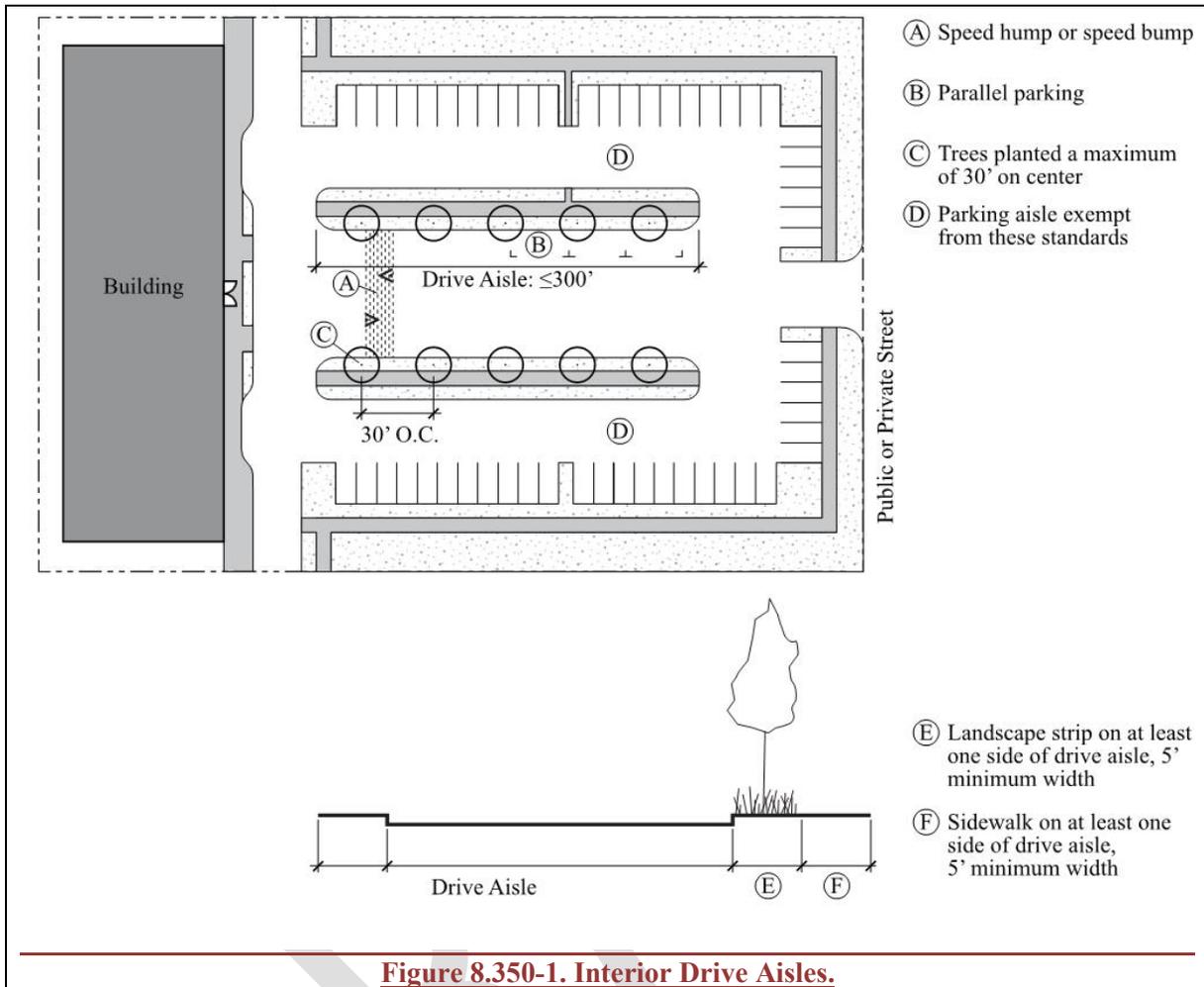


Figure 8.350-1. Interior Drive Aisles.

~~(4)(2)~~ **(4)(2)** The internal vehicle circulation system of a commercial development **Drive aisles** shall continue the adjacent public street pattern wherever possible and promote street connectivity. The vehicle circulation system shall mimic a traditional local street network and break the development into numerous smaller blocks.

~~(5)(3)~~ **(5)(3)** Traffic-**Drive** aisles shall not be located between the building(s) and the sidewalk(s), except as provided in ~~(4)~~ **(4)(a) or (b)** below: ~~or~~

(a) ~~Where~~ **Where** drive-through windows are permitted, sites are constrained by natural resources, or are infill sites less than one acre. [Ord. 5832, 4/9/14]

(b) ~~(4)~~ **(4)** Where drop-off facilities are provided, they shall be **that have been** designed to meet the requirements of the Americans with Disabilities Act but **that** still provide for direct pedestrian circulation.

~~(5)~~ **(5)** Internal roadways shall be designed to slow traffic speeds. This can be achieved by keeping road widths to a minimum, allowing parallel parking, and planting street trees to visually narrow the road.

[Ord. 5445, 4/12/00]

Amendments to the Albany Development Code (ADC)

Draft code amendments are written as follows: additions **bold red underlined** and deletions in ~~strike-out~~. Sections not amended are omitted unless needed for context. Omitted sections are indicated by asterisks: ***

8.360 Pedestrian Amenities. The following standards apply in all zoning districts except HD, CB, DMU, and WF, which are subject to ADC Section 8.365. ~~Amenities such as awnings, seating, special paving, and planters can have a dramatic effect on the pedestrian environment. Commercial developers should give as much thought to the pedestrian environment as they give to vehicle access, circulation, and parking.~~ **The purpose of the pedestrian amenity requirements is to enhance pedestrian comfort by providing awnings, seating, special paving, and planters and similar improvements.** The standards for pedestrian amenities are related to the scale of the development and also provide the flexibility for the developer to select the most appropriate amenities for the particular site and use.

[Ord. 5894, 10/14/17]

~~(1) All new commercial structures and improvements to existing sites shall provide pedestrian amenities. The number of pedestrian amenities shall comply with the following sliding scale:~~

<u>Size of Structure or Improvement</u>	<u>Number of Amenities</u>
Less than 5,000 sf	1
5,000 – 10,000 sf	2
10,001 – 50,000 sf	3
More than 50,000 sf	4

(1) Required number of amenities. New buildings or expansions or modifications to existing buildings except those where a land use application is not required pursuant to ADC Section 1.105 shall provide pedestrian amenities with a total point value not less than the amount shown in Table 8.360-1. The point value of each pedestrian amenity is specified in Table 8.360-2.

Amendments to the Albany Development Code (ADC)

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TABLE 8.360-1: Required Pedestrian Amenities

<u>Proposed New Building Area</u>	<u>Required Pedestrian Amenities Points</u>
<u>0 sf – 20,000 sf</u>	<u>1 point per 2,500 sf</u>
<u>More than 20,000 sf</u>	<u>1 point per 2,500 sf for the first 20,000 sf plus 1 point per 5,000 sf for new building area over 20,000 sf up to a maximum of 20 points</u>

(8) ~~Acceptable pedestrian amenities include the following improvements. No more than two of any item may be used to fulfill the requirement:~~

- ~~(e) Sidewalks at least 10 feet wide with ornamental treatments (e.g., brick pavers), or sidewalks that are 50 percent wider than required by the Code.~~
- ~~(p) Benches or outdoor public seating for at least four people.~~
- ~~(q) Sidewalk planter(s) enclosing a total of 8 square feet.~~
- ~~(r) Pocket parks or decorative gardens (minimum usable area of 300 square feet).~~
- ~~(s) Plazas (minimum usable area of 300 square feet).~~
- ~~(t) Street trees 50 percent larger than required by the Code.~~
- ~~(u) Weather protection (awnings, etc.).~~
- ~~(v) Other pedestrian amenities that are not listed but are similar in scale and benefit.~~

(3) ~~Pervious pedestrian amenities can include approved vegetated post-construction stormwater quality improvements.~~ [Ord. 5842, 1/01/15]

(2) Value of amenities. The point value of acceptable pedestrian amenities is specified in Table 8.360-2. Pedestrian amenities shall be installed on private property except where otherwise noted.

TABLE 8.360-2: Point Value of Pedestrian Amenities

<u>Amenity</u>	<u>Point Value</u>
<u>Sidewalks with ornamental treatments (e.g., brick pavers) that are either at least 10 feet wide or 50 percent wider than required by the Code, whichever is larger</u>	<u>1 point for every 10 lineal feet of sidewalk</u>
<u>Benches or outdoor public seating (maximum of 4 points)</u>	<u>1 point for seating for 4 people</u>
<u>Bicycle parking – standard spaces (maximum of 4 points)</u>	<u>1 point for every 5 spaces provided beyond the minimum Code requirement</u>
<u>Bicycle lockers (maximum of 10 points)</u>	<u>1 point for every locker</u>

Amendments to the Albany Development Code (ADC)

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<u>Amenity</u>	<u>Point Value</u>
<u>Sidewalk planter(s) enclosing a minimum of 8 square feet (maximum of 4 points)*</u>	<u>1 point for every planter provided beyond the minimum Code requirement</u>
<u>Pocket parks or plazas with a minimum area of 300 square feet*</u>	<u>10 points for every park or plaza</u>
<u>Planting trees that are 50 percent larger than required by Code or planting more trees than required by Code. (maximum 4 points)</u>	<u>1 point for every 4 trees</u>
<u>Weather protection (awnings, etc.) which overhangs the sidewalk or walkway by a minimum of 4 feet. Awnings or other weather protection must be constructed of durable materials. (maximum of 10 points)</u>	<u>1 point for every 5 lineal feet of weather protection</u>
<u>Decorative fountain or other public art. Public art, including decorative fountains, must be approved by the City Arts Commission (maximum of 10 points)*</u>	<u>Point value to be determined by the City based on other amenities similar in scale and benefit</u>
<u>Other pedestrian amenities that are not listed above* (maximum of 10 points)</u>	<u>Point value to be determined by the City based on other amenities similar in scale and benefit.</u>
<u>* Approved vegetated stormwater quality facilities may be incorporated into the amenity.</u>	

(4)(3) Additional standards for pedestrian amenities. Pedestrian amenities shall meet the following standards:

- (a) Amenities shall be located outside the building main entrance, along pedestrian corridors, or ~~near transit stops~~ **within 50 feet of a transit stop**. Amenities shall be visible and accessible to the general public from an improved public or private street. **Amenities may be located within the public right-of-way if approved by the Public Works Director or designee. Public access must be provided to pocket parks, plazas, and sidewalks.** ~~Access to pocket parks, plazas, and sidewalks must be provided by a public right of way or a public access easement.~~
- (b) Amenities are not subject to setback requirements.
- (c) Amenities are ~~are~~ **should be** consistent with the character and scale of surrounding developments. For example, the similarity in awning height, bench style, planter materials, street trees, and pavers is recommended to foster continuity in the design of pedestrian areas. Materials should be suitable for outdoor use **and permanently maintained,** ~~easily maintained, and have a reasonably long life cycle (e.g., ten years before replacement).~~ [Ord. 5445, 4/12/00]

(d) Amenities existing on the development site may be used to meet the requirement in subsection (1) for new building area provided that their point value is in excess of the number of points that would be required if the current standards were applied to the existing level of development on the site.

Amendments to the Albany Development Code (ADC)

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8.365 Pedestrian Amenities in the HD, CB, DMU, and WF zoning districts. Pedestrian amenities are required in the HD, CB, DMU and WF zoning districts. The purpose of the pedestrian amenity requirements is to enhance the pedestrian environment. Because the sidewalk area is the most important element of the pedestrian environment in an urban setting, these standards focus primarily on sidewalk enhancements. The standards in (1)-(3), below, apply to the following development within the HD, CB, DMU, and WF zoning districts: new buildings (excluding accessory buildings); expansions or modifications to existing buildings that are not covered under ADC Section ~~4.070~~**1.105**(7); and any development that requires sidewalk improvements. The City Engineer may waive the requirement to provide pedestrian amenities where public streetscape improvement projects that include pedestrian amenities have been completed or are planned. [Ord. 5894, 10/14/17]

- (1) Each development shall provide a minimum of one of the following improvements. [Ord. 5894, 10/14/17]
 - (a) Street trees in tree wells along the public street frontage, excluding any driveways. Development on lots with multiple frontages must meet this standard on all frontages. Street trees shall be selected from the list of approved street trees established by the City and meet all applicable spacing standards. [Ord. 5894, 10/14/17]
 - (b) Benches or outdoor public seating for at least four people. Benches or seating must be located in a public right of way or be accessible to the general public (including providing a public access easement) and visible from the sidewalk. [Ord. 5894, 10/14/17]
 - (c) Pocket parks or plazas with a minimum usable area of 100 square feet. Public access must be provided by a public right-of-way or a public access easement, and the pocket park or plaza must be visible from the sidewalk. [Ord. 5894, 10/14/17]
 - (d) Continuous weather protection (awnings, etc.) along all building façades adjacent to (within one foot of) the sidewalk. Awnings or other weather protection must be constructed of durable materials and extend at least 4 feet in horizontal distance from the building wall. [Ord. 5894, 10/14/17]
 - (e) Pedestrian-scale street lights along the full site frontage, excluding any driveways. Development on lots with multiple frontages must meet this standard on all frontages. Suitable light fixtures and spacing shall be determined by the City Engineer for consistency with publicly-installed light fixtures and lighting specifications. [Ord. 5894, 10/14/17]
 - (f) Other pedestrian amenities that are not listed but are similar in scale and benefit. [Ord. 5894, 10/14/17]
- (2) Improvements within the public right of way require the approval of the City Engineer. [Ord. 5894, 10/14/17]
- (3) Materials should be suitable for outdoor use, easily maintained, and have a reasonably long life cycle (e.g., ten years before replacement). [Ord. 5894, 10/14/17]

8.370 Pedestrian and Bicycle Connections. **The intent of these standards is to help ensure convenient pedestrian and bicycle access to nearby streets, adjacent uses, and transit stops in compliance with the Transportation Planning Rule (OAR 660-012).** The following standards apply in all zoning districts except HD, CB, DMU, and WF, where pedestrian connections are provided by existing sidewalks and small block sizes.

[Ord. 5894, 10/14/17]

Amendments to the Albany Development Code (ADC)

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- ~~(1) New retail, office and institutional buildings at or near existing or planned transit stops shall provide convenient pedestrian access to transit.~~
- ~~(2) Walkways shall be provided that connect building entrances and streets adjoining the site.~~
- ~~(3) Pedestrian connections to adjoining properties shall be provided except where impractical. Pedestrian connections shall connect the onsite circulation system to existing or proposed streets, walkways, and driveways that abut the property. When adjacent properties are undeveloped or have the potential to be redeveloped, streets, accessways, and walkways on site shall be laid out or stubbed to allow for an extension to the adjoining property.~~

(1) Definitions. The following definitions shall apply for the purposes of this section:

- (a) “Direct and convenient” means the route is not more than 120 percent of the straight-line distance except as necessary to accommodate topographic constraints, natural resources or hazards.**
- (b) “Major transit stop” means transit transfer stations and any additional stops designated as “major transit stops” in the Transportation System Plan.**
- (c) For the purposes of this section, “impractical” “Impractical” means where one or more of the following conditions exist:**
 - i. (a) Physical or topographic conditions make a connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided;**
 - ii. (b) Buildings or other existing development on adjacent land physically preclude a connection now or in the future considering the potential for redevelopment; or**
 - iii. (c) Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.**

(2) Pedestrian and bicycle connections required. Except where impractical, pedestrian and bicycle connections shall be provided in the following locations:

- (a) Between an existing or planned transit stops and new development that is at, or within, 200 feet of the existing or planned transit stop. Development sites at major transit stops are also subject to subsection (3).**
- (b) A direct and convenient pedestrian route shall be provided between the building main entrance(s) and the nearest sidewalk abutting the site or roadway where there is no sidewalk. A direct and convenient bicycle route shall be provided between the bicycle parking and the nearest bicycle path abutting the site or roadway where there is no bicycle path.**
- (c) Between the development site and abutting properties. Pedestrian and bicycle connections shall connect the onsite circulation system to existing or proposed walkways and bicycle routes, respectively, that abut the property. When abutting properties are undeveloped or have the potential to be redeveloped, accessways and walkways on site shall be laid out or stubbed to allow for an extension to the abutting property.**

(3) On Major Transit Stops. Except where impractical, sites at major transit stops shall provide

Amendments to the Albany Development Code (ADC)

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the following:

- (a) Either locate buildings within 20 feet of the transit stop, a transit street or an intersecting street or provide a pedestrian plaza at the transit stop or a street intersection;
- (b) A ~~reasonably~~ **direct and convenient** pedestrian connection between the transit stop and building entrances on the site;
- (c) A transit passenger landing pad accessible to disabled persons;
- (d) An easement or dedication for a passenger shelter, if requested by the transit provider; and
- (e) Lighting at the transit stop. [Ord. 5281, 3/26/97; Ord. 5445, 4/12/00]

(4) Pedestrian and bicycle connections standard. Pedestrian and bicycle accessways shall be constructed of concrete, asphalt, brick or masonry pavers, or other hard surface, and not less than five feet wide.

8.380 ~~Large Parking Areas. The amount of parking needed for larger commercial development~~ **by some developments** can result in a large expanse of pavement. Landscaping in a parking area shall be incorporated. **The purpose of these standards is to help ensure that landscaping is incorporated into parking lot design** in a manner that is both attractive and easy to maintain, **that** minimizes the visual impact of surface parking, and **that** improves environmental and climatic impacts (Figure 8.380-1-6). **These standards are also intended to help ensure pedestrian safety and comfort within large parking lots.** In addition to the provisions of Article 9, the following standards apply to commercial development when more than 75 parking spaces are proposed and/or modified.
[Ord. 5886, 1/6/17]

(1) Applicability. In addition to the provisions of Article 9, the following standards apply when more than 75 new parking spaces are proposed or when the re-construction of a parking area with more than 75 spaces is proposed (i.e., when pavement, curbs, and planter bays are completely replaced).

~~(1) Walkways are necessary for persons who will access the site by walking, biking or transit. A continuous pedestrian walkway at least 7 feet wide shall be provided from the primary frontage sidewalk to the customer entrance for each building. This internal walkway shall incorporate a mix of landscaping, benches, drop-off bays and bicycle facilities for at least 50 percent of the length of the walkway. The walkways must be designed for access by disabled persons. If the walkway crosses a parking area or vehicle aisle, the standards in Subsection (2) below apply.~~

(2) Walkways. When a required pedestrian walkway connecting a main building entrance to the street, pursuant to ADC 8.370(2)(b), must cross a large parking area with more than 75 spaces, standards (a) and (b) below shall apply.

(a) The walkway shall be at least 7 feet wide and must meet standards for an accessible path of travel in accordance with the Americans with Disabilities Act (ADA).

(b) The walkway shall incorporate a mix of landscaping, benches, and drop-off bays for at least 50 percent of the length of the walkway.

(3)(2) For the safety of pedestrians, parking lots shall be designed to separate pedestrians from vehicles and include protected pedestrian walkways from parking areas to building entrances. Walkways shall be protected by landscaping, curbs, or parking bumpers. Walkways may cross a vehicle aisle if distinguished by a color, texture or elevation different from the parking and driving areas. Walkways shall not share a vehicle aisle. [Ord. 5886, 1/6/17]

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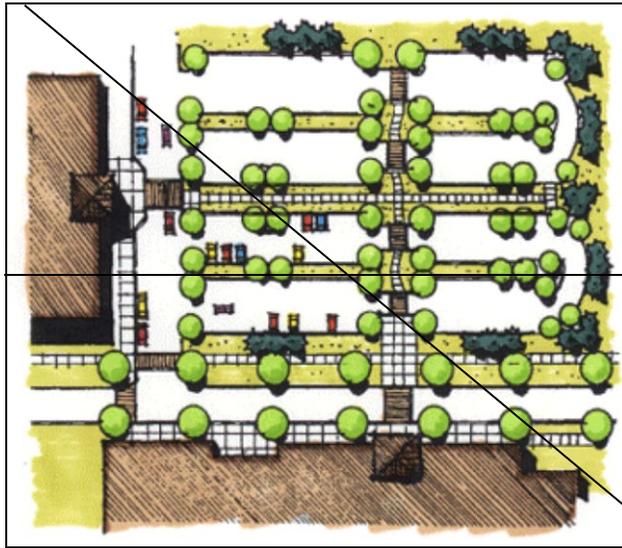


FIGURE 8-6. Sample parking area landscape design.

- ~~(3) The parking area shall be divided into pods of no more than 75 spaces each with landscape strips, peninsulas, or grade separations to reduce the visual impact of large expanses of paving, to direct vehicular traffic through the parking lot, and to provide a location for pedestrian walkways.~~

~~[Ord. 5886, 1/6/17]~~

- ~~(4) Pods may have access at one or both ends. A pod may be U-shaped with double access at one end.~~

- ~~(5) Pods shall be separated with physical breaks by providing one or more of the following: building pads, pedestrian walkways, landscape strips, landscaped pedestrian walkways, interior streets or accessways.~~

- ~~(a) Pedestrian walkways used for pod separation shall have a minimum unobstructed width of five feet with no car overhang; 7' 6" wide for car overhang on one side; or ten feet wide with a car overhang on both sides.~~

- (4) Parking Subareas. To reduce the visual impact of large expanses of paving, to direct vehicular traffic through the parking lot, and to provide a location for pedestrian walkways, parking areas shall be divided into subareas of no more than 75 parking spaces each. Parking subareas shall be separated from each other with physical breaks by providing one or more of the following: building pads, landscape strips, landscaped pedestrian walkways, interior streets, or accessways. Landscape strips or landscaped pedestrian walkways used for subarea separation shall meet the following standards.**

- (a)(b) Landscape strips used for pod separation shall have a minimum landscape strip width of five feet that is unobstructed by obstacles that would impede landscape viability, including overhanging cars with no car overhang; 7' 6" wide for car overhang on one side; or ten feet wide with a car overhang on both sides.**

- (b)(c) Landscaped pedestrian walkways used for pod separation shall have a minimum unobstructed walkway width of five feet. Landscaping may be on one or both sides of a pedestrian walkway, with a minimum landscape strip width of five feet when provided.**

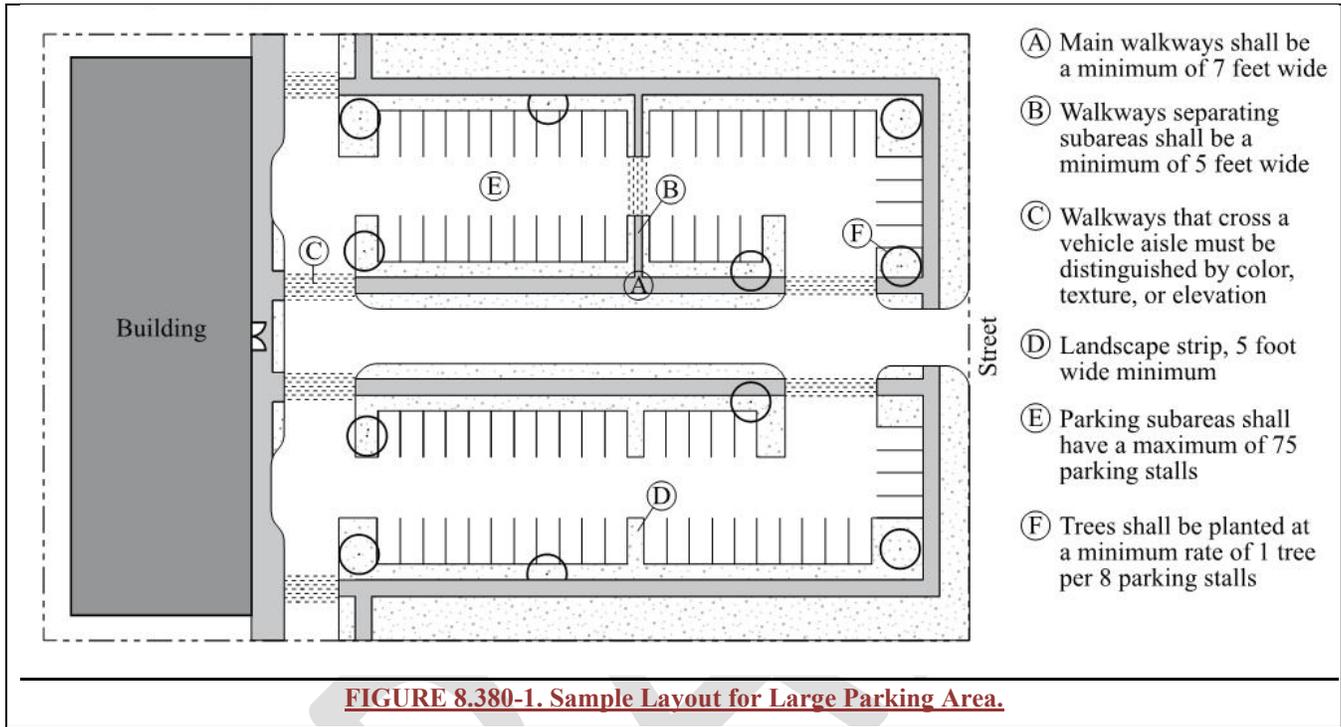
~~[Ord. 5886, 1/6/17]~~

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(5)(6) Landscaping for large parking areas shall consist of at least seven (7) percent of the total parking area plus one tree per eight parking spaces to create a canopy effect. The total parking area includes parking spaces, travel aisles, sidewalks and abutting landscaped areas.

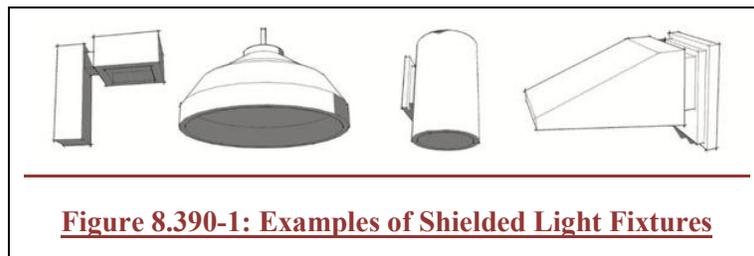
[Ord. 5445, 4/12/00]



8.390 **Compatibility Standards - Details**. Attention to detail can significantly increase the compatibility of commercial **and institutional** development with adjacent uses. Commercial **and institutional** development shall be designed to comply with the following **compatibility standards and any other improvements needed to reduce negative impacts on adjacent uses** applicable details and any other details warranted by the local conditions:

(1) ~~On site lighting is arranged so that light is reflected away from adjoining properties and/or streets.~~

(1) Light shielding. Any light source or lamp that emits more than 900 lumens (15 watt fluorescent/LED or 60 watt incandescent) shall be concealed or shielded with an Illumination Engineering Society of North America (IESNA) full cut-off style fixture with an angle not exceeding 90 degrees to minimize the potential for glare and unnecessary diffusion on adjacent property. Examples of shielded light fixtures are shown in Figure 8.390-1.



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- (2) **On site impacts.** Any undesirable impacts produced on the site, such as noise, glare, odors, dust, or vibrations have been adequately screened from adjacent properties.
- (3) **Off site impacts.** The site is protected from any undesirable impacts that are generated on abutting properties.
- ~~(4) Unsightly exterior improvements and items such as trash receptacles, exterior vents, and mechanical devices have been adequately screened.~~
- ~~(5) Storage areas, trash collection facilities and noise generating equipment are located away from public streets, abutting residential districts or development, or sight obscuring fencing has been provided.~~
- (4) Screening. Service areas, equipment, utilities and similar exterior improvements shall be screened as provided in (a) through (c) below and must meet the standards in (d).**
 - (a) Service areas, such as waste and recycling containers, outdoor storage, and ground-level mechanical equipment shall be screened by a sight-obscuring fence, wall, or hedge.**
 - (b) Roof-mounted equipment or utilities shall be screened by a parapet wall or sight-obscuring structure or located so that it is not visible from abutting public rights-of-way.**
 - (c) Wall-mounted equipment or utilities shall be architecturally incorporated into the building or shall be screened by a sight-obscuring fence, wall, hedge, or structure.**
 - (d) Screening required in subsections (a) through (c) above must be of appropriate height and width so that the item to be screened is not visible from a public sidewalk or from abutting residential districts or development. Hedge screens must be composed of evergreen shrubs that will grow to form a continuous hedge that is sight-obscuring within two years of planting.**
- ~~(6) Where needed, loading facilities are provided on site and are of sufficient size and number to adequately handle the delivery or shipping of goods or people. Where possible, loading areas should be designed so that vehicles enter and exit the site in a forward motion.~~

[Ord. 5445, 4/12/00]

SUPPLEMENTAL COMMERCIAL AND INSTITUTIONAL DESIGN STANDARDS IN VILLAGE CENTERS

Commentary:

Proposed amendments to this section are limited to updating cross-references.

- 8.405 Village Center Character. The purpose of these standards is to contribute to the desired character of Albany's village centers. They are intended to promote the design of an urban environment that is built to human scale with attractive street fronts and interconnected walkways that promote pedestrian usage and accommodate vehicles. Development in the village center must contribute to a cohesive, visually compatible and functionally linked pattern through street and sidewalk layout, building siting and

Amendments to the Albany Development Code (ADC)

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character, and site design. Details count.

[Ord. 5556, 2/21/03]

8.410 Applicability. These standards apply to development where commercial and/or institutional uses, as defined in Article 22, are existing or proposed, including when such uses are part of a mixed-use development or live/work dwelling unit. Modifications to existing developments for which the Director has waived review under the provisions of ADC Section ~~4.070~~ **1.105** are not subject to these standards. Certain standards provide additional exemptions for modifications to existing sites or buildings. These standards apply in all zoning districts within the Village Center Comprehensive Plan designation, except as otherwise specified. They are in addition to the Commercial and Institutional Site Design Standards in this article. Taken together, these design standards are intended to foster a mixed-use character for village centers. [Ord. 5556, 2/21/03; Ord. 5832, 4/9/14; Ord. 5894, 10/14/17]

8.415 Buildings Along Public Streets.

Purpose. Buildings along the public street define the street edge and frame the streetscape. In larger development, the locations of pad site buildings also provide opportunities to frame entries into the shopping centers and contribute to the visual interest of the site. These provisions are intended to avoid deep building setbacks behind large expanses of parking areas or vacant land. [Ord. 5894, 10/14/17]

Standards. The following standards apply in all zoning districts within designated Village Centers except HD, CB, DMU, and WF, which are subject to ADC Section 5.120.

- (1) Buildings and plazas shall be located within the maximum setback area for at least 40 percent of one public street frontage.
- (2) For sites with frontage on more than one public street (i.e., corner lots), this standard applies to one frontage only.
- (3) The public street frontage is the length of the property as measured along the street right-of-way excluding the width of entrance driveways and/or streets.
- (4) Building facades that face public streets shall be divided into human-scale proportions using at least two features such as windows, entrances, arcades, arbors, awnings, trellises with vines, or an equivalent element. A blank, uninterrupted wall shall not be longer than 30 feet.
- (5) No parking, loading or travel aisles shall be located between the public street and buildings within 50 feet of the street, except that a designated park-and-ride lot or one drive-through lane may be permitted. See Section 8.420**(1)**(b).
- (6) To count toward this standard, a plaza shall:
 - (w) Be well defined at the street edge by a low decorative architectural wall (no higher than three feet), or a line of shrubs or trees of the same species, or similar landscaped or built feature;
 - (x) Use materials that are similar in quality to the principal materials of the primary building(s) and landscape. Landscaping with drought-resistant native species is strongly encouraged;
 - (y) Have direct access to the public street sidewalk and be located the shortest distance to the nearest building main entrance; and
 - (z) Extend at least the full depth of the maximum setback.

[Ord. 5556, 2/21/03]

8.430 Size Limitations. See building size limitations in ~~Articles 4 and 5, Table 1,~~ **Tables 4.090-1 and 5.090-1,**

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Development Standards.

[Ord. 5556, 2/21/03]

DRAFT

Amendments to the Albany Development Code (ADC)

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SUPPLEMENTAL RESIDENTIAL DESIGN STANDARDS IN VILLAGE CENTERS

Commentary: **8.480-8.485 Supplemental Residential Design Standards in Village Centers**

The proposed amendments to this section include adding more detail to the purpose statement to provide adequate guidance for an Adjustment, clarifying standards, and making them clear and objective.

For subsection (1), the minimum requirement for façade materials was reduced to 75% (from the existing 100% requirement). Subsection (2) adds more options for roofline treatments to meet the standard.

8.480 **Applicability.** These standards apply to residential development in mixed-use and residential zones within the Village Center Comprehensive Plan designation. They are in addition to the residential design standards for Single-Family Homes and Multiple-Family Homes in this article. [Ord. 5556, 2/21/03]

8.485 **Purpose.** These provisions are intended to promote the design of an urban environment that is built to human scale and to foster a mixed-use character for village centers with an emphasis on a high-quality pedestrian environment. **high-quality and attractive building materials, and architectural details that reduce exterior building mass.**

Standards.

- (9) ~~Building~~ **A minimum of 75 percent of a building's** exteriors shall be surfaced with wood, brick, stucco, stone, masonry, or lap siding ~~on all sides.~~
- (10) Rooflines ~~should be designed to reduce the exterior mass of multiple attached units and~~ shall incorporate **at least one of the following** elements: ~~such as parapets,~~ **cornices,** gables, dormers, **varied roof heights, or top level balconies,** etc.
- (11) All exterior HVAC equipment shall be screened from street-level view.
- (4) ~~Alleys are encouraged to provide a friendly street frontage and to set driveways and garages in the rear.~~ [Ord. 5556, 2/21/03] **Creation of alleys is not required as a development standard but is encouraged in order to provide a friendly street frontage and to set driveways and garages in the rear.**

(4) *Covered bike parking repealed by Ord. 5832, 4/9/14.*

TELECOMMUNICATION FACILITIES

Commentary

No amendments to the Telecommunication Facilities section are proposed.

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SUPPLEMENTAL DESIGN STANDARDS FOR THE OAK CREEK TRANSITION AREA

Commentary

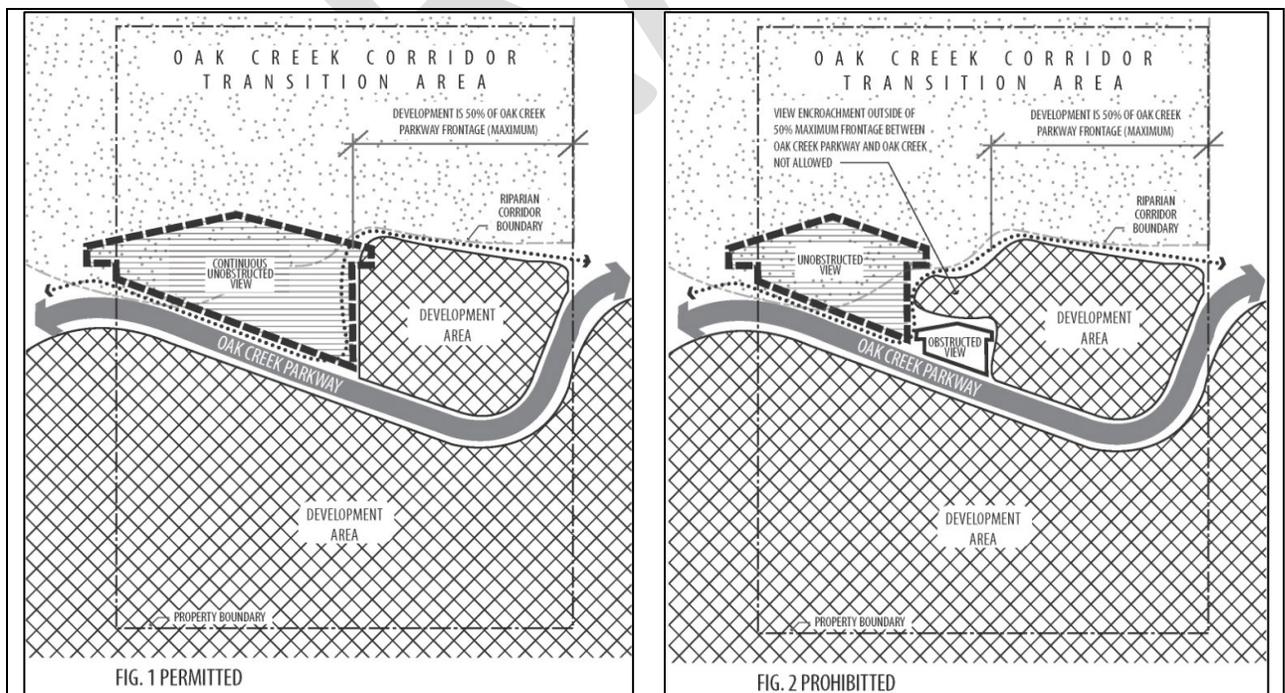
The only proposed amendment to this section is to renumber Figure 8-7 for the sake of consistency with the rest of Article 8.

- 8.600 Purpose and Intent. The purpose of the Oak Creek Transition Area (OCTA) is to guide development review and more detailed planning for the transitional areas between Oak Creek and adjacent developed and developable areas. The OCTA works in combination with the Open Space zone, natural resource overlay zones and the development review process to ensure that the larger Oak Creek corridor is protected for the long term and provides benefits to all of Albany. The OCTA is specifically intended to:
- (1) Integrate open space areas, both public and private, near Oak Creek;
 - (2) Be the centerpiece of the South Albany open space system and provide multiple benefits including wetland protection and mitigation, habitat, flood storage, pathways, recreation, history, environmental education and visual identity for the area;
 - (3) Be South Albany's "front yard" - physically and visually accessible to adjacent development;
 - (4) Create a multitude of public spaces and connections (parks, trails, trailheads, visual, etc.) between "Oak Creek Parkway" (an east-west street) and the public edge of undeveloped areas;
 - (5) Include a continuous east-west pathway and other pathways that connect north and south to community destinations; and
 - (6) Preserve archeological and historical resources as heritage sites if feasible.
- 8.610 Applicability. The OCTA supplemental standards apply as follows:
- (1) South of Oak Creek, the standards apply between the Riparian Corridor overlay boundary around Oak Creek and the north edge of the right-of-way for Oak Creek Parkway. Oak Creek Parkway's location is generally identified in the South Albany Area Plan chapter of the Comprehensive Plan, on Figure 2, Street Framework. NOTE: The southern boundary of the OCTA may need to deviate from the Oak Creek Parkway within the Area of Interest shown on the Street Framework if the Parkway is forced south due to development constraints.
 - (2) North of Oak Creek, the standards apply within 100 feet from the upland edge of the Riparian Corridor Overlay District (RC).
- 8.620 OCTA Development Standards. Development within the Transition Area must satisfy all of the following standards.

Amendments to the Albany Development Code (ADC)

Draft code amendments are written as follows: additions **bold red underlined** and deletions in ~~strike-out~~. Sections not amended are omitted unless needed for context. Omitted sections are indicated by asterisks: ***

- (1) The design and construction of the development, utilities, and trails shall limit disturbance to natural features as much as reasonably feasible.
- (2) Fences are limited to within developed areas. All fences, posts and supporting structures shall be stained, painted, or powder-coated black or a neutral earth tone color to harmonize with the surrounding landscape. Sight-obscuring fences shall be no more than 3 feet tall.
- (3) Once a wetland delineation is approved by the Oregon Department of State Lands for any area proposed for development, the City may seek to acquire, by negotiated purchase or exercise of the power of eminent domain, all or part of the developable area on the north side of the Parkway or take such other action as may be appropriate or required to compensate the landowner for any loss of use that exceeds that which the City may require by lawful regulation.
- (4) Development between Oak Creek and the Oak Creek Parkway, and between 99E and Columbus Street must meet the following standards:
 - (a) The “development area” cannot exceed 50 percent of the subject site’s frontage on the north side of Oak Creek Parkway. The “development area” shall include all residential lots and development, all areas taken up by buildings, private yards, paving, streets, grading and non-native landscaping, but does not include parks, low-impact outdoor recreation, trails, paths, wetland mitigation or restoration, City construction of public infrastructure such as transportation, stormwater, sewer, and water utilities, or the private construction of public transportation and utility facilities and structures as identified in a City-adopted master plan. The resulting undeveloped frontage along the north side of Oak Creek Parkway shall have a continuous view of the Oak Creek Corridor and associated open space that is not obstructed by the development area. See Figure 8.**620-1-7**, 1–Permitted and 2 –Prohibited.
 - (b) Native vegetation, excluding any that are farmed for agricultural purposes, that is impacted in the developed area is mitigated through the enhancement or restoration of native vegetation in undeveloped areas per the relevant standards in ADC 6.400-6.420.



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FIGURE 8.620-1-7. Oak Creek Corridor Transition Area.

- (5) In addition to the abovementioned standards, development shall meet the standards in either (a) or (b):
- (a) Clear and Objective Standards (Type I-L Process).
 - i. Development shall avoid the Significant Wetland and Waterway Overlay District (/SW), the Riparian Corridor Overlay District (/RC), significant tree groves identified on the South Albany Area Plan Organizational Framework map in the Comprehensive Plan (Figure 1), and oak trees over 25-inches in diameter measured at 4.5 feet from the ground; and
 - ii. Trails or paths shall be provided that connect the development to any existing or proposed trails or paths shown on the Trails Framework in the South Albany Area Plan and to adjacent neighborhood parks, or other public and semi-public amenities in the vicinity.
 - iii. Neighborhood parks or trailheads shall be incorporated into proposed developments in the locations as generally shown on the Land Use Concept Map in the South Albany Area Plan.
 - (b) Subjective Standards (Type III Process). Development is consistent with the purpose and intent of the Oak Creek Transition Area in Section 8.600 and with the applicable policies in the South Albany Area Plan section of the Albany Comprehensive Plan.

[Ord. 5801, 2/13/13]