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**\*\* ALBANY COMMON COUNCIL STATEMENT FOR IMMEDIATE RELEASE \*\***

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**The Truth about Ordinance 8.22.23 and the Push to Build a More Inclusive Albany**

**ALBANY, NY** – In April 2023, the Albany Common Council passed Ordinance 8.22.23, a law which increases the percentage of affordable units required in certain housing developments—also known as inclusionary zoning. Since then, it has been at the forefront of debates surrounding Albany’s real estate development landscape. As part of our commitment to transparency and community engagement, we’re writing to clarify the intent, outcomes, and future direction of this landmark legislation.

**Background: A Response to Our Residents’ Housing Needs**

Ordinance 8.22.23 represents one part of Albany's strategic approach to addressing the escalating challenges of housing affordability and availability. Amid a national crisis in rising rental costs, Albany has proactively sought to ensure that the city's development trajectory supports the creation of mixed-income communities, offering both market-rate and affordable housing options to meet residents’ needs. This type of development ensures that residents are free to make real choices about which neighborhood they call home regardless of how much money they or their neighbors make.

**Debunking Myths: Just the Facts**

Contrary to claims suggesting that Ordinance 8.22.23 has stifled qualifying housing developments, data from the City of Albany and across the Capital Region tells a different story. Since the ordinance’s passage, the City Planning Board has continued to receive applications for both affordable and market-rate developments. Projects across key areas of Albany promise to deliver hundreds of affordable and workforce housing units, alongside two qualifying market-rate projects that will include affordable units thanks to Ordinance 8.22.23. This level of activity not only mirrors the amount of projects the City’s Industrial Development Agency closed on in 2022 but also puts us on par with qualifying housing developments overseen by the Schenectady Metroplex Development

Authority in 2023. Meanwhile the Colonie, Bethlehem, and Guilderland IDAs fielded zero new qualifying market-rate proposals in 2023. Most municipalities are, however, seeing the same subsidized-by-right developments—senior, affordable, and veteran housing—as the City of Albany.

Critiques of Ordinance 8.22.23, including those presented in the Mayor's 2024 State of the City Address, have often lacked context or relied on flawed comparisons. The Mayor's assertion that Albany has seen a 71% drop in market-rate units, for example, is misleading. Based on an incomplete analysis comparing data from an unspecified range of time prior to the ordinance's passage—a period which could include pre-COVID or even pre-Great Recession development data—to data from less than a year since the legislation's passage, this bad-faith argument clouds discussions on Ordinance 8.22.23's real impact. Meanwhile comparisons to neighboring municipalities fail to account for the absence of new qualifying market-rate proposals in those areas, undermining arguments that developers are relocating as a result of the ordinance's passage.

### **Looking Ahead: A Commitment to Inclusive Development**

Ordinance 8.22.23 is a testament to Albany's dedication to creating a city that welcomes and supports every resident, regardless of income. It is the product of extensive dialogue with stakeholders across the spectrum, from housing activists and developers to community members. As we move forward, the Albany Common Council remains committed to working collaboratively to refine and enhance policies that encourage a balanced, equitable growth that aligns with our community's needs and aspirations.

The Albany Common Council, in partnership with City officials and community stakeholders, will continue to monitor, assess, and respond to our Albany's housing and development landscape. Initiatives such as a comprehensive vacancy study will inform our efforts to fine-tune policies and ensure Albany remains a vibrant, inclusive city for all.

We invite the community to join us in constructive dialogue and collaboration as we strive towards an Albany that is affordable, accessible, and reflective of the rich diversity that defines us. Together, we can achieve a city that stands as a model of inclusive growth and sustainable development.

For more information on how to get involved, please visit the [Albany Common Council's website](#) or our find us on [social media](#).

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