

Council Member Balarin introduced the following, which was approved:

**ORDINANCE 61.111.25**

**AN ORDINANCE AMENDING CHAPTER 375 (CITY OF ALBANY UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO PARKING LOTS IN MU-FM ZONING DISTRICT**

*The City of Albany, in Common Council convened, does hereby ordain and enact:*

**Section 1.** Section 375-302 (Permitted Use Table) of Chapter 375 of the Code of the City of Albany is amended to read as follows:

Table 375.302.1 Permitted Use Table P=Permitted Use   C=Conditional Use   A=Accessory Use   T=Temporary Use																				
Zoning District	Residential						Mixed-Use								Special Purpose		Use-Specific Standard in Article III			
	R-1L	R-1M	R-2	R-T	R-M	R-V	MU-NE	MU-NC	MU-CU	MU-CH	MU-DT	MU-CI	MU-FW	MU-FC	MU-FS	MU-FM		I-1	I-2	LC
LAND USE CATEGORY																				
<b>COMMERCIAL USES</b>																				
<b>Vehicles and Equipment</b>																				
Parking Lot, Surface	A	A	A	A	A	A	A	A	C	A	C	A	A	A	A	C	P	P	A	§ 375-303(4)(g)(vii)

**Section 2.** Subparagraph (vii) of Paragraph (g) of Subsection 4 of Section 375-303 (Use-specific standards) of Chapter 375 of the Code of the City of Albany is amended to read as follows:

(vii) Parking lot, surface.

- A. This use must meet all applicable requirements of Article IV (Development Standards), including but not limited to those governing the for location, layout, and design, and operation of parking lots in § 375-405 (Parking and loading).
- B. In those districts where a conditional use permit is required, it shall be only in those cases where the parking lot use is to be established as the principal use of the land. A conditional use permit shall not be required where parking is to be established as an accessory use.
- C. In the MU-CU and MU-FM Zoning Districts, no conditional use permit shall be approved unless ~~it is determined that the proposed parking lot~~ all of the following conditions are met:
  - 1. ~~Responds to a demonstrable parking need of the use or uses of a nearby property to be served, as evidenced by factors, including, but not limited to, recent or proposed investment in and improvements to the nearby property that will result in or has~~

~~resulted in increased tenancy or patronage, and whether the use has otherwise provided the minimum parking required pursuant to § 375-405(2)(a) or is anticipated to be used by other nearby properties; The parking lot shall serve a demonstrated parking need associated with a nearby property or properties. Evidence of such need may include, but is not limited to, recent or proposed investments or improvements that have resulted in, or are expected to result in, increased tenancy or patronage; whether the use to be served has satisfied the minimum parking requirements of § 375-405(2)(a); and whether the parking lot is intended to serve multiple nearby properties.~~

2. The closest lot line for the proposed parking lot is no more than 300 feet from a lot line of the property or properties to be served;
3. The property or properties to be used for the parking lot have been vacant or underutilized for ~~at least~~ a minimum of five years and have no other immediate prospects for development;
4. For properties with a depth of 100 feet or greater, ~~is~~ the parking lot shall be designed in such a way that it does not foreclose the possibility of liner buildings being constructed along any street frontages, to the ~~greatest degree~~ maximum extent practicable; and
5. ~~Does~~ The parking lot shall not result in the demolition of buildings or structures having an economically viable use or reuse, as determined ~~pursuant to the provisions of~~ by § 375-505(7) (Demolition review) or ~~a~~, where applicable, § 375-505(4) Major certificate of appropriateness, ~~whichever applies.~~

**Section 3.** This ordinance shall take effect immediately.

**APPROVED AS TO FORM THIS  
20<sup>TH</sup> DAY OF OCTOBER, 2025**

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**CORPORATION COUNSEL**

**To:** Shaniqua Jackson, City Clerk

**From:** Avi Epstein, Principal Planner  
Council Member Alfredo Balarin, 11<sup>th</sup> Ward  
Alyssa Kamara, Junior Policy Analyst

**Re:** Request for Common Council Legislation  
Supporting Memorandum

**Date:** October 20, 2025

**Sponsor:** Council Member Alfredo Balarin, 11<sup>th</sup> Ward

**ORDINANCE 61.111.25**

**TITLE**

AN ORDINANCE AMENDING CHAPTER 375 (CITY OF ALBANY UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO PARKING LOTS IN MU-FM ZONING DISTRICT

**GENERAL PURPOSE OF LEGISLATION**

The purpose of this ordinance is to allow surface parking lots as a principal use of land in the MU-FM zoning district, subject to Conditional Use Permit (CUP) review and compliance with use-specific standards. Under current regulations, surface parking is prohibited as a principal use in the MU-FM district. This amendment would permit such use, provided that a CUP is obtained and the proposal meets the criteria set forth in § 375-303(4)(g)(vii).

This amendment is related to Ordinance 11.61.20, adopted on October 4, 2021, which introduced similar regulatory changes for the MU-CU district. The current proposal would extend those provisions to the MU-FM district.

**NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW:**

This proposed amendment responds to a request by the North American Islamic Trust, Inc. to construct ancillary parking on property located at 128–140 Bradford Street. The organization is affiliated with Masjid As-Salam, located at 276 Central Avenue, and seeks to establish parking to support the needs of that facility.

**FISCAL IMPACTS**

None.

**Passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Adams, Anane, Balarin, Clarke, Conti, Farrell, Flynn, Frederick, Hoey, Johnson, Keegan, Kimbrough, Love, Robinson, and Zamer

Affirmative: 15 | Negative: 0 | Abstain: 0

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Clerk of the Common Council

\_\_\_\_\_  
President of the Common Council

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

I, Shaniqua Jackson, City Clerk and Clerk of the Common Council, do hereby certify that Ordinance 61.111.25 was passed at a meeting of the Albany Common Council on December 15, 2025.

In affirmation thereof, I hereto set my hand and affix The Seal of the City of Albany this 2nd day of January, 2026.

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Shaniqua Jackson, Clerk of the Common Council