

## **BACKGROUND INFORMATION**

The City of Albany Common Council passed an inclusionary zoning ordinance December 1, 2017. This ordinance is also known as Affordable Housing Ordinance (AHO) governed under Section § 375-4(A)(4)(b) of the Unified Sustainable Development Ordinance (USDO). According to the Common Council, the AHO addresses two important aspects (1) the level of affordably priced housing units, and (2) City of Albany's history of redlining with the goal to bring these features in line with national averages and best practices.

## **2017 INCLUSIONARY ZONING ORDINANCE**

Under the 2017 AHO, it mandated that each new residential or mixed-use development or redevelopment containing 50 or more new dwelling units shall sell or rent at least 5% of its new dwelling units at sales or prices affordable to persons earning no more than 100% of the area median household income for the City of Albany, as determined by affordability methods used by the United States Department of Housing and Urban Development.

Developers who submit a plan to the City of Albany's Planning Department for development or redevelopment that meet the above requirement under Section § 375-4(A)(4)(b) of the USDO, are also required to fill out an Affordable Housing Compliance Plan. This form requires them to state how many units they are proposing to development or redevelopment and how many they are setting aside to meet the Affordable Housing Ordinance.

There have been 12 project proposals submitted to the Planning Department under the Inclusionary Zoning Ordinance of 2017. The development and redevelopment process can be lengthy and full of complications during the construction or finance process. Within the past eight years, there have been 7 total development or redevelopments to finish their projects and start renting to City of Albany residents.

<b>Projects Under the 2017 Inclusionary Housing Requirement</b>	
Projects Completed	7
Projects still under development	5

The Fair Housing Officer for the City of Albany is tasked with ensuring the development or redevelopment mandated under section § 375-4(A)(4)(b) of the USDO is in compliance. Letters to the developers are send out in March of every year, with 30 days to return the completed compliance forms. Once the compliance information is returned, the data is recorded in a tracker. Any developments not in compliance are given notice and an extension is granted to gain compliance. Any developments still not in compliance are given a warning notice to get in compliance by a certain date. Then Chief of Planning is informed of the non-compliance status of the development. Developments who do not comply with the Affordable Housing Ordinance under the USDO are subject to § 375-507 of the USDO in the Albany Code.

2024 Inclusionary Zoning Compliance Totals					
<i><b>Project Name</b></i>	<i><b>Address of Development</b></i>	<i><b>Compliance Status</b></i>	<i><b>Total Units</b></i>	<i><b># of Required Units</b></i>	<i><b>Units In Compliance</b></i>
The Knick	16 Sheridan Avenue	Compliant	132	7	7
1 Steuben	1 Steuben	N/A	38	0	3
The Kenmore	76 North Pearl Street	Compliant	55	3	3
930 on Broadway	425 North Pearl Street	Compliant	80	4	5
Redevelopment of Historic Erie Blvd Warehouse	19/21 Erie Boulevard	Compliant	273	14	14
Change of Use at 1379 Washington Ave.	1379 Washington Avenue	Compliant	100	5	5
25 Delaware	25 Delaware Ave	Compliant	51	3	3
Broadway 915, LLC	745 Broadway	Compliant	80	4	4
<b>Total Compliance</b>		<b>7/7</b>	<b>869</b>	<b>40</b>	<b>44</b>

### **2023 AMENDED INCLUSIONARY ZONING ORDINANCE**

In April 3, 2023 the affordable housing ordinance was amended to further gain more inclusionary zoning units in the City of Albany. Under the amended 2023 AHO, it mandated that each new residential or mixed-use development or redevelopment containing 20 or more new dwelling units shall be required to sell or rent a portion of its new dwelling units at sales or prices affordable to persons earning no more than 60% of the area median household income, as determined by affordability methods used by the United States Department of Housing and Urban Development for the Albany-Schenectady-Troy, New York Metropolitan Statistical Area.

The minimum portion of affordable dwellings for each development or redevelopment shall be determined by the following standard:

- (i) 7% of new dwelling units shall be affordable for developments or redevelopments with 20 or more but no more than 49 new dwelling units,
- (ii) 10% of new dwelling units shall be affordable for developments or redevelopments with 50 or more but no more than 60 new dwelling units.
- (iii) 12% of new dwelling units shall be affordable for developments or redevelopments with more than 60 but no more than 75 new dwelling units.
- (iv) 13% of new dwelling units shall be affordable for developments or redevelopments with 76 or more new dwelling units.

Under the 2023 amended AHO, there has been six developments to submit projects, however, none of them have been completed.

<b>Projects Under the 2023 Inclusionary Housing Requirement</b>	
Projects Completed	0
Projects still under development	6

Submitted by: Amanda Ahrens  
Fair Housing Officer, City of Albany

Signature\_\_\_\_\_ Date\_\_\_\_\_