

ALBANY CALIFORNIA

CITY OF ALBANY



COMMUNITY DEVELOPMENT

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September 12, 2022

Department of Housing and Community Development
Division of Housing Policy Development
Attn: Melinda Coy
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833

SUBJECT: CITY OF ALBANY SIXTH CYCLE HOUSING ELEMENT UPDATE

Dear Ms. Coy:

The City of Albany is pleased to submit its Draft 6th Cycle Housing Element for HCD Review. The Element was initially published on July 29, 2022 and was circulated for 30 days. At the close of the 30-day period, the City provided a 10-day period to review comments and produced an edited draft. The edits respond to public input, including changes recommended by the City Council when they voted to approve submittal of the document for HCD review on September 6, 2022.

This transmittal includes the following attachments:

- A portable document format (.pdf) version of the Housing Element
- A .pdf version of the technical appendices
- A .pdf version of the Housing Element HCD checklist

A paper copy will also be sent to the address above by US Mail.

The City is committed to working with HCD through the certification process and looks forward to receiving your comments as soon as possible. Should you have any questions during the review period, please do not hesitate to call me at (510)-528-5769.

Sincerely,

Jeff Bond

Community Development Director



HOUSING ELEMENT COMPLETENESS CHECKLIST

A Quick Reference of Statutory Requirements for Housing Element Updates Updated 1/2021

The purpose of this completeness checklist is to assist local governments in the preparation of their housing element. It includes the statutory requirements of Government Code section 65580 – 65588. Completion of this checklist is not an indication of statutory compliance but is intended to provide a check to ensure that relevant requirements are included in the housing element prior to submittal to the Department of Housing and Community Development pursuant to Government Code section 65585(b). For purposes of the Checklist the term “analysis” is defined as a description and evaluation of specific needs, characteristics, and resources available to address identified needs.

For technical assistance on each section visit [California Housing and Community Development Building Blocks Technical Assistance](https://www.hcd.ca.gov/community-development/building-blocks/index.shtml) (<https://www.hcd.ca.gov/community-development/building-blocks/index.shtml>)

Checklist

Public Participation

Government Code section 65583, subdivision (c)(8)

Description of Requirement	Page Number
Description of the diligent efforts the jurisdiction made to include all economic segments of the community and/or their representatives in the development and update of the housing element	
Summary of the public input received and a description of how it will be considered and incorporated into the housing element.	

Review and Revise

Government Code section 65588, subdivision (a)

Description of Requirement	Page Number
<u>Progress in implementation</u> – A description of the actual results or outcomes of the previous element's goals, objectives, policies, and programs (e.g. what happened).	
<u>Effectiveness of the element</u> – For each program, include an analysis comparing the differences between what was projected or planned in the element and what was achieved.	
<u>Appropriateness of goals, objectives, policies, and programs</u> –A description of how the goals, objectives, policies, and programs in the updated element are being changed or adjusted to incorporate what has been learned from the results of the previous element. (e.g. continued, modified, or deleted.)	
<u>Special needs populations</u> – Provide a description of how past programs were effective in addressing the housing needs of the special populations. This analysis can be done as part of describing the effectiveness of the program pursuant to (2) if the jurisdiction has multiple programs to specifically address housing needs of special needs populations or if specific programs were not included, provide a summary of the cumulative results of the programs in addressing the housing need terms of units or services by special need group.	
<u>AB 1233 – Shortfall of sites from the 5th cycle planning period</u> – Failure to implement rezoning required due to a shortfall of adequate sites to accommodate the 5th cycle planning period RHNA for lower-income households triggers the provisions of Government Code section 65584.09.	

Comments:

Housing Needs Assessment – Quantification and Analysis of Need
Government Code section 65583, subdivision (a)(1)(2) and section 65583.1, subdivision (d)

For information on how to credit reductions to RHNA See “Housing Element Sites Inventory Guidebook” at [HCD’s technical assistance memos](https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml) (https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml)

Description of Requirement	Page Number
Population (e.g., by age, size, ethnicity, households by tenure) and employment trends	
Household characteristics including trends, tenure, overcrowdings and severe overcrowding	
Overpayment by income and tenure	
Existing housing need for extremely low-income households	
Projected housing needs: Regional Housing Needs Allocation (RHNA) by income group, including projected extremely low-income households	
Housing stock conditions, including housing type, housing costs, vacancy rate	
Estimate of the number of units in need of replacement and rehabilitation	

Identification and Analysis of the Housing Needs for Special Needs Populations

Government Code section 65583, subdivision (a)(7)

Description of Requirement	Page Number
Elderly	
Persons with Disabilities, including Developmental Disabilities	
Large Households	
Farmworkers (seasonal and permanent)	
Female Headed Households	
Homeless (seasonal and annual based on the point in time count)	
Optional: Other (e.g. students, military)	

Comments:

**Affirmatively Further Fair Housing - An Assessment of Fair Housing –
Required for Housing Element due after 1/1/2021.
Government Code section 65583, subdivision (c)(10)(A)**

Part 1 Outreach

Description of Requirement	Page Number
Does the element describe and incorporate meaningful engagement that represents all segments of the community into the development of the housing element, including goals and actions?	

Part 2 Assessment of Fair Housing

Description of Requirement	Page Number
Does the element include a summary of fair housing enforcement and capacity in the jurisdiction?	
The element must include an analysis of these four areas: Integration and segregation patterns and trends	
Racially or ethnically concentrated areas of poverty	
Disparities in access to opportunity	
Disproportionate housing needs within the jurisdiction, including displacement risk	

Each analysis should include these components:

- ☐ Local: Review and analysis of data at a local level
- ☐ Regional impact; Analysis of local data as it compares on a regional level
- ☐ Trends and patterns: Review of data to identify trends and patterns over time
- ☐ Other relevant factors, including other local data and knowledge
- ☐ Conclusion and findings with a summary of fair housing issues

Part 3 Sites Inventory

Description of Requirement	Page Number
Did the element identify and evaluate (e.g., maps) the number of units, location and assumed affordability of identified sites throughout the community (i.e., lower, moderate, and above moderate income RHNA) relative to all components of the assessment of fair housing?	
Did the element analyze and conclude whether the identified sites improve or exacerbate conditions for each of the fair housing areas (integration and segregation, racially and ethnically concentrated areas of poverty, areas of opportunity, disproportionate housing needs including displacement)?	

Comments:

Part 4 Identification of Contributing Factors

Description of Requirement	Page Number
Did the element identify, evaluate, and prioritize the contributing factors to fair housing issues?	

Part 5 Goals and Actions Page

Description of Requirement	Page Number
Did the element identify, goals and actions based on the identified and prioritized contributing factors?	
Do goals and actions address mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for preservation and revitalization, displacement protection and other program areas?	

Programs must include the following components:

- ☐ Actions must be significant, meaningful and sufficient to overcome identified patterns of segregation and affirmatively further fair housing.
- ☐ Metrics and milestones for evaluating progress on programs/actions and fair housing results.

Affordable Housing Units At-Risk of Conversion to Market Rate Government Code section 65583, subdivision (a)(9)

See [Preserving Existing Affordable Housing](https://www.hcd.ca.gov/policy-research/preserving-existing-affordable-housing.shtml) (https://www.hcd.ca.gov/policy-research/preserving-existing-affordable-housing.shtml)

Description of Requirement	Page Number
Provide an inventory of units at-risk of conversion from affordable to market-rate rents within 10 years of the beginning of the planning period. The inventory must list each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low-income use, and the total number of elderly and nonelderly units that could be lost from the locality's low-income housing stock in each year.	
Provide an estimate and comparison of replacement costs vs. preservation costs	
Identify qualified entities to acquire and manage affordable housing	
Identify potential funding sources to preserve affordable housing	

Comments:

Analysis of Actual and Potential Governmental Constraints
Government Code section, 65583, subdivisions (a)(5), (a)(4), (c)(1), and section 65583.2, subdivision (c)

See “Accessory Dwelling Unit Handbook” at [HCD's Accessory Dwelling Unit Assistance page](https://www.hcd.ca.gov/policy-research/accessorydwellingunits.shtml) (https://www.hcd.ca.gov/policy-research/accessorydwellingunits.shtml)

Description of Requirement	Page Number
Land use controls (e.g. parking, lot coverage, heights, unit size requirements, open space requirements, Accessory Dwelling Unit (ADU) requirements, floor area ratios, growth controls (e.g., caps on units or population or voter approval requirements, conformance with the requirements of SB 330), inclusionary requirements, consistency with State Density Bonus Law and Housing Accountability Act, and consistency with zoning and development standard website publication and transparency requirements pursuant to Gov. Code § 65940.1 subd. (a)(1)(B)).	
Local processing and permit procedures (e.g., typical processing times, permit types/requirements by housing type and zone, decision making criteria/findings, design/site/architectural review process and findings, description of standards [objective/subjective], planned development process). Element should also describe whether the jurisdiction has a process to accommodate SB 35 streamline applications and by-right applications for permanent supportive housing and navigation centers.	
Building codes and their enforcement (e.g., current application of the California Building Code, any local amendments, and local code enforcement process and programs)	
On and Off-Site improvement requirements (e.g., street widths, curbing requirements)	
Fees and other exactions (e.g., list all fees regardless of entity collecting the fee, analyze all planning and impact fees for both single family and multifamily development, provided typical totals and proration to total development costs per square foot, and consistency with fee website publication and transparency requirements pursuant to Gov. Code § 65940.1 subd. (a)(1)(A)).	
Housing for persons with disabilities (e.g. definition of family, concentrating/siting requirements for group homes, reasonable accommodation procedures, application of building codes and ADA requirements, zoning for group homes and community care facilities)	
Analysis of locally-adopted ordinances that directly impact the cost and supply of housing (e.g. inclusionary ordinance, short-term rental ordinance)	

Comments:

An Analysis of Potential and Actual Nongovernmental Constraints
Government Code section, 65583, subdivision (a)(6)

Description of Requirement	Page Number
Availability of financing	
Price of land	
Cost of Construction	
Requests to develop housing below identified densities in the sites inventory and analysis	
Typical timeframes between approval for a housing development project and application for building permits	

☐ Does the analysis demonstrate the jurisdiction's action(s) to mitigate nongovernmental constraints that create a gap between planning for housing to accommodate all income levels and the construction of housing to accommodate all income levels?

Zoning for a Variety of Housing Types

Government Code section, 65583, subdivisions (a)(4), (c)(1), and subdivision 65583.2 subdivision (c)

Provide an analysis of zoning and availability of sites for a variety of housing types including the following:

Description of Requirement	Page Number
Multifamily Rental Housing	
Housing for Agricultural Employees (permanent and seasonal) (compliance with Health and Safety Code sections 17021.5, 17021.6, and 17021.8	
Emergency Shelters (including compliance with new development/parking standards pursuant to AB 139/Gov. Code § 65583 subd. (a)(4)(A)).	
Low Barrier Navigation Centers	
Transitional Housing	
Supportive Housing (including compliance with AB 2162, statutes of 2019)	
Single-Room Occupancy Units	
Manufactured homes, including compliance with Gov. Code § 65852.3	
Mobile Home Parks	
Accessory Dwelling Units	

Comments:

Site Inventory and Analysis

Government Code, section 65583, subdivision (a)(3), section 65583.1, subdivision

See “Housing Element Sites Inventory Guidebook” and “Default Density Standard Option” at [HCD’s technical assistance memos](https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml) (https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml)

See [Site Inventory Form](https://www.hcd.ca.gov/community-development/housing-element/docs/Site_inventory_template09022020.xlsm) (https://www.hcd.ca.gov/community-development/housing-element/docs/Site_inventory_template09022020.xlsm) and [Site Inventory Form Instructions](https://www.hcd.ca.gov/community-development/housing-element/docs/Site_inventory_instructions.pdf) (https://www.hcd.ca.gov/community-development/housing-element/docs/Site_inventory_instructions.pdf)

Site Inventory – The site inventory must be prepared using the form adopted by HCD.

A electronic copy of the site inventory is due at the time the adopted housing element is submitted to HCD for review and can be sent to siteinventory@hcd.ca.gov.

Site Inventory

Description of Requirement	Page Number
<i>Sites Inventory Form Listing:</i> Parcel listing by parcel number, size, general plan and zoning, existing uses on non-vacant sites, realistic capacity, level of affordability by income group, publicly owned sites (optional).	
<i>Prior Identified Sites:</i> Address whether sites are adequate to accommodate lower income needs based on identification in the prior planning period for non-vacant sites or two or more for vacant sites.	
Map of sites	

☐ Did the jurisdiction use the sites inventory form adopted by HCD? *

<u>Site Inventory Analysis and Methodology</u>	Page Number
<i>RHNA Progress:</i> List the number of pending, approved or permitted units by income group based on actual or anticipated sales prices and rents since the beginning of the projection period	
<i>Environmental Constraints:</i> Address any known environmental or other constraints, conditions or circumstances, including mitigation measures, that impede development in the planning period	
<i>Appropriate density:</i> Identification of zoning to accommodate RHNA for lower-income households: <ul style="list-style-type: none">Identify zones meeting the “default” density (Gov. Code § 65583.2 subd. (c)(3)(B)) or;Identify and analyze zones with densities less than the “deemed appropriate” (default) density that are appropriate to accommodate lower RHNA.	

Comments:

Description of Requirement	Page Number
<p><i>Capacity:</i> Describe the methodology used in quantifying the number of units that can be accommodated on each APN:</p> <ul style="list-style-type: none"> • If development is required to meet a minimum density, identify the minimum density, or; • Describe the methodology used to determine realistic capacity accounting for land use controls and site improvement requirements, typical density trends for projects of similar affordability, and current or planned infrastructure. • For sites with zones allowing non-residential uses, demonstrate the likelihood of residential development 	
<p><i>Infrastructure:</i> Existing or planned infrastructure to accommodate the regional housing need, including water, sewer and dry utilities</p>	
<p><i>Small and large sites:</i> Sites identified to accommodate lower RHNA that are less than one-half acre or larger than 10 acres require analysis to establish they are adequate to accommodate the development of affordable units.</p>	
<p><i>Affirmatively Furthering Fair Housing:</i> Identified sites throughout the community that affirmatively furthers fair housing (see page 5 of checklist)</p>	
<p><i>Nonvacant Sites Analysis:</i> For nonvacant sites, demonstrate the potential and likelihood of additional development within the planning period based on extent to which existing uses may constitute an impediment to additional residential development, past experience with converting existing uses to higher density residential development, current market demand for the existing use, any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development, development trends, market conditions, and regulatory or other incentives or standards to encourage additional residential development on these sites</p>	
<p>If nonvacant sites accommodate 50 percent or more of the lower-income RHNA, demonstrate the existing use is not an impediment to additional development and will likely discontinue in the planning period, including adopted findings based on substantial evidence.</p>	
<p>Nonvacant sites that include residential units (either existing or demolished) that are/were occupied by, or subject to, affordability agreements for lower-income households within 5 years are subject to a housing replacement program. (Gov. Code § 65583.2 subd. (g)(3))</p>	

Please note: This checklist does not include new requirements related to zoning for sites accommodating the moderate and above moderate income pursuant to AB 725, statutes of 2020 as this requirement is not enacted until 2022.

Comments:

Alternative Methods to Accommodate the RHNA: Optional

Description of Requirement	Page Number
Accessory Dwelling Units: Analyze the number and affordability level of ADU units projected to be built within the planning period, including resources and incentives and other relevant factors such as potential constraints, and the likelihood of availability for rent	
Existing Residential Units: number and affordability level of units rehabilitated, converted or preserved that meet the provisions of alternative adequate sites. In addition, this includes units in a motel, hotel, or hostel that are converted to residential units and made available to persons experiencing homelessness as part of a COVID-19 response and acquisition of mobile home park. If using this option, the adequate site alternative checklist must be provided.	
Other: Jurisdictions are encouraged to consult with HCD regarding other alternative methods options including new manufactured housing park hook-ups, floating homes/live aboard berths, conversion of military housing, adaptive reuse of commercial uses, or other housing opportunities unique to the community to ensure their adequacy to accommodate RHNA.	

Other Miscellaneous Requirements

Also see Technical Advisories issued by the Governor's Office of Planning and Research at: [New state legislation related to General Plans Appendix C](http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf) (http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf) and [Fire Hazard Planning General Plan Technical Advice Series](http://opr.ca.gov/docs/Final_6.26.15.pdf) (http://opr.ca.gov/docs/Final_6.26.15.pdf)

Description of Requirement	Page Number
Description of the means by which consistency with the general plan will be achieved and maintained. (Gov. Code § 65583 subd. (c)(8))	
Description of construction, demolition, and conversion of housing for lower- and moderate-income households within the Coastal Zone (if applicable). (Gov. Code § 65588 subds. (c) and (d))	
Description of opportunities for energy conservation in residential development. (Gov. Code § 65583 subd. (a)(8))	
Description of consistency with water and sewer priority requirements pursuant to SB 1087 (Gov. Code § 65589.7)	
Other elements of the general plan triggered by housing element adoption: <ul style="list-style-type: none">• Disadvantaged Communities (Gov. Code § 65302.10)• Flood Hazard and Management (Gov. Code § 65302 subds. (d)(3) and (g)(2)(B))• Fire Hazard (Gov. Code § 65302 and 65302.5)• Environmental Justice (Gov. Code § 65302 subd. (h))• Climate Adaptation	

Comments:

Schedule of Actions/Programs

Government Code, section 65583, subdivisions (c)(1 – 7), and (10)

For adequate site programs See “Housing Element Sites Inventory Guidebook” at [HCD's technical assistance memos](https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml) (<https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>)

Program Description*	Program numbers	Page number
<i>Program(s) to provide adequate sites (large/small sites, incentives for mixed use/nonvacant sites, publicly owned sites, annexation, etc)</i>		
If required: Program to accommodate a shortfall of adequate sites to accommodate the lower RHNA. This program must meet the specific criteria identified in Gov. Code § 65583.2 subd. (h) and (i).		
If required: Program to accommodate an unaccommodated need from the previous planning period pursuant to Gov code § 65584.09		
If required: Program when vacant/nonvacant sites to accommodate lower RHNA have been identified in multiple housing elements, if needed. (Gov. Code § 65583.2 subd. (c))		
If required: Program to provide replacement units when occupied by, or deed restricted to lower-income households within the last 5 years, if needed. (Gov. Code § 65583.2 subd. (g)(3))		
<i>Program(s) to assist in the development of housing to accommodate extremely-low, very-low, low or moderate-income households, including special needs populations</i>		
<i>Program to address governmental and nongovernmental constraints to the maintenance, improvement, and development of housing</i>		
<i>Program(s) to conserve and improve the condition of the existing affordable housing stock</i>		

Comments:

Program Description	Program numbers	Page number
<i>Program(s) to promote and affirmative further fair housing opportunities</i>		
<i>Program(s) to preserve units at-risk of conversion from affordable to market-rate rents.</i>		
<i>Program(s) to incentivize and promote the creation of accessory dwelling units that can be offered at an affordable rent.</i>		

☐ Do programs specify specific clear commitment, meaningful actions, that will have beneficial impact within the planning period?

☐ Do programs identify timing, objectives (quantified where appropriate), and responsible parties, if appropriate for implementation?

Quantified Objectives

Government Code, section 65583, subdivisions (b)

For an example table addressing this requirement visit [California Housing and Community Development Building Blocks](https://www.hcd.ca.gov/community-development/building-blocks/program-requirements/program-overview.shtml) (https://www.hcd.ca.gov/community-development/building-blocks/program-requirements/program-overview.shtml)

Description of Requirement	Page Number
Estimate the number of units likely to be constructed, rehabilitated and conserved or preserved by income level, including extremely low-income, during the planning period	

Comments:

Appendix A:

City of Albany Affirmatively Furthering Fair Housing (AFFH) Evaluation

Overview

In 2018, the Governor signed Assembly Bill 686, adding a requirement that local housing elements address each community's obligation to "affirmatively further fair housing." AB 686 defined this as:

"taking meaningful actions, in addition to combatting discrimination, that overcome patterns of segregation and foster inclusive communities that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws."

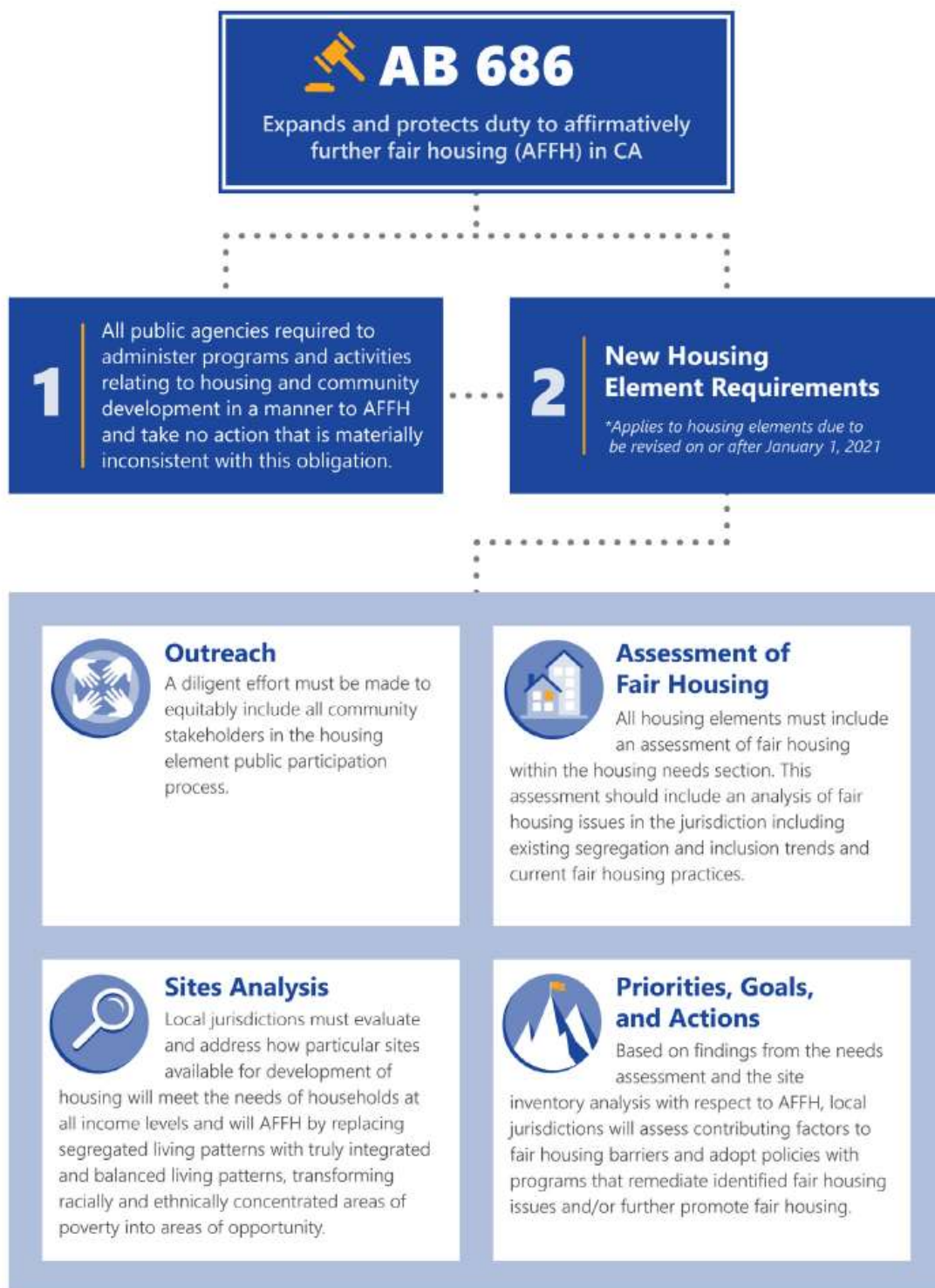
In April 2021, the California Department of Housing and Community Development issued its formal guidance memo on how local governments should address this new requirement in their housing elements. The guidance memo indicates the ways in which the AFFH mandate affects outreach and community engagement, data collection and analysis, the site inventory, identification and prioritization of "contributing factors," and the goals, policies, and programs of the housing element. It also includes data sources and other resources for local governments.

Chart A-1 summarizes the AFFH mandate; the requirements are extensive. As a result, the City of Albany has provided this appendix to address the mandatory components rather than including this information in the body of the Housing Element. The findings of this assessment have informed the policies and programs in the Housing Element and cross-references are provided as appropriate.

A number of data sources have been used to prepare this report. These include:

- HCD's AFFH data viewer website
- 2020-2024 Final Analysis of Impediments to Fair Housing Choices (Alameda County, February 2020)
- US Census 2020 and American Community Survey Five-Year Sample data
- The ABAG/MTC AFFH Segregation Report for Albany
- Bay Area Equity Atlas
- Urban Displacement Project Policy Map (2019)
- ECHO Housing Fair Housing data for Alameda County cities

**Chart A-1:
Summary of AB 686 Requirements**



Source: HCD, April 2021

The remainder of this report provides the data that is generally referred to as the AFFH analysis. This includes trends and patterns related to segregation, racially or ethnically concentrated areas of poverty, disparities in access to opportunity (including persons with disabilities), and disproportionate housing needs.

Duty of All Public Agencies to Affirmatively Further Fair Housing

Federal law already requires that federal agencies administer programs in a way that affirmatively furthers fair housing. This also extends to all local governments receiving funds from the federal government. AB 686 further extended the obligation to all public agencies in the State of California. This mandate applies to administration of all programs and activities relating to housing and community development. The statute requires an examination of policies, programs, rules, practices, and activities, and where necessary, changes to promote more inclusive communities.

Outreach

The City of Albany has worked to engage all economic segments of the community in the Housing Element Update process. This included conducting eight public meetings dedicated to the Housing Element hosted by the Planning and Zoning Commission in 2021 and 2022, two study sessions with the City Council in 2022, and a study session with the Social and Economic Justice Committee in April 2022. The City also convened a community workshop in December 2021. A Housing Element landing page was created on the City's website and used to post documents related to the project.

The City conducted focused outreach to local affordable housing advocates, particularly tenant advocacy organizations such as the Albany Tenants Union and Albany Thrives Together. A stakeholder discussion group was convened in Spring 2022 with roughly a dozen participants, and many of their recommendations appear in this document in some form. In addition, the City conducted outreach to local civic organizations, making presentations to organizations such as the Albany Rotary Club. The City also received extensive feedback from landlords and property owners during the public review period. Public feedback significantly influenced the policies and programs and resulted in substantial edits to Programs 5.C and 5.D and elimination of former program 5.E.

Drafts of the Housing Element were made available at City offices and on-line, with at least 30 days provided between the release of the initial "HCD Draft" and action by the City Council forwarding the Draft to HCD. A 10-day period was provided at the end of the 30-day review to consider the public's comments, as required by State law.

Site Inventory

AB 686 requires that a jurisdiction identify sites throughout the community in a manner that is consistent with its duty to affirmatively further fair housing. The sites identified by each city must work to replace segregated living patterns with integrated living patterns. In Albany, many of the City's housing sites are located along the San Pablo Avenue corridor, in the central

part of the city. This is consistent with the Albany General Plan and corresponds to the areas of greatest development opportunity in the city. The San Pablo Avenue corridor is not an area of concentrated poverty, and the location of additional housing here will not exacerbate existing patterns of segregation or cause displacement. Most of the opportunity sites are underutilized commercial properties. Approximately half of the housing capacity identified in this element is west of San Pablo Avenue and half is to the east.

An analysis of housing sites relative to AFFH is included in Chapter 4 of this document. In an effort to achieve a more equitable distribution of sites across Albany, the City has taken the following steps:

- Proposed the rezoning of an 11-acre parcel on the west side of Albany Hill (Pierce Street) to allow housing of densities that can support affordable housing. This creates a significant affordable housing opportunity in the western third of the city.
- Identified multiple housing opportunity sites along the Solano Avenue corridor, where sites were not identified in the previous Housing Element. These sites will create opportunities in the eastern third of Albany, which is an area that has historically had higher rates of home ownership and higher home values than the citywide average. A one-story Solano Avenue height incentive is proposed for future projects in which 15 percent or more of all units are affordable. The Plan also proposes using FAR instead of density along Solano Avenue, making housing more viable.
- Strongly supported the creation of additional Accessory Dwelling Units (ADUs) and Junior ADUs in all single family neighborhoods, in order to disperse smaller rental units across the city.

The City will also study potential changes to its single family zoning regulations that make it easier to add units in existing single family neighborhoods. This includes compliance with SB 9 and other measures that facilitate duplexes and more affordable units in the city's highest resource areas.

Fair Housing Enforcement

There are no pending lawsuits, enforcement actions, judgements, settlements, or findings related to fair housing and civil rights in Albany. The City complies with all applicable state and federal fair housing laws, including:

- The federal Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601 et seq., which the City complies with by ensuring that housing is available to all persons without regard to race, color, religion, national origin, disability, familial status, or sex.
- The federal Americans with Disabilities Act (ADA), which the City complies with through its building code, permit review procedures, and reasonable accommodation procedures
- The California Fair Employment and Housing Act, which the City complies with through its protocols for hiring, decision-making, staff training, advertising, and legal counsel
- Government Code Section 65008 and 11135, which guide the City's procurement protocols, provide preferential treatment for affordable housing, provide equal access to housing

assistance, and ensure that multi-family housing is treated fairly relative to single family housing

- Government Code Section 8899.50, which specifies AFFH requirements
- Government Code Section 65913.2, which precludes excessive subdivision standards
- Government Code Section 65302.8, which precludes certain types of municipal growth control laws (the City has none)
- Government Code Section 65583, which includes the requirement to have a housing element
- Housing Accountability Act, which is implemented through the City's development review and zoning procedures

HCD's AFFH data viewer reports that there were three (3) fair housing enforcement and outreach (FHEO) inquiries in Albany between 2013 and 2021, which is equivalent to a rate of 1.6 cases per 10,000 residents over the eight years. El Cerrito had the same rate as Albany. By contrast, the rate in Emeryville was 8.3 per 10,000 residents over the same time period. In Berkeley, it was 4.8 per 10,000. In Alameda County, Fremont, Livermore, Newark, Piedmont, and Union City had lower rates than Albany. The other five cities in the county had higher rates than Albany. Countywide, there were an average of 61 fair housing complaints a year registered in Alameda County between 2017 and 2019.

The City has an Agreement with ECHO Housing to provide fair housing enforcement and outreach services. ECHO also maintains data on fair housing complaints in the city, which shows higher complaint rates. ECHO indicates eight complaints filed based on of race, seven based on disability, and two based on religion over the period. Because these cases affect multiple protected classes, there may be overlap between categories (a complaint could be filed related to both race and disability, etc.).

Table A-2 shows how these cases were resolved. Most were addressed through counseling. One case was dropped and two were dismissed for insufficient evidence. Two resulted in landlord education, and one is pending.

Table A-1:
Fair Housing Complaints in Albany Reported by ECHO Housing, 2016-2021

Fiscal Year	Race	National Origin	Disability	Familial Status	Marital Status	Religion	Sex	Source of Income	Age	Other	TOTAL
2016-2017	6	0	1	0	0	0	0	0	0	0	7
2017-2018	1	0	1	0	0	0	0	0	0	0	2
2018-2019	1	0	0	0	0	0	0	0	0	0	1
2019-2020	0	0	2	0	0	0	0	0	0	0	2
2020-2021	0	0	3	0	0	2	0	0	0	0	5

Source: ECHO Housing, 2022

**Table A-2:
Resolution of Housing Complaints in Albany, 2016-2021**

Fiscal Year	Counseling	Insufficient Evidence	Successful Conciliation	Cases Dropped	Education to Landlord	Referrals to Atty/DFEH/HUD	Pending	TOTAL
2016-2017	2	1	0	1	0	0	0	2
2017-2018	0	1	0	0	0	0	1	2
2018-2019	1	0	0	0	0	0	0	1
2019-2020	2	0	0	0	0	0	0	2
2020-2021	2	0	0	0	2	0	1	5

Source: ECHO Housing, 2022

The stakeholders and jurisdictions who participated in Alameda County's Impediments to Fair Housing Analysis commented that inadequate funding and organizational capacity were the primary limitations on expanding or improving fair housing enforcement. Recipients of CDBG funds are directed by HUD to use their administrative or social services allocations for fair housing activities. However, HUD caps those allocations, which limits participating jurisdictions from using more of these funds on fair housing activities. For most jurisdictions, there are no other public or private sources for funding fair housing activities.

The County's fair housing organizations (such as ECHO) have access to other funding sources, such as HUD's Fair Housing Initiatives Program (FHIP). However, like the cities, these organizations do not have access to other private funding sources. Other fair housing activities are funded from federal and state resources, such as services provided by the Office of Fair Housing and Equal Opportunity and Department of Fair Employment and Housing. Another constraint is that the number of fair housing organizations and their respective capacities has declined in recent years. This has constrained the amount of fair housing activity and the capacity for enforcement and outreach.

One of the most critical factors for fair housing complaints is the lack of affordable housing supply. According to the California Housing Partnership's Housing Emergency Update for Alameda County, federal and state funding to Alameda County for affordable housing has declined by 80 percent since 2008, leaving a deficit of approximately \$124 million annually (California Housing Partnership, 2018). Although affordable housing construction and preservation funded by tax credits has increased in Alameda County by 67 percent from 2016, statewide production and preservation has decreased by 23 percent. Alameda County Measure A1 addresses some of this need, but the need far exceeds local measures.

Integration and Segregation

Race and Ethnicity

Chapter 3 of the Housing Element provides an overview of the racial composition in Albany and the surrounding region. In addition, Table A-3 below shows race and ethnicity data for Albany, Alameda County, and the Bay Area for 2010 and 2020.

Relative to the county and region, Albany has a higher percentage of White and Asian residents, and a lower percentage of Black and Hispanic residents. Like the county and region, the city saw a decline in the percentage of residents who are White, Non-Hispanic between 2010 and 2020. In 2020, the percentage of Albany residents who are Hispanic/Latino was 13 percent, compared to 23 percent at the county and regional level. On a percentage basis, this demographic has grown more rapidly in Albany than in the county and region since 2010. The City's Black population has been stable, but as a percentage of all residents is one-half the regional figure and one-third the countywide figure. Albany has about the same percentage of Asian residents as Alameda County, but this percentage has been stable in Albany since 2010 while it is increasing at the countywide and regional levels.

The percentage of multi-racial Albany residents is significantly higher than the countywide and regional averages and has increased at a faster rate since 2010. This has been the fastest growing racial group in the city since 2010.

**Table A-3:
Population Share by Race and Ethnicity: City, County, and Region, 2010-2020**

	Percent of Residents by Race in Albany		Percent of Residents by Race in Alameda County		Percent of Residents by Race in Bay Area*	
	2010	2020	2010	2020	2010	2020
White Non-Hispanic	49.3%	44.1%	34.1%	28.1%	42.4%	36.2%
Hispanic/Latino	10.2%	13.1%	22.5%	23.4%	21.7%	22.9%
Black	3.3%	3.4%	12.2%	9.5%	8.1%	6.8%
Native American	0.2%	0.1%	0.3%	0.2%	0.2%	0.2%
Asian	31.0%	30.3%	25.9%	32.1%	22.9%	27.2%
Native Hawaiian/ Pacific Islander	0.2%	0.1%	0.8%	0.8%	0.7%	0.7%
Other	0.6%	0.8%	0.3%	0.6%	0.3%	0.7%
Two or More Races	5.2%	8.1%	4.0%	5.3%	3.6%	5.3%

Bay Area figure is for 5-counties: Alameda, Contra Costa, Marin, San Francisco, and San Mateo (SF-Oakland MSA)

Sources: US Decennial Census Redistricting Data, 2010 and 2020.

While the data suggests that Albany has become somewhat more diverse since 2010, this does not necessarily mean the city has become more integrated. Segregation of racial and income groups not only occurs between cities, but also between neighborhoods within a city. Spatial analysis of smaller geographies within the city can be used to determine whether the city is become more or less diverse at the neighborhood level. This is shown graphically in Figure A-1, which is a racial dot map of Albany and its vicinity. The map is based on census block group data, which is more fine grained than census tract or citywide data.

In general, when the distribution of dots does not show clustering, segregation tends to be lower. Conversely, when clusters of certain groups are apparent on the map, segregation may be higher. This is particularly true in jurisdictions where no single racial group represents the majority. Figure A-1 indicates a fairly diffuse pattern of racial groups across the entire city, with the highest levels of diversity around University Village and the lowest levels in the eastern part of the city.



Source: AFHH Segregation Report for Albany, UC Merced and ABAG/MTC 2021

Figure A-1: Racial Dot Map of Albany, 2020



Source: AFFH Segregation Report for Albany, UC Merced and ABAG/MTC 2021

Figure A-2: Racial Dot Map of Richmond to Berkeley, 2020

Figure A-2 shows racial distribution in a larger geographic area. Each dot on the map represents about 22 people. Clustering of certain racial and ethnic groups is more apparent on this map. The map indicates predominantly Black and Latino neighborhoods in parts of Richmond, racially mixed neighborhoods in southwest Berkeley and North Oakland, and largely white neighborhoods in the East Bay hills. On this map, Albany and El Cerrito appear as relatively integrated with Asian and White residents, but not other racial groups.

Another way to measure segregation is by using an isolation index. The index ranges from zero to 1.0 and compares a neighborhood's racial composition with the jurisdiction as a whole. A higher value indicates that a particular group is more isolated than other groups.

Table A-4 shows the isolation index for Albany over time for different racial and ethnic groups. The most isolated racial group is White residents, with an index of 0.468. This means that the average White resident lives in a neighborhood that is 46.8 percent White. The coefficients are lower for all other ethnic groups. However, the isolation index for White residents has declined from 2000, when it was 0.608. Relative to the region, the isolation index for White, Black, and Latino residents is somewhat lower in Albany while it is somewhat higher for Asian residents.

Table A-4:
Isolation Index in Albany and Bay Area, 2000-2020

Racial/ Ethnic Group	Albany			Bay Area
	2000	2010	2020	2020
White	0.608	0.529	0.468	0.491
Black	0.042	0.035	0.044	0.053
Latino	0.087	0.106	0.160	0.251
Asian	0.293	0.352	0.336	0.245

Source: AFFH Segregation Report for Albany. UC Merced Urban Policy Lab, ABAG/MTC, 2021

Another measure for evaluating segregation and integration is called the Diversity Index. This is shown spatially in Figure A-3. The map shows census data by block group, with the colors corresponding to the racial and ethnic composition of each area. The darker colors indicate more diverse neighborhoods, taking both race and ethnicity (Hispanic vs Non-Hispanic) into consideration. The higher an area's number, the more diverse it is. Within Albany, the southeast corner of the city has the lowest index while the tracts along the San Pablo Avenue corridor and in northwest Albany have the highest index.

At the citywide level, Albany and El Cerrito appear comparable, while Richmond appears significantly more diverse. The western part of Berkeley is more diverse than Albany, while the hills are less diverse. Emeryville and North Oakland are likewise more diverse than Albany. Regionwide, out of 109 jurisdictions, Albany ranks 62nd in the percentage of its residents who are White, 33rd in the percentage who are Black, 69th in the percentage who are Latino, and 31st in the percentage who are Asian.

Figure A-4 provides another graphic comparing racial segregation between Albany and surrounding jurisdictions. Cities shaded orange (including Albany) have a share of people of color that is less than the Bay Area as a whole. Cities shaded gray have a share of people of color that is more than the Bay Area as a whole. Cities without shading have a share of people of color that is comparable to the regional average. More than half of the cities in the Bay Area have a lower percentage of persons of color than the regional average, although Alameda County cities are generally more diverse than those in Contra Costa County and the North Bay.

Figure A-5 also provides another perspective. This map illustrates predominant racial groups in census tracts in Northwest Alameda County. Many tracts in the East Bay do not have one predominant racial group and are characterized by two or more groups. The pink hues on this map indicate tracts in which three or more groups are predominant. This is indicative of a relatively high level of integration at the neighborhood level. Relative to the Berkeley Hills and the Thousand Oaks/ Northbrae areas to the east, Albany is more racially integrated. No single ethnic group is predominant in much of the city, although parts of the city (such as the west side of Albany Hill) are more diverse than others.

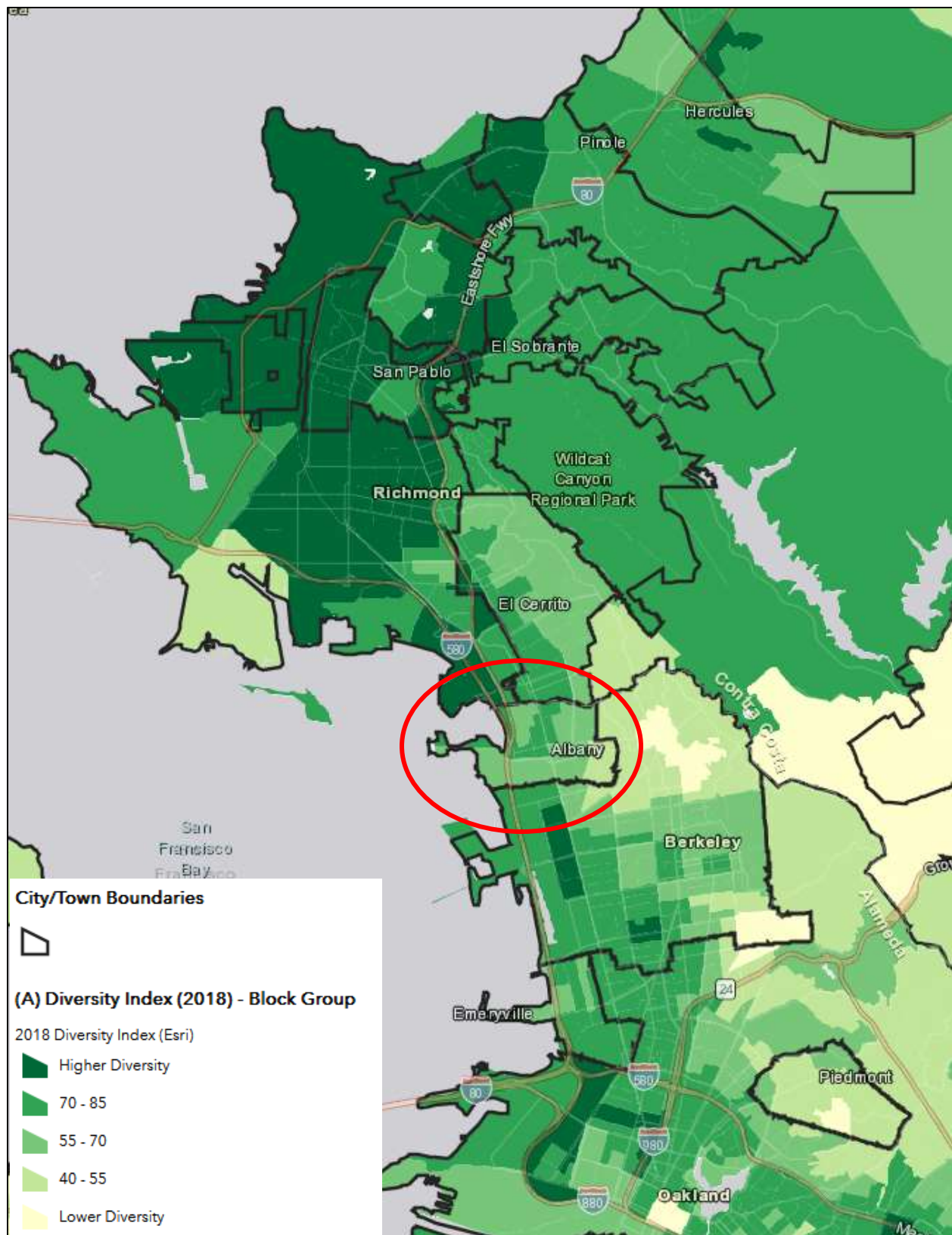
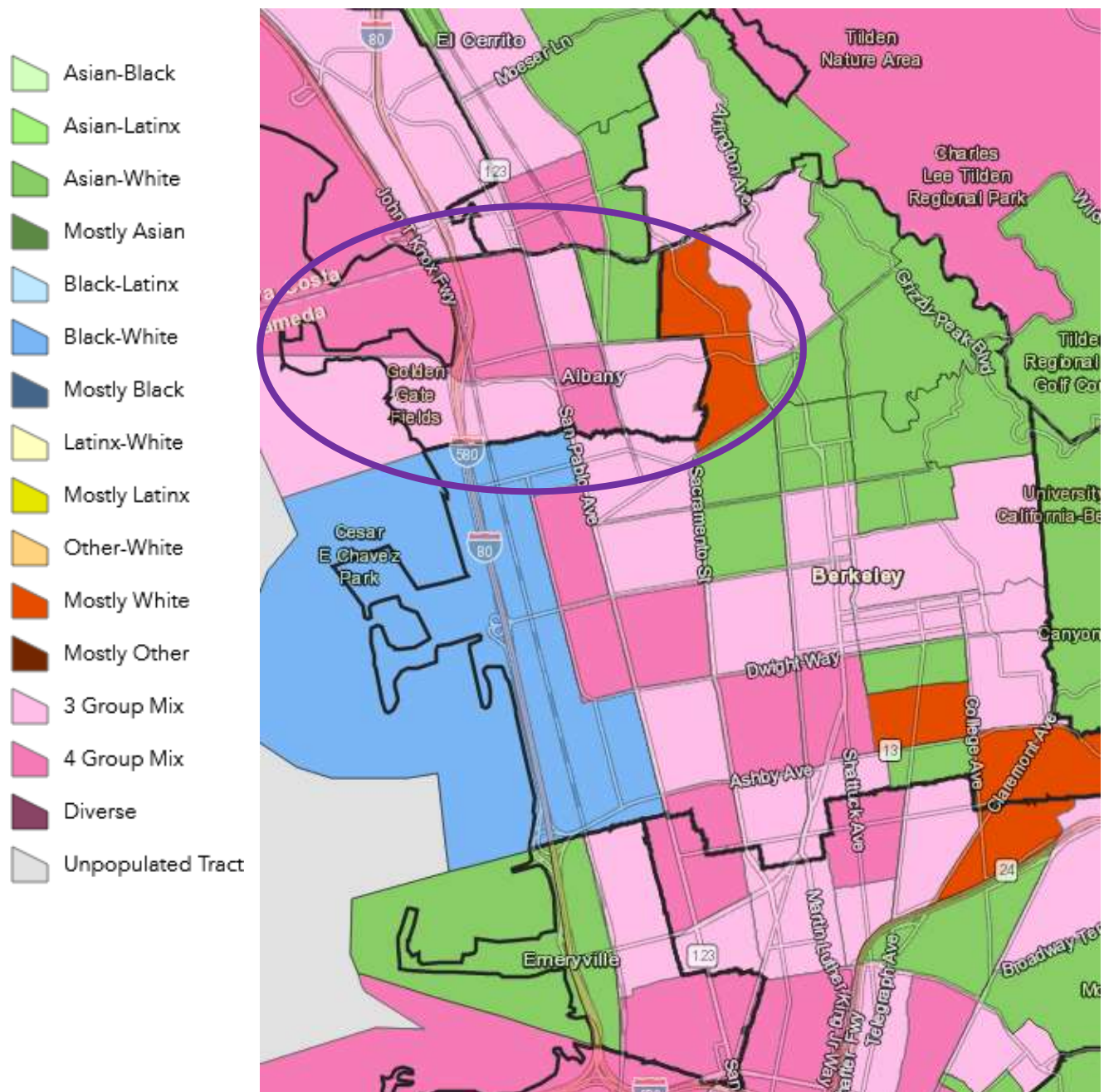


Figure A-3: Diversity Index

Source: AFFH Data Viewer, 2022



Figure A-4: Percent People of Color Relative to Region



Source: AFFH Data Viewer, 2022. Data source is UC Berkeley, 2019

Figure A-5: Neighborhood Segregation in Northwest Alameda County

Persons with Disabilities

Chapter 3 of the Housing Element provides information on the number of people with disabilities by disability type in Albany. This is also shown below in Table A-5, including benchmark data for 2010 and for Alameda County as a whole.

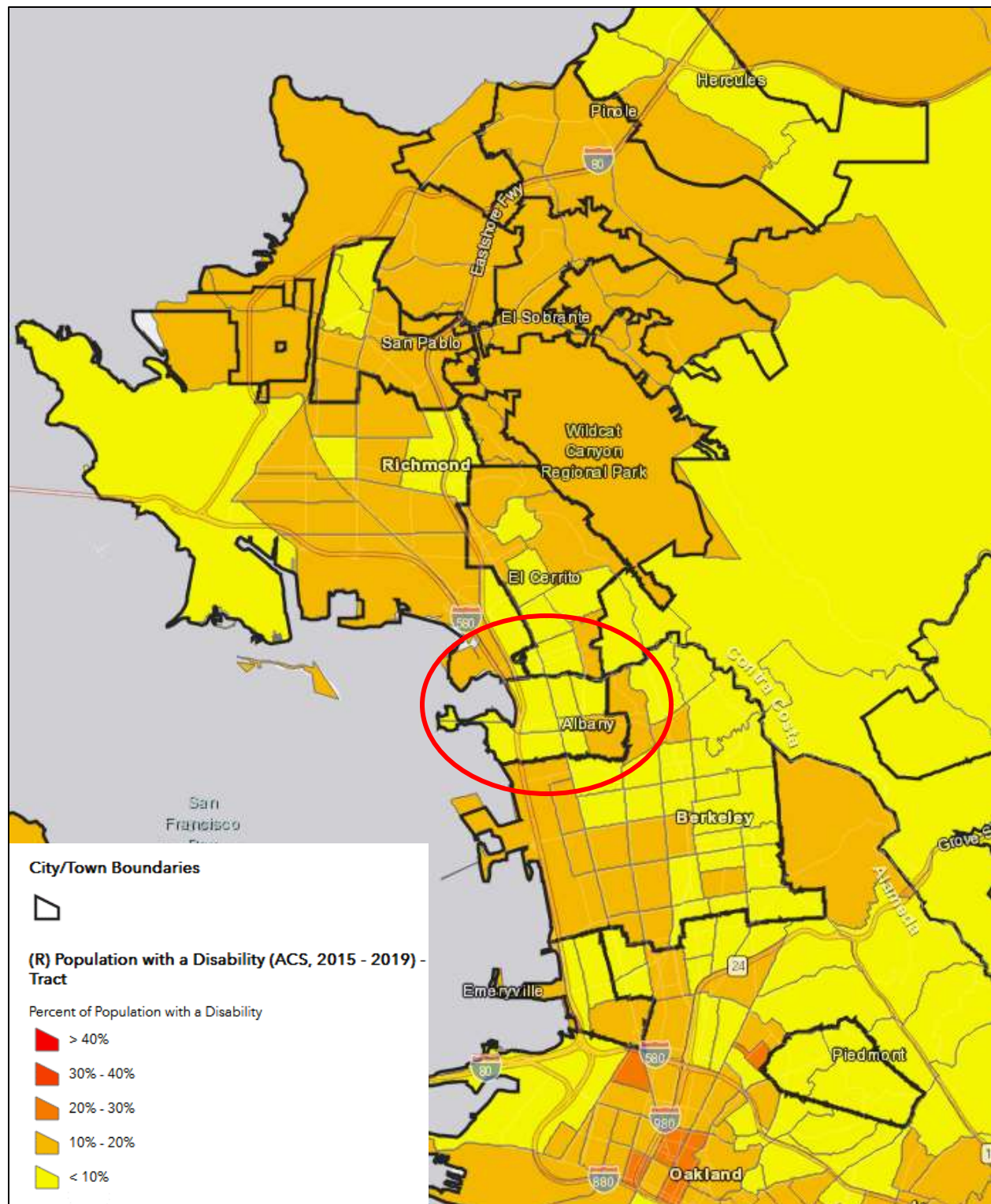
Roughly 6.4 percent of the city's population has one or more disabilities compared to 9.2 percent in Alameda County as a whole. The lower local percentage may be partially explained by the younger population profile in Albany, and also by lower rates of concentrated poverty. Between 2010 and 2020, the percentage of residents with a disability declined slightly in Albany while it went up slightly in Alameda County. Relative to the county as a whole, the city has lower percentages of residents in every category of disability.

**Table A-5:
Percentage of Residents with a Disability, Albany and Alameda County**

	Percent of Residents in Albany		Percent of Residents in Alameda County	
	2010(*)	2020	2010	2020
Total with a Disability	7.2%	6.4%	8.7%	9.2%
Hearing	2.2%	1.7%	2.2%	2.5%
Vision	0.8%	1.4%	1.6%	1.6%
Cognitive	2.6%	2.5%	3.2%	3.7%
Ambulatory	3.1%	3.0%	4.7%	5.0%
Self-Care	1.0%	1.1%	2.1%	2.4%
Independent Living	1.4%	2.8%	3.5%	4.9%

Sources: US Decennial Census, American Community Survey, Five Year Averages. 2020 data is based on 2015-2019 ACS. 2010 data is based on 2008-2012 ACS (2010 ACS data is not available)

Figure A-6 shows census data for Albany and the surrounding area indicating the percentage of residents who are disabled in each block group. As the Figure indicates, almost all of Albany is in the "less than 10 percent" category. The highest percentages are in the southeastern part of the city, which has a larger older adult population and high home ownership rate. Albany's rates of disability are lower than those in West Berkeley and Richmond and comparable to those in the Berkeley Hills and El Cerrito. The highest concentrations of disabled residents visible on the map are in West Oakland, which has a higher concentration of residents in poverty.



Source: AFFH Data Viewer, 2022

Figure A-6: Percentage of Residents with a Disability

Familial Status

The federal Fair Housing Act prohibits discrimination on the basis of familial status. This refers to the presence of children in a household, regardless of the relationship of the child to the adult members of the household. It also includes pregnant women and persons in the process of obtaining legal custody of a child. Housing that is exclusively reserved for seniors is exempt from these requirements.

Examples of familial status discrimination include refusing to rent to someone because they have a child or are a single parent, evicting a tenant if they have a child, or requiring families with children to live in a specific part of a multi-family building. Advertising that prohibits children also is prohibited.

Table A-6 shows familial status in Albany relative to Alameda County. The table compares the percentage of households in different categories, including families, married couples, other households, and non-families (including persons living alone).

Relative to Alameda County as a whole, Albany has about a slightly higher percentage of married couples but a significantly higher percentage of married couples with children. The City also has a lower percentage of single parent households and a slightly higher percentage of non-family households (primarily people living alone). Between 2010 and 2020, Albany saw an increase in the number of married couples, almost entirely among married couples with children. It saw a slight decline in the number of single parents and persons living alone.

**Table A-6:
Population by Familial Status, Albany and Alameda County**

		Percent of Total Albany		Percent of Total in Alameda County	
		2010	2020	2010	2020
Family Households		66.1%	69.1%	63.9%	66.5%
	Married Couples	(49.0%)	(53.4%)	(46.5%)	(50.5%)
	With children under 18 at home	26.4%	30.9%	22.6%	23.2%
	Without children under 18 at home	22.6%	22.5%	23.9%	27.3%
	Other Families	(17.1%)	(15.7%)	(17.5%)	(16.0%)
	With children under 18 at home	10.1%	8.5%	8.9%	6.8%
	Without children under 18 at home	7.1%	7.2%	8.6%	9.3%
Non-family Households		33.9%	30.9%	36.1%	33.5%

Sources: American Community Survey, Five Year Averages for 2010 and 2020. All percentages refer to the percentage of total households in Albany or Alameda County in the listed category. Because the categories are "nested", the numbers add up to more than 100 percent.

Figure A-7 shows familial status Albany and surrounding areas. Specifically, the map shows the percentage of children under 18 living in married couple households. The Figure indicates high percentages in Albany, consistent with Table A-3 and the city's designation as a "high resource" area for housing purposes. More than 60 percent of the city's children are in married couple households in all census tract block groups, with the rate over 80 percent in most block groups. Rates below 60 percent occur outside the city to the south in West Berkeley and the northwest in Richmond. In parts of West Oakland, where poverty and unemployment are much higher, rates are below 40 percent.

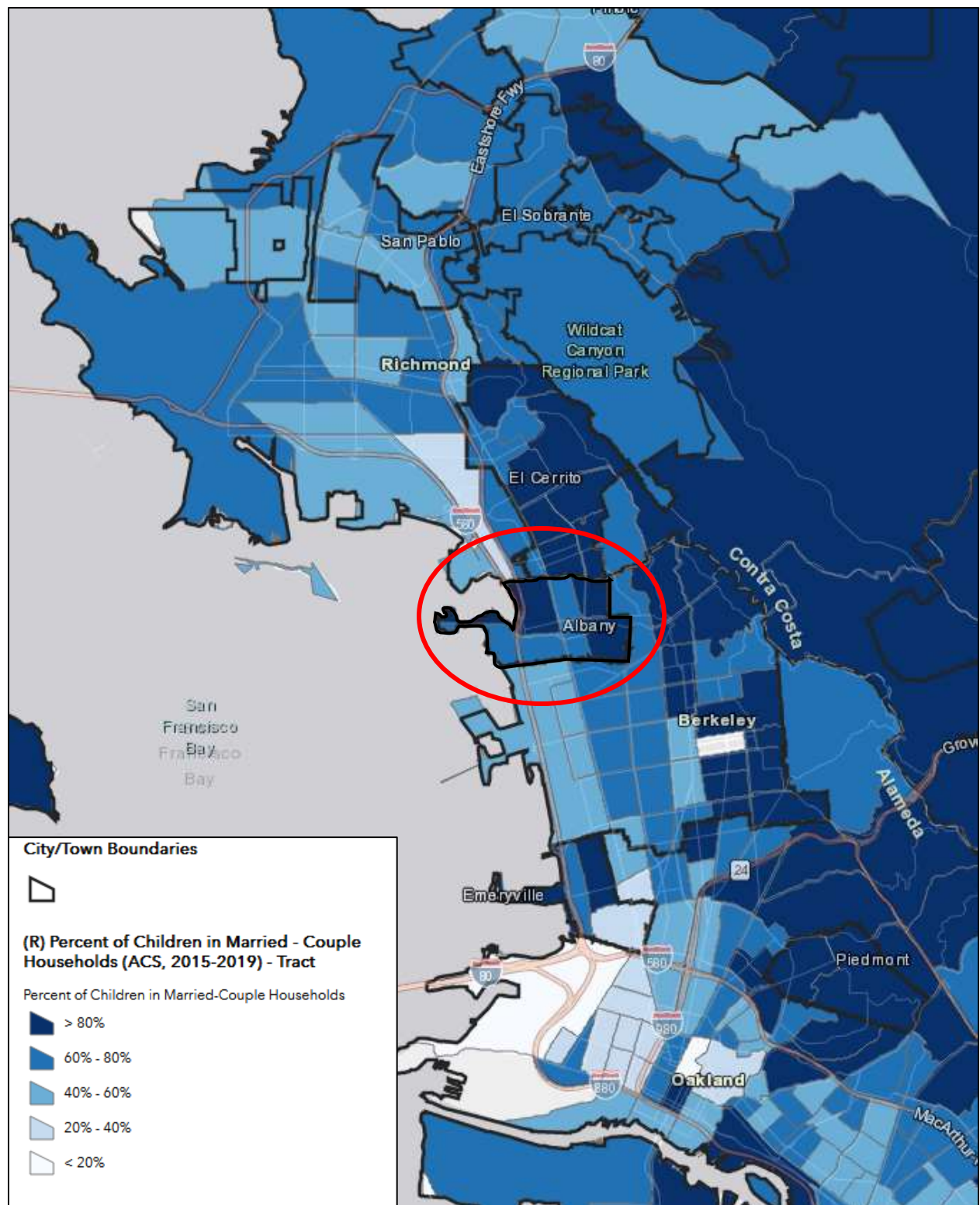
Income Level

Activities funded by federal community development and housing programs are typically designed to benefit low- and moderate-income (LMI) persons. For example, activities qualify for Community Development Block Grant (CDBG) funding if they benefit the residents of a primarily residential area where at least 51 percent of the residents are low- and moderate-income. Accordingly, HCD has used Census income data to map these areas by Census block group. This is shown in Figures A-8 and A-9. Figure A-8 shows detailed information for Albany. Figure A-9 shows the same information, but at a larger scale that provides regional context.

Figure A-8 illustrates that the southwestern quadrant of Albany qualifies as an LMI area. This census tract block group corresponds to University Village student family housing, where low incomes do not necessarily reflect poverty and low resources. While most student families are indeed low to moderate income, some have other sources of income or are preparing for careers that will generate significant future income. Other census tract block groups all indicate areas where less than half of the population is considered low or moderate income. The highest incomes tend to correspond to areas with high home ownership rates. These include the eastern third of the city and parts of northwestern Albany. The area between San Pablo and Masonic Avenue is somewhat less affluent, but still has more than half of its population in the above moderate-income categories.

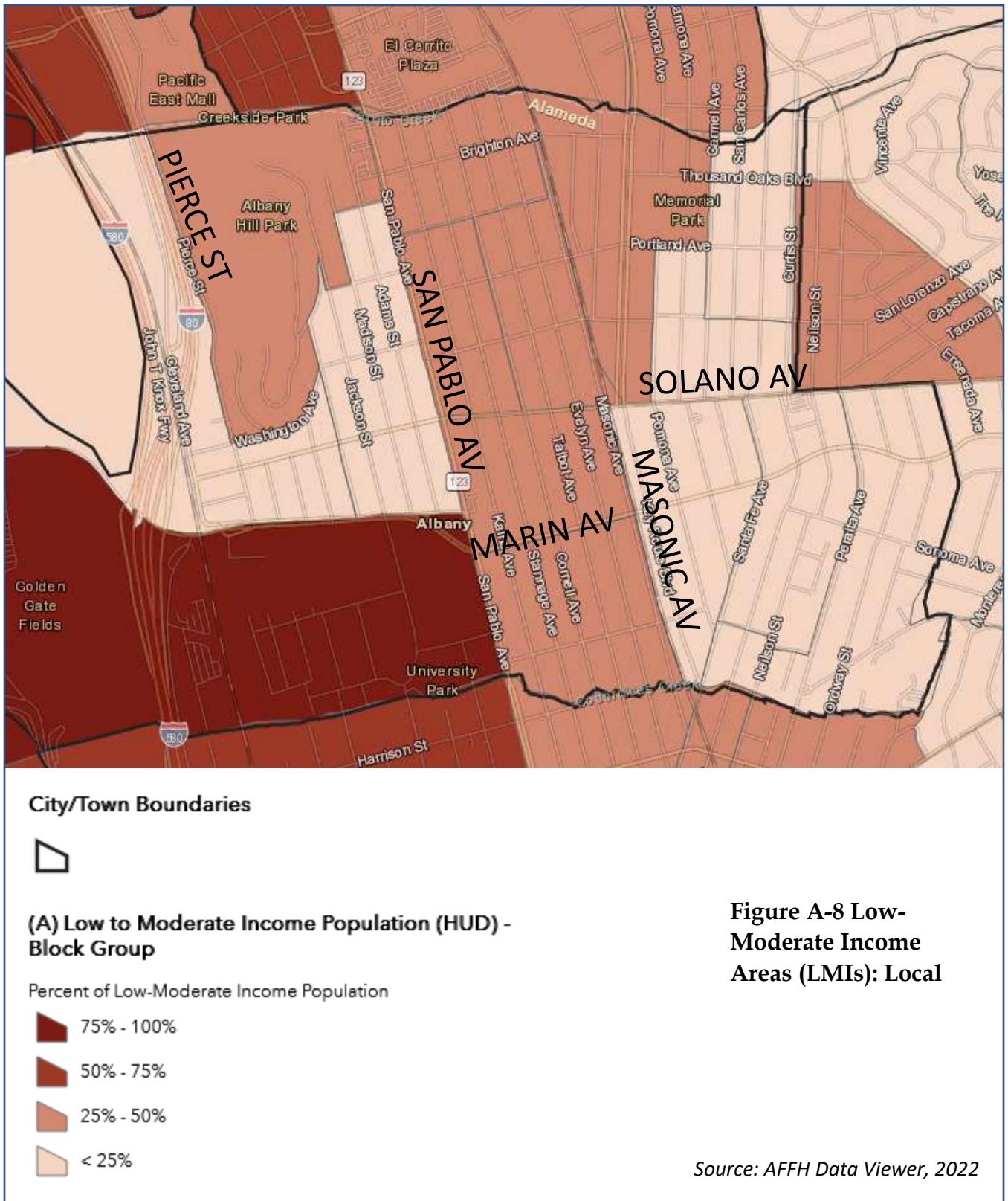
Figure A-9 indicates that an income profile for Albany is higher than the neighborhoods immediately to the north and south. Neighboring East Bay cities generally exhibit a pattern of upper income tracts in the hills and lower income tracts closer to the Bay. This is particularly true in Berkeley and Oakland, except that the University campus is ringed by low-moderate income areas due to high concentrations of students. El Cerrito follows a pattern similar to Albany, with moderate income tracts closer to San Pablo Avenue and higher income tracts to the east. Richmond has a large number of LMI census tracts in the northern and western parts of the city.

Figure A-10 shows median income by census tract block group in Albany and surrounding communities. This confirms that University Village has a lower income profile than the rest of the city, while the easternmost area of Albany has a higher income profile. The figure identifies a moderate income block group on the west side of San Pablo Avenue along Adams, Madison, and Jackson Streets. The remainder of Albany has above moderate median incomes.



Source: AFFH Data Viewer, 2022

Figure A-7: Percentage of Children in Married Couple Households



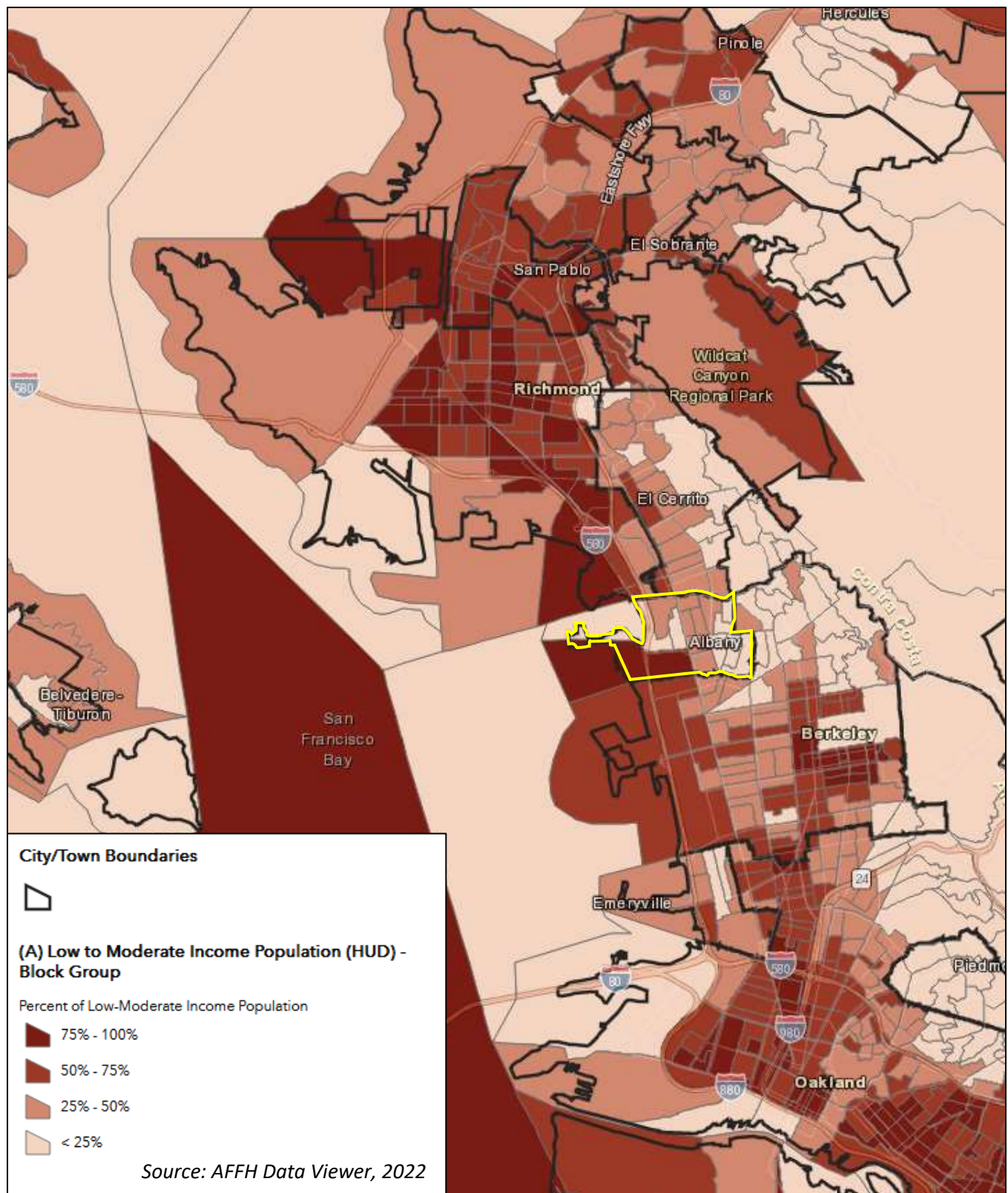
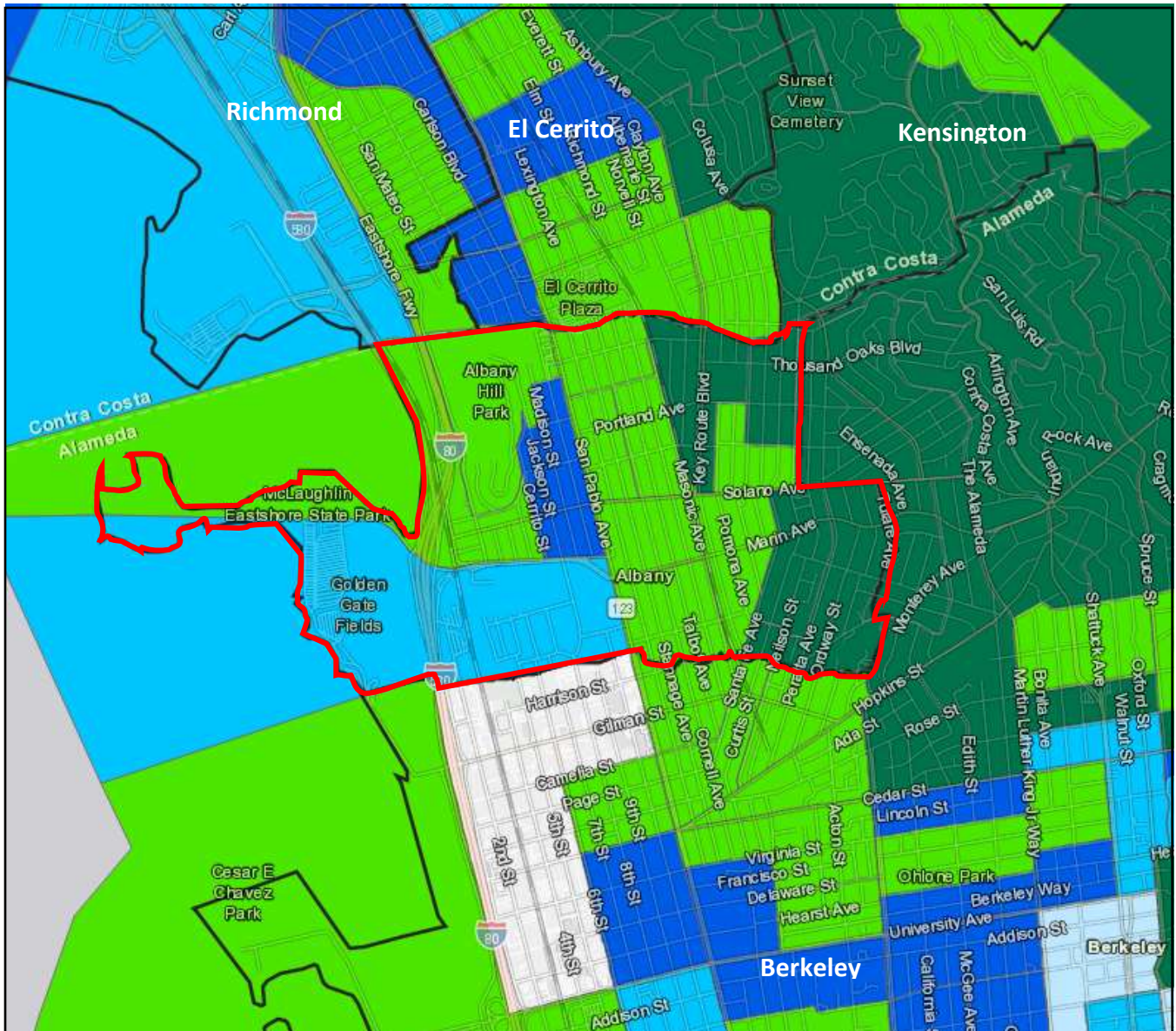


Figure A-9: Low-Moderate Income Areas (LMIs): Regional



City/Town Boundaries



(R) Median Income (ACS, 2015-2019) - Block Group

Median Income






-  Greater than \$125,000
-  < \$125,000
-  < \$87,100 (HCD 2020 State Median Income)
-  < \$55,000
-  < \$30,000

Figure A-10:

Median Income by Census Tract Block Group, 2020

Source: AFFH Data Viewer, 2022

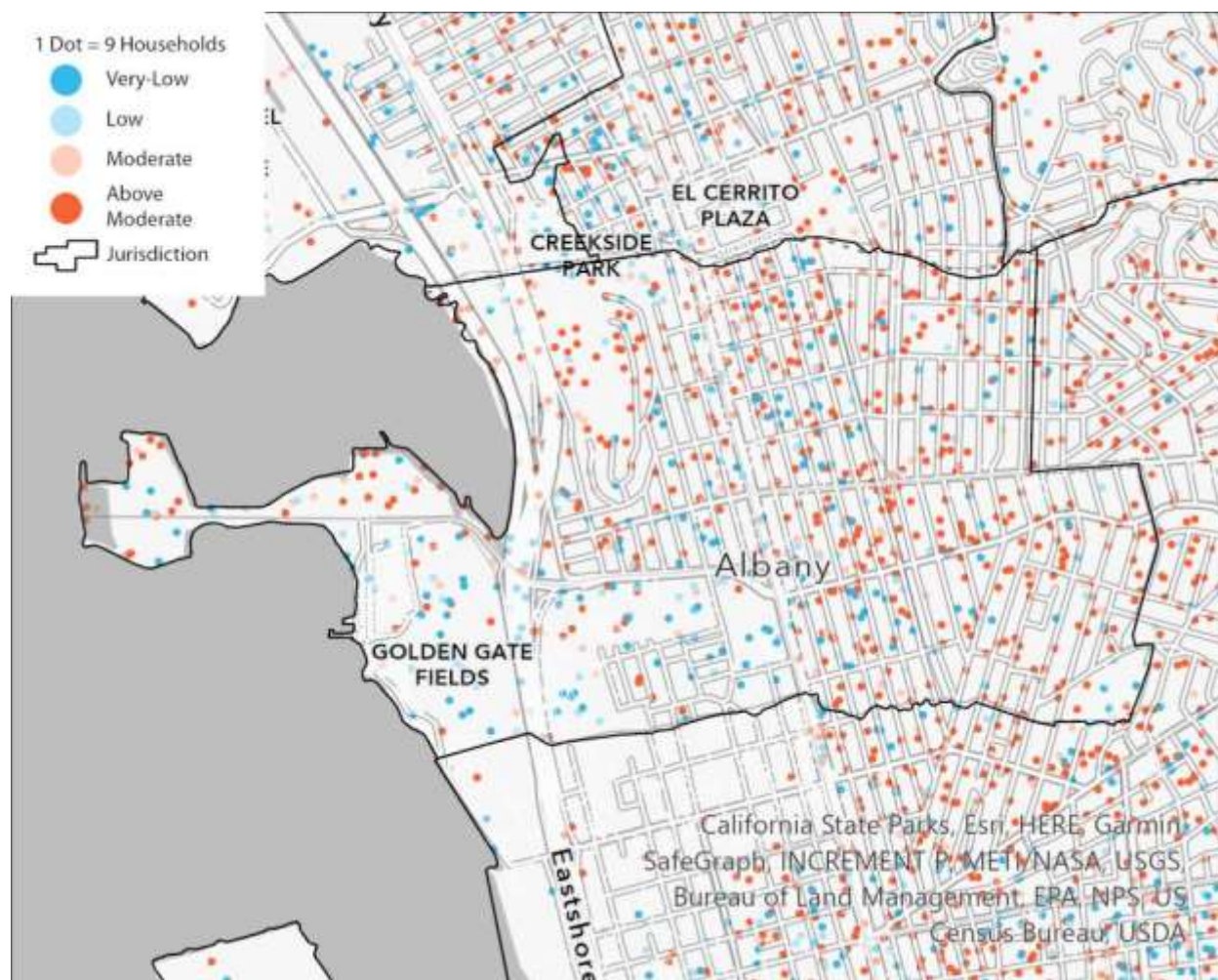
Table A-7 compares the income profile of Albany with Alameda County as a whole. The table indicates that Albany has a similar income profile to the County, although the County has approximately 80 times the number of residents. In 2020, about 10 percent of Albany's households had incomes of less than \$25,000 a year, compared to about 12 percent countywide. At the upper income ranges, 52 percent of Albany's households had incomes over \$100,000 a year, compared to 53 percent countywide. The percentage of residents with incomes between \$50,000 and \$100,000 were also similar in both geographies, with 26 percent in the city and 23 percent countywide. The data in Table A-7 indicates that Albany is an economically diverse community, despite its small size and relatively small population.

Figure A-11 provides a "dot map" showing how households of different incomes are distributed spatially in the city. The income dot map is similar to the racial dot maps shown in Figures A-1 and A-2 and is a useful way to visually represent the segregation of income groups within a city. As with the racial dot maps, income segregation tends to be higher when clusters are apparent on the map. Figure A-9 scatters the dots in a given census tract across the entire tract rather than positioning them in the exact locations where residents live. As a result, areas like Golden Gate Field and the Albany Bulb appear as populated areas rather than as business and open space uses. The map is useful, however, in showing that persons of different income groups reside in all parts of Albany. Even in University Village, there is a mix of very low, low, moderate, and above moderate income population.

Table A-7:
Household Share by Income, Albany and Alameda County

	Percent of Residents by Income in Albany		Percent of Residents by Income in Alameda County	
	2010	2020	2010	2020
Less than \$10,000	3.8%	4.8%	5.5%	4.1%
\$10,000-\$14,999	4.6%	1.4%	4.9%	3.3%
\$15,000-\$24,999	10.1%	3.9%	8.1%	5.1%
\$25,000-\$34,999	5.5%	4.5%	7.5%	5.2%
\$35,000-\$49,999	10.4%	8.1%	10.9%	7.1%
\$50,000-\$74,999	17%	12.3%	16.3%	12.0%
\$75,000-\$99,999	14.2%	13.7%	12.6%	11.2%
\$100,000-\$149,999	16.7%	14.2%	17.2%	17.9%
\$150,000-\$199,999	9.4%	12.9%	8.5%	12.6%
\$200,000 or More	8.2%	24.2%	8.4%	21.7%
Median Income	\$71,994	\$103,132	\$69,384	\$104,888

Sources: American Community Survey, Five-Year Averages, 2010 and 2020



Source: AFFH Segregation Report for Albany, UC Merced and ABAG/MTC 2021

Figure A-11: Income Dot Map of Albany

Racially and Ethnically Concentrated Areas of Poverty (R/ECAP) and Affluence

Racially/ethnically concentrated areas of poverty –or R/ECAPs –are census tracts identified by HUD with a majority non-White population (greater than 50 percent) and poverty rates that exceed 40 percent or are three times the average tract poverty rate for the metropolitan area, whichever is lower. There are no R/ECAP tracts in Albany, nor are there any in the tracts that abut Albany. R/ECAP areas exist around the UC Berkeley campus due to the high concentration of student households. Other R/ECAP areas in the East Bay are located in the West Oakland, Fruitvale, and East Oakland areas of Oakland, the Ashland neighborhood between San Leandro and Hayward, and the Monument corridor in Concord.

HCD also has identified certain communities as “racially concentrated areas of affluence” (RCAs). These are areas that exhibit both high concentrations of White residents and high concentrations of wealth. Albany has not identified as an RCA, but such communities exist throughout the Bay Area and across suburban California.

Historic Context

Like many communities in the Bay Area, Albany's early development reflects the cultural and social norms of the era in which the city was initially developed. These norms pre-dated the Fair Housing Act and included practices that excluded certain racial and ethnic groups from purchasing property. Prior to incorporation, the indigenous population that once inhabited Albany and the East Bay was violently dispossessed and displaced. In the 114 years since incorporation, discrimination has continued to occur both directly and indirectly in the city. Today, the City acknowledges this legacy and is taking intentional steps to ensure a more inclusive future for all residents.

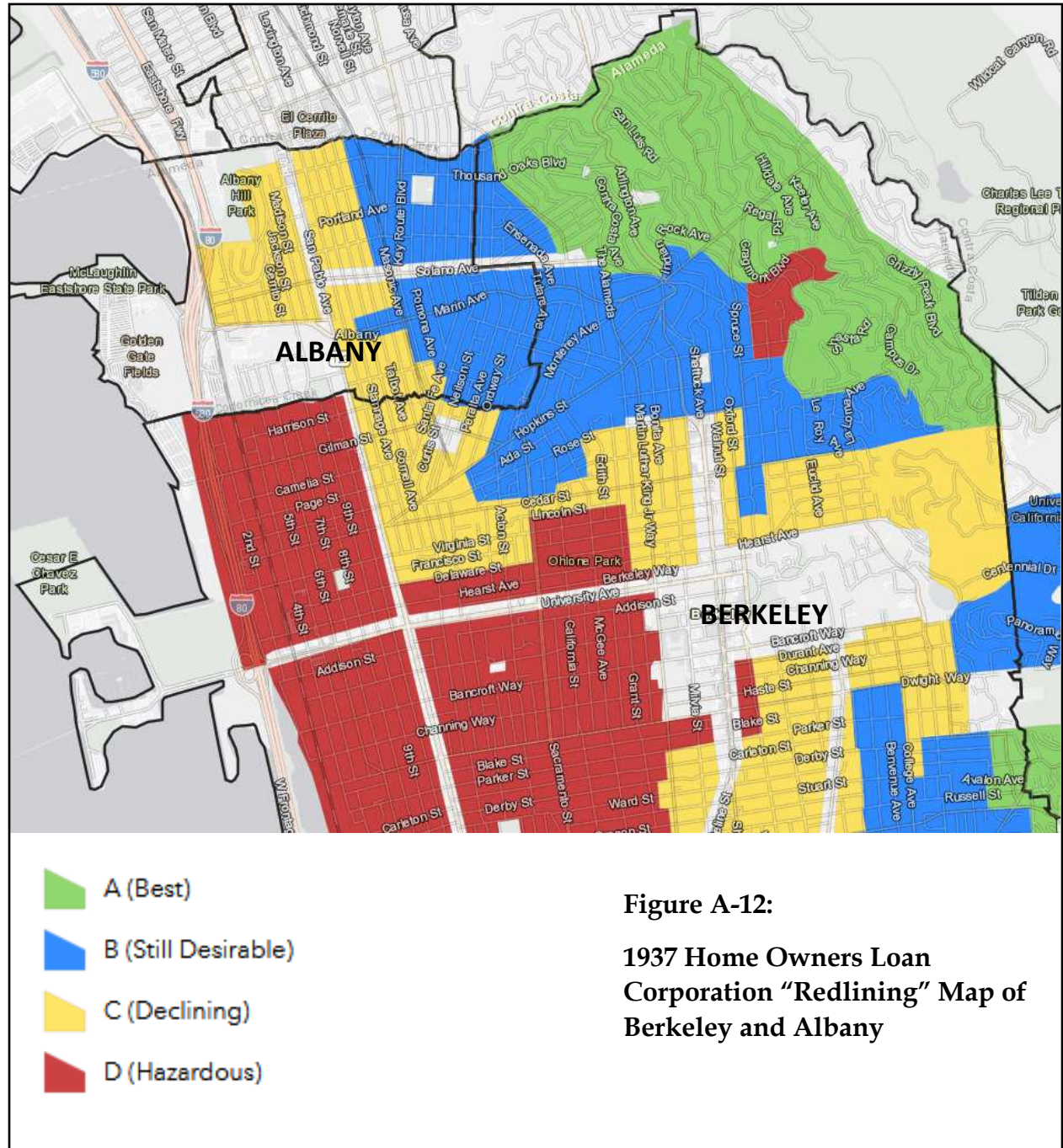
Lending practices and home sales in the first half of the 20th Century were characterized by the practice of "redlining". While that term originated from the New Deal in the 1930s, discriminatory lending and the segregation of neighborhoods by race and ethnicity was well-established by that time. Racially restrictive covenants and bylaws were common by the turn of the 20th Century, and deed restrictions often prohibited the sale or lease of homes to specific racial groups. Local zoning regulations reinforced these patterns by limiting construction to single family homes, effectively excluding certain racial groups.

The Home Owners' Loan Corporation (HOLC) was created during the 1930s and created a neighborhood ranking system in over 200 cities, including Albany. These maps and ratings set the rules for decades of real estate practices, including home appraisals, lending, and sales.

Neighborhoods were given a letter grade ranging from "A" to "D". The "A" neighborhoods were typically upper middle class White neighborhoods, defined as posing minimal risk for banks and lenders due to their "ethnic homogeneity." The "B" neighborhoods were considered "Still Desirable" and were primarily comprised of White residents. These areas were likewise considered sound investments for mortgage lenders. The "C" neighborhoods were considered to be "Declining." Residents were often working class, included European immigrants, and were characterized by older building stock. The "D" neighborhoods were considered "Hazardous" as they were "infiltrated" with "undesirable" populations. In the 1930s and 40s, these populations included residents who were Black, Mexican, or Asian. They were often located near industrial areas and had older housing.

Figure A-12 shows the redlining map of Albany. Areas east of Masonic were considered to be "still desirable" while areas west of Masonic were considered to be "declining." Appraiser reports from the time included specific documentation of how many "undesirables" were present and cautioned of their potential impacts on property values and neighborhood stability.

Banks received federal backing to lend money for mortgages based on these letter grades. Many banks refused to lend to "D" areas, making it impossible for residents in these areas to become homeowners. While the practice of redlining was outlawed in 1968, the effects of disinvestment are still visible today. In some cases, these patterns were reinforced by investment in schools, parks, health care facilities, and infrastructure. Neighborhood wealth and demographics still follows patterns on maps prepared nine decades ago. In adjacent Berkeley, the Urban Displacement Project found that 74 percent of the city's historically redlined neighborhoods are low or moderate income today.



In many cities, patterns of segregation were reinforced by racialized public housing policies. Local housing authorities enforced racial quotas and built segregated housing complexes. During World War II, Japanese citizens were incarcerated, often losing their homes and properties in the process. After the War, urban renewal projects and interstate highway construction caused further displacement, disrupting communities to allow for redevelopment.

Albany's role in this legacy can be seen at Codornices Village, a project for wartime workers developed in southwest Albany at the start of World War II. When the Federal Public Housing Authority initially proposed its construction as a racially integrated complex, the Albany City Council at the time immediately opposed the project. The Council found it would introduce an "undesirable element" and force the integration of schools. Residents petitioned against the project, expressing strong racial and class bias. Ultimately, the complex was internally segregated, with Black residents assigned to the noisier west side near the railroad tracks and White residents assigned to the quieter east side near San Pablo Avenue. Today, this site is home to University Village, including thousands of graduate students and their families from all around the world.

Prior to the 1978, much of Albany was zoned for apartments. The city saw a large amount of multi-family construction during the 1950s and 60s, followed by the high-rise Gateview development in the mid-1970s. This development created growing concerns about excessive density in the city, and the potential for negative environmental impacts. While well-intentioned, the desire to preserve the city's "small town feel" and lower scale manifested in zoning changes that made it much more difficult to build apartments in Albany. Much of the City was downzoned in 1978 and allowable heights were later reduced on San Pablo Avenue. One effect of those changes was that opportunities for affordable housing and rental construction were curtailed.

Albany's values and attitudes have changed significantly in the decades since World War II. Local residents strongly supported the Rumford Fair Housing Act in 1963 and have continued to embrace racial inclusion and diversity in the community. The 1960 Census reported that Albany was 97.4 percent White. By 1980, this figure was 76.5 percent and by 2000, it was 61.3 percent. The 2020 Census indicates that the city is now majority non-White (47 percent). However, past practices are still evident in rates of home ownership and income. The City is working pro-actively today to create greater opportunities for residents of all incomes through strategic rezoning and greater investment in new housing programs.

Housing Unit Type as an Indicator of Integration and Segregation

As Table A-8 indicates, Albany's housing mix is slightly more diverse than Alameda County as a whole. Much of the city was developed before large-scale suburbanization, so the unit mix includes more multi-family housing than one would find in a community of equivalent size on the outer edges of the region. In 2020, about 53 percent of the housing units in Albany were single family homes (including attached as well as detached), compared to 61 percent countywide. About 36 percent were in multi-family buildings of five units or more, compared to 28 percent countywide. The greater density and housing diversity in Albany has contributed to its economic integration.

Table A-8: Housing Units by Type, Albany and Alameda County

	Number/Percent of Total in Albany		Number/Percent of Total In Alameda County	
	2010	2020	2010	2020
Single Family Detached	4,150 53.5%	3,694 46.5%	305,127 52.4%	316,025 52.2%
Single Family Attached	289 3.7%	491 6.2%	43,939 7.5%	52,969 8.7%
2-4 units	902 11.6%	900 11.3%	68,970 11.8%	62,014 10.2%
5+ units	2,389 30.8%	2,840 35.8%	158,389 27.2%	167,120 27.6%
Mobile Homes	25 0.2%	14 0.2%	6,203 1.1%	7,639 1.3%
TOTAL	7,755	7,939	582,628	605,767

Source: UC Census, American Community Survey Five-Year data for 2010 and 2020

Note: Many of the changes occurring between 2010 and 2020 are the result of units being counted differently in each census rather than units being added or removed. The City of Albany did not experience a loss of 456 single family units between 2010 and 2020, nor did it experience a gain of 451 multi-family units. Some of the units at University Village were counted differently in 2020 than they were in 2010. This is also true of the data shown for Alameda County.

Access to Opportunity

California HCD and the California Tax Credit Allocation Committee (TCAC) convened a task force to advance fair housing through research and policy recommendations. One of the products of this effort was a series of “opportunity maps” that identify resource levels across the state. The intent of these maps is to improve the eligibility of “high resource areas” for low-income housing tax credit funding. Improving access to these funds makes it more viable to build affordable housing in these areas.

The opportunity maps depict composite data on environmental conditions (vulnerability to pollution, etc.), economic conditions (poverty, job proximity, home values), and educational conditions (graduation rates, math and reading proficiency, etc.). HCD has made these maps available through its AFFH data viewer. Conditions in Albany are depicted in Figures A-13 through A-16. On all of these maps, each census tract is assigned a value based on its level of resources. The higher the value, the more positive the outcome.

TCAC Environmental Outcomes

In this context, environmental conditions refer to environmental health and exposure to man-made hazards such as vehicle exhaust, industrial emissions, and cancer-causing chemicals. It does not refer to natural environmental hazards such as wildfire and landslides.

Figure A-13 indicates that lower environmental outcome scores along the waterfront and freeway and higher scores on the eastern edge of the city (generally east of BART). This is likely related to the proximity of the western census tracts to Interstate 80, which is a source of noise and air pollution. The western edge of the city also has the city’s only industrial land uses, as well as the Union Pacific railroad. Scores are comparably low along the Bay shore to the south in Berkeley and north in Richmond. Scores are somewhat better north of Marin Avenue than south, likely because of the proximity to open space on Albany Hill.

Scores are considerably higher west of San Pablo Avenue. At the census block group level, the environmental outcome scores range from 0.17 at University Village to 0.81 in the area around Memorial Park. Moving beyond the city limits, the East Bay Hill neighborhoods between El Cerrito and Oakland/Piedmont all score in the highest quartile, with strong positive outcomes. These neighborhoods have abundant access to open space and natural resources, and limited exposure to industrial uses and hazardous materials. Scores are lower in West Berkeley, Emeryville, West Oakland, and Richmond, as well as Downtown San Francisco. In some areas, such as the Port of Oakland/Army Base area, scores are zero.

The City tends to rank more highly on the CalEnviroScreen maps, which also show ambient environmental conditions by census tract. Every census tract in Albany is ranked in the top *or “healthier”) half of the ranking system, with the eastern third of the city ranking highest. The poorest CalEnviroScreen rankings tend to occur near the region’s airports and refineries, and in other areas of expansive heavy industry (such as the Iron Triangle or Richmond and the San Leandro Street corridor in East Oakland). With the exception of University Village, every census tract in Albany is ranked in the 80th percentile or better in the 2021 Public Health Alliance “Healthy Places” Index.

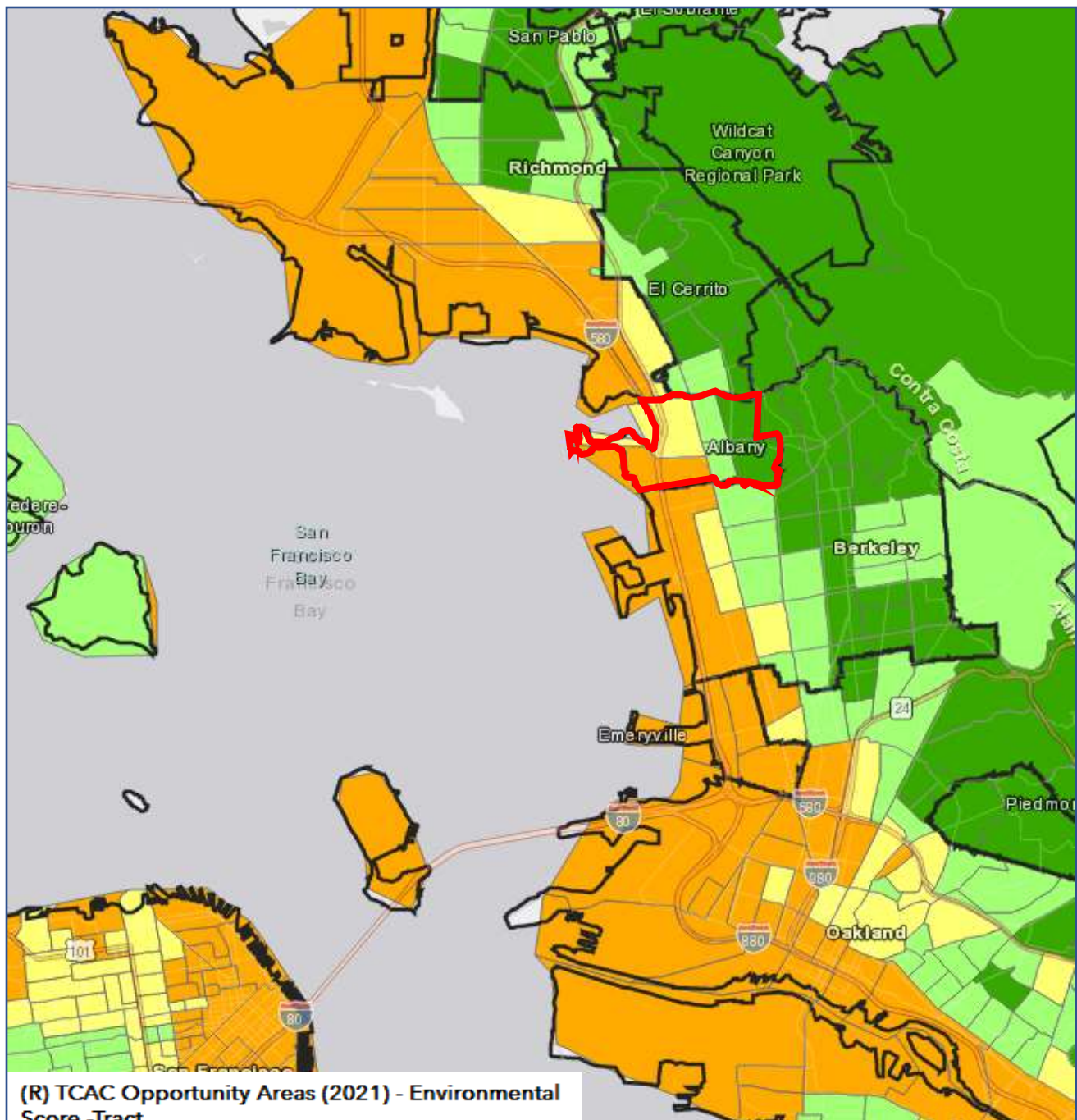


Figure A-13:
Environmental Outcome Scores

Source: AFFH Data Viewer, 2022

TCAC Education Outcomes

Educational outcomes are shown in Figure A-14. Neighborhoods are ranked based using four quartiles ranging from 0 to 0.25 (poorest outcomes) to 0.75 to 1.0 (highest outcomes). All of Albany is in the two highest quartiles. Scores in the neighborhoods south of Marin Avenue (including University Village) are between 0.76 and 0.80. Scores in the neighborhoods north of Marin Avenue are 0.70 to 0.72. The scores are considerably higher in Albany than they are in El Cerrito, Richmond, Emeryville, and Oakland. However, they are comparable to those in Berkeley. The high scores in Albany reflect the community's reputation as a city with high-performing schools, high rates of college enrollment following high school, and a well-educated population.

TCAC Economic Outcomes

Figure A-15 shows economic outcomes in Albany and the surrounding area. This is generally a measure of wealth and access to jobs. The same tiered pattern that appears in the Environmental Outcomes map appears here. University Village receives a low score (0.22), although this is attributable to its large student population. Northwest Albany receives a moderate score (0.55), while the neighborhoods between San Pablo Avenue and Masonic score somewhat higher (0.70). The neighborhoods east of the BART line score the highest, with 0.82 north of Marin Avenue and 0.88 south of Marin Avenue.

The economic outcome profile is substantially higher in Albany than it is in El Cerrito and Richmond. It is comparable to much of Berkeley, with the high scores of eastern Albany continuing into the Berkeley Hills and North Berkeley neighborhoods and the moderate scores of central Albany continuing south into Central and West Berkeley. Emeryville receives very high economic outcome scores, as does Piedmont. The pattern in Oakland is more varied, with higher scores in the hills and lower scores in the flatlands.

HCD maps indicate that there are no "disadvantaged communities" in Albany. This designation is given to census tracts which meet certain criteria related to low median incomes and exposure to environmental hazards and climate change impacts. Under SB 535, disadvantaged communities are eligible for grants and funds to improve their environmental and economic resilience.

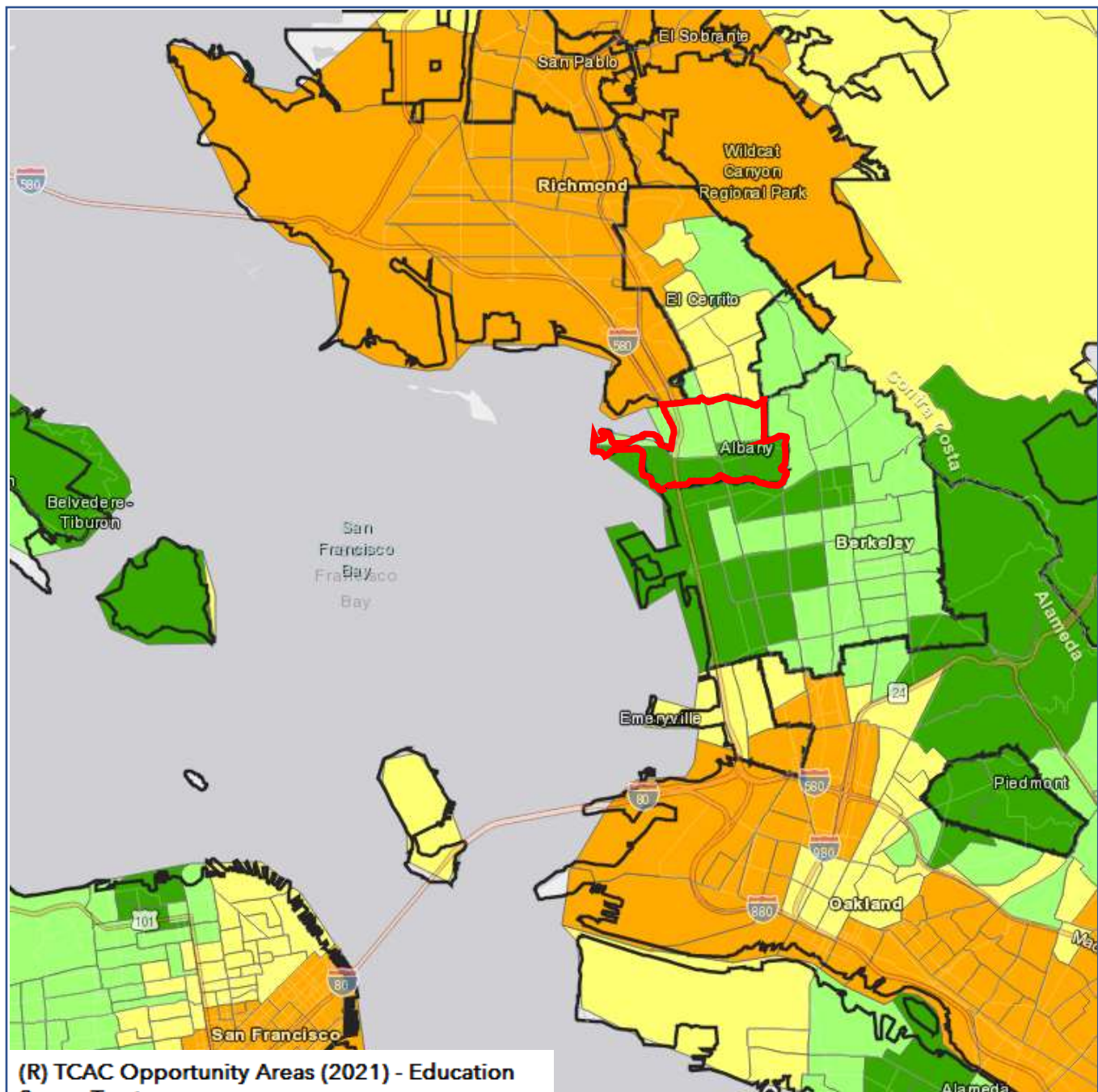


Figure A-14:
Education Outcome
Opportunity Scores

Source: AFFH Data Viewer, 2022

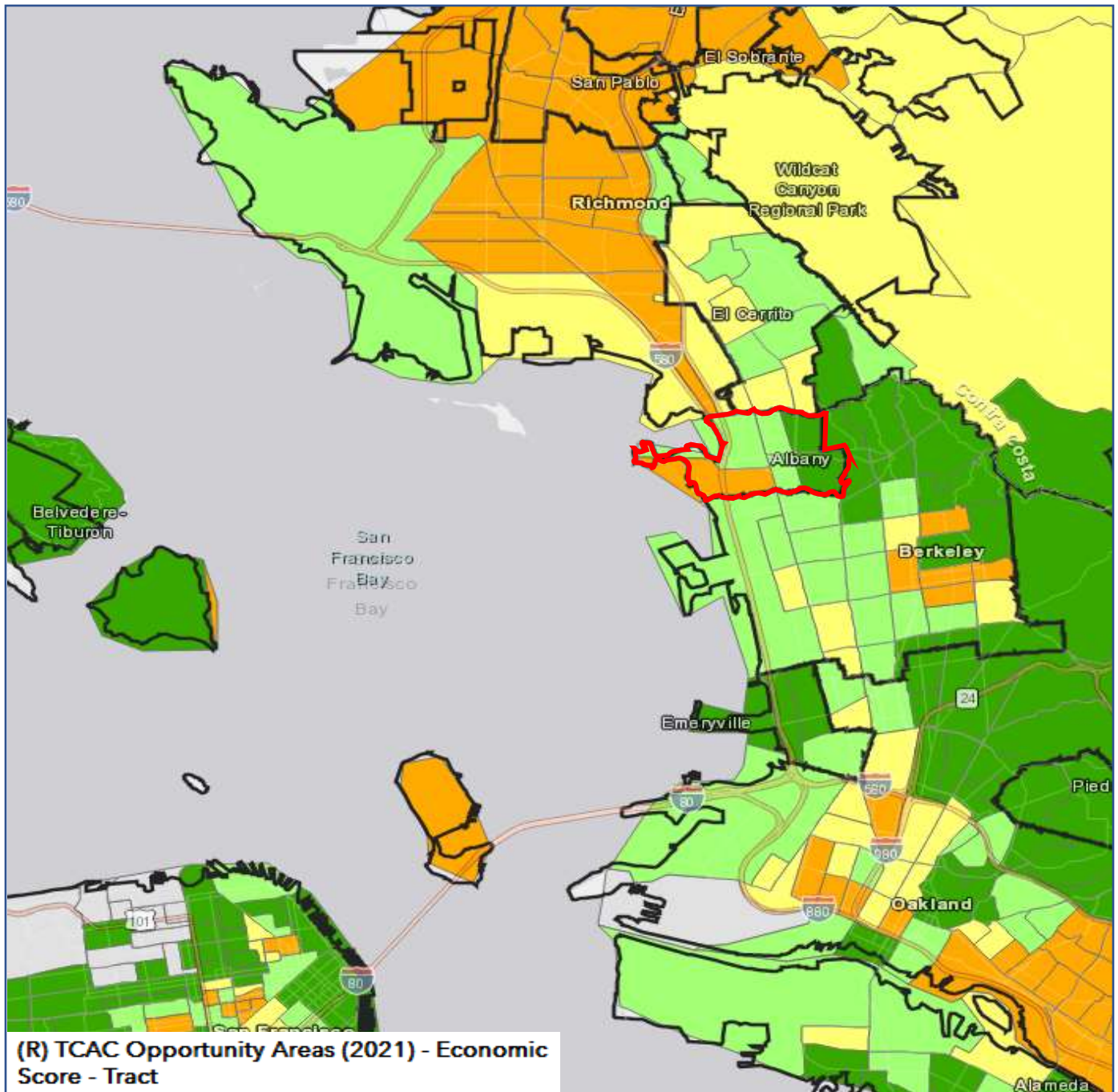


Figure A-15:
Economic Outcome
Opportunity Scores

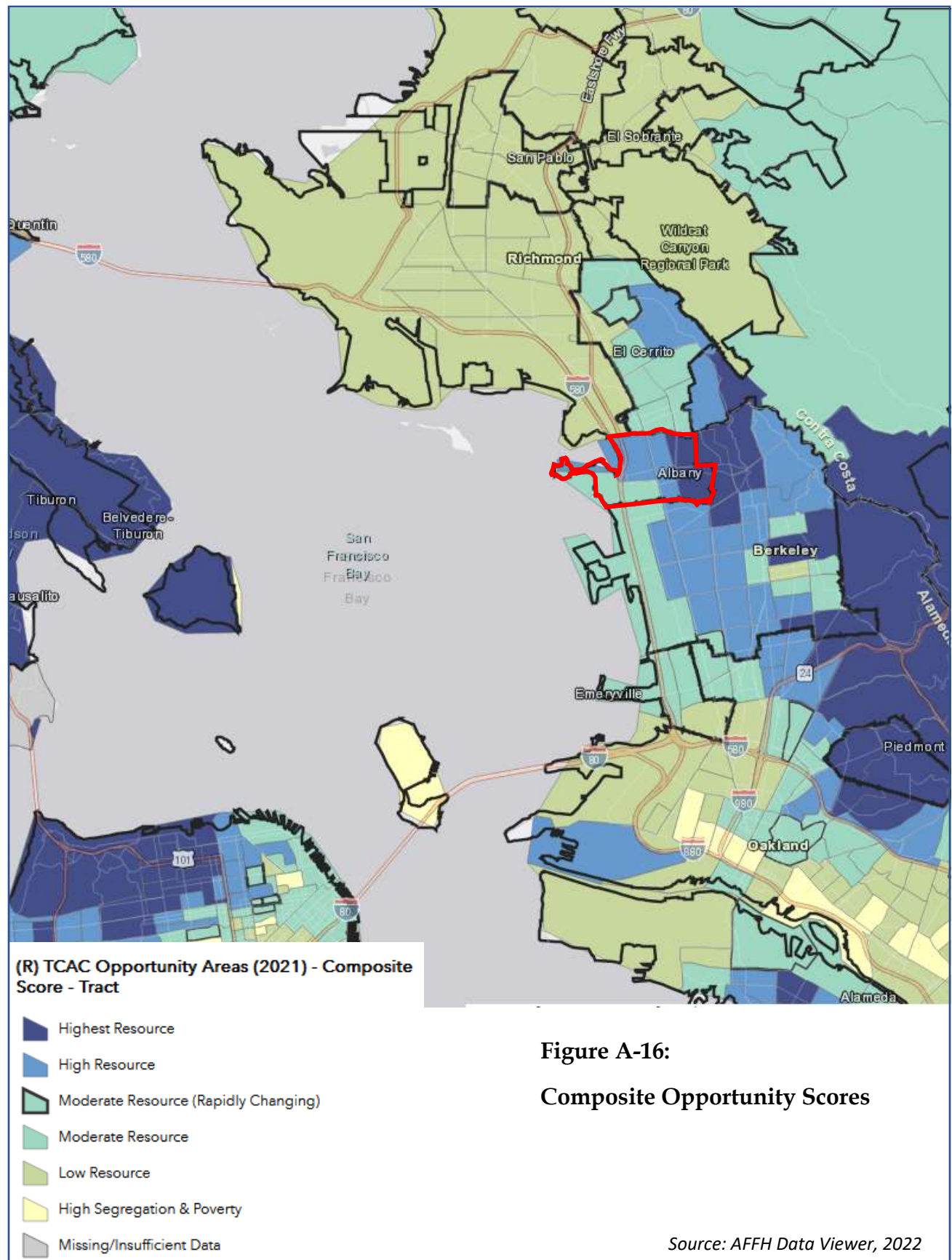
Source: AFFH Data Viewer, 2022

Composite Opportunity Map

Figure A-16 is a composite of the TCAC analysis, taking the above variables into consideration. The Figure affirms what is shown in Figures A-13, -14, and -15. Every census tract in Albany is rated either a moderate-resource, high-resource area, or highest-resource area. Most of the City has positive environmental health indicators, positive economic outcomes for its residents, and access to quality education. The ratings are higher in the eastern part of the city than in the western area, corresponding to neighborhoods with the highest rates of home ownership and single family housing. Neighborhoods east of Masonic Avenue are recognized by HCD as “Highest Resource” areas, a designation that is shared by the Bay Area’s most affluent communities. The other residential neighborhoods in Albany are designated as “High Resource” areas. University Village is designated as a “Moderate Resource” area.

Designations in surrounding cities are variable. Almost the entire city of Richmond is designated a “Low” resource area. All of San Pablo is a “Low” resource area. El Cerrito is primarily a “Moderate” Resource area. Kensington and the Berkeley Hills share the “Highest” Resource designation with eastern Albany. Most of Central Berkeley is designated a “High” Resource area, while West Berkeley is a “Moderate” Resource area. Emeryville includes “Moderate” and “Low” resource areas. Piedmont is a “Highest” Resource, while Oakland includes all four designations, sometimes in close proximity.

As Albany develops housing programs for the next eight years, it should consider opportunities to balance levels of opportunity across the city. Opportunities to add ADUs and affordable housing units in the eastern part of the city should be considered, especially on public land and underused commercial sites along Solano Avenue.



Disproportionate Housing Needs

“Disproportionate housing needs” refer to conditions in which members of a protected class within a defined geographic area experience much higher housing needs than the population at large.¹ Following HCD guidance, the analysis to identify disproportionate needs considers cost burden, overcrowding, and substandard housing conditions. Much of this data also is contained in the Housing Element Needs Assessment (Chapter 3), but the focus here is on extremely low- income residents, tenure, and persons of color.

Tenure and Tenure by Race

Table A-9 shows tenure in Albany and Alameda County as a whole. Relative to the County, Albany has a slightly lower rate of homeownership. Moreover, the ownership rate has declined over time, from 50.7 percent in 2010 to 48.6 percent in 2020. At the county level, the ownership rate saw a marginal increase of 0.2 percent over this same time period. In the nine-county Bay Area as a whole, the percentage of homeowners is even greater than in Alameda County, with 56 percent of all households owning their homes.

**Table A-9:
Housing Tenure in Albany and Alameda County**

	Percent of Households in Albany		Percent of Households in Alameda County	
	2010	2020	2010	2020
Owners	50.7%	48.6%	53.4%	53.6%
Renters	49.3%	51.4%	46.6%	46.4%

Sources: American Community Survey Five-year averages for 2010 and 2020

One of the legacies of discriminatory lending practices at the local, state, and national levels is lower rate of home ownership for certain racial and ethnic groups. Table A-10 shows the home ownership rates for White, Black, Asian, and Latino households in Albany and Alameda County in 2020. Approximately 48.6 percent of the city’s households are homeowners. However, among White households, about 60 percent are homeowners, compared to 27 percent among Black households. The rate is 32 percent for Latino households and 43 percent for Asian households.

Relative to Alameda County as a whole, which has a 53.6 percent ownership rate, the rates are lower in all racial groups. However, the racial gap is larger in Albany than it is at the countywide level. In other words, the percentage of Black, Asian, and Latino households who are homeowners is significantly higher in Alameda County than it is in Albany, whereas the difference among White householders is less than two percentage points. The greatest differential is among Asian households, who have an ownership rate of 62 percent at the county level and just 43 percent in Albany.

¹ The protected classes are race, color, religion, national origin, sex, familial status, and disability.

Table A-10:
Home Ownership Rates by Race/Ethnicity in Albany and Alameda County

	Albany			Alameda County		
	Owner Households	Renter Households	Percentage Owners	Owner Households	Renter Households	Percentage Owners
White	2,286	1,557	59.5%	135,982	86,384	61.2%
Black	75	277	27.1%	21,962	46,599	32.0%
Asian	1,006	2,330	43.2%	100,464	61,941	61.9%
Latino	283	874	32.4%	37,454	57,090	39.6%
TOTAL(*)	3,726	3,935	48.6%	307,281	265,893	53.60%

Source: American Community Survey Five-Year Data, 2020

(*) Sum of rows does not equal total as table only shows four major racial groups and total is based on 100% of households

Table A-11:
Percentage of Cost-Burdened Households, Albany and Alameda County

		Percent of Households in Albany		Percent of Households in Alameda County	
		2008-2012	2014-2018	2008-2012	2014-2018
Cost-burdened households earning less than 80% AMI (low income)					
Owners					
	Paying > 30%	66.2%	53.8%	63.1%	60.2%
	Paying > 50%	50.4%	28.6%	43.3%	39.5%
Renters					
	Paying >30%	92.7%	86.8%	74.0%	75.2%
	Paying > 50%	60.3%	51.6%	44.2%	44.0%
Cost-burdened households earning less than 30% AMI (extremely low income)					
Owners					
	Paying > 30%	78.7%	86.1%	74.0%	75.9%
	Paying > 50%	67.2%	55.6%	58.2%	60.9%
Renters					
	Paying > 30%	94.0%	86.0%	79.4%	78.8%
	Paying > 50%	94.0%	81.8%	67.6%	64.8%

Sources: CHAS HUD User website, data for 2008-2012 and 2014-2018.

Cost Burden

As noted in Chapter 3, a household is considered cost burdened if more than 30 percent of its income is spent on housing (including utilities). Figures A-17 and A-18 depict the incidence of cost burden for owners and renters in Albany and surrounding communities. Roughly 39 percent of the city's households are considered cost-burdened. The incidence is much higher among lower income households.

The US Department of Housing and Urban Development publishes data on the number of households that are cost-burdened in each community using federally-defined income categories. This is referred to as the CHAS (Comprehensive Housing Affordability Strategy) data. According to the CHAS 2014-2018 data, there are 2,600 low- and very low-income households in Albany (i.e., earning 80 percent or less of the areawide median income [AMI]). These households include 2,070 who were cost-burdened, including 1,215 who were defined as being "severely" cost-burdened (spending more than half their incomes on housing). CHAS data indicates that 1,740 of the cost-burdened lower-income households were renters and 330 were homeowners.

Cost-burden data is shown in Table A-11 on the previous page. The Table compares data for 2008-2012 with data for 2014-2018 for both the City of Albany and the County of Alameda. More recent data is not available, but anecdotal evidence suggests the incidence of cost-burden is higher today than it was four years ago due to rising housing costs.

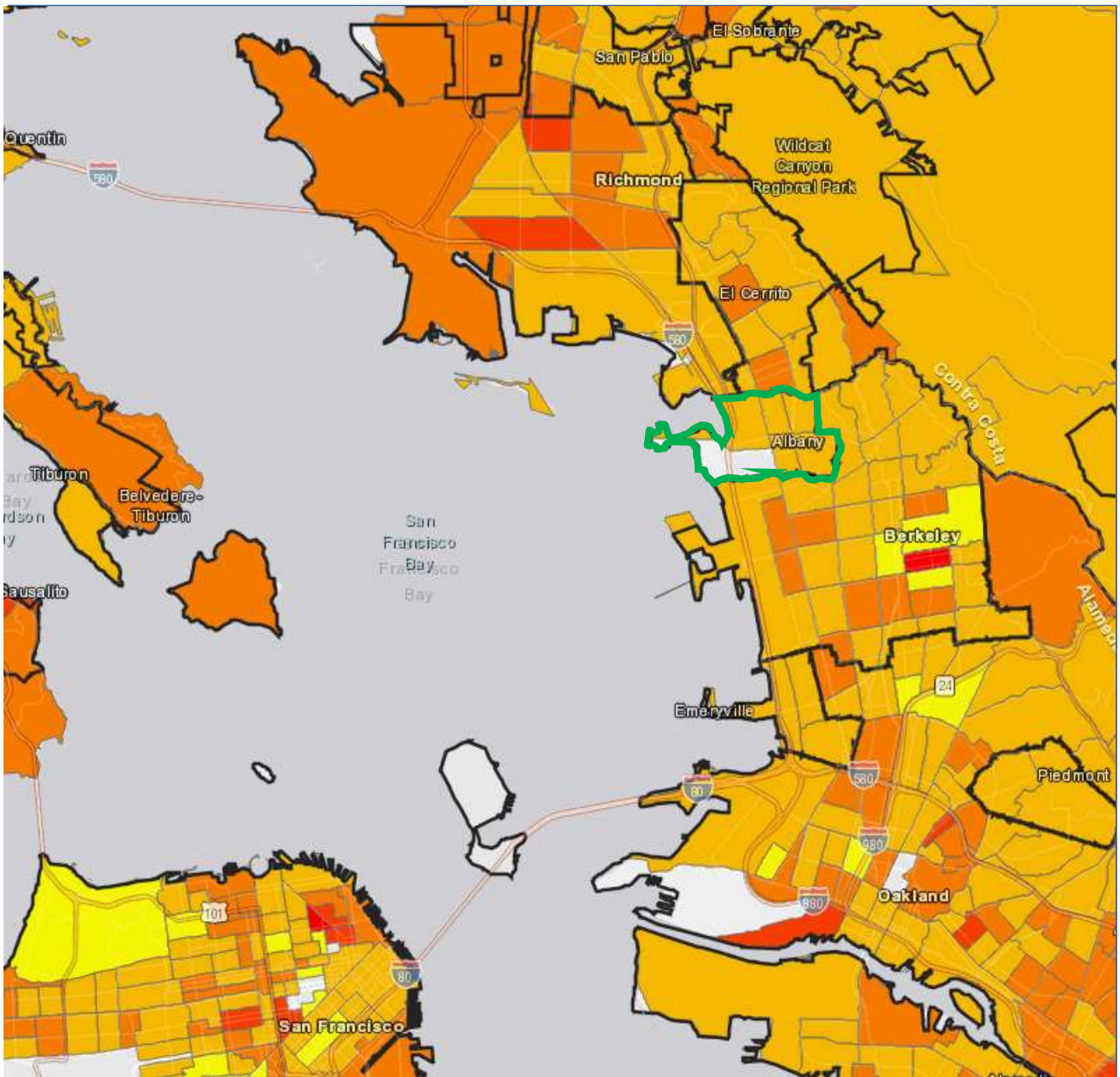
Table A-11 indicates that the incidence of overpayment is most severe among extremely low income (ELI) renters. These are households earning less than 30 percent of areawide median income (roughly \$33,000 for a two-person household). About 82 percent of ELI renters in Albany spend more than half their incomes on housing. This is a higher rate of cost-burden than the county as a whole, where the equivalent rate is 65 percent. ELI homeowners in Albany also faced high cost burdens, with 56 percent paying more than half their incomes on housing (the equivalent rate countywide was 61 percent). Many ELI homeowners in Albany are older adults living on fixed incomes, and their housing costs may include property taxes, utilities, condominium dues, and home maintenance expenses even in cases where the mortgage has been paid off.

Cost burden rates are also high among lower income households (those earning less than 80 percent of areawide median income). Nearly 29 percent of the city's lower income homeowners and 52 percent of its lower income renters spent over half their incomes on housing. The comparable countywide percentages were 40 percent and 44 percent. This suggests that lower income Albany renters are more likely to be cost-burdened than in those in Alameda County as a whole, while Albany homeowners are less likely to be cost-burdened. Rents in Albany are high, and the city is home to many lower income households who may face financial hardships as rents increase.

Figures A-17 and A-18 place Albany in the context of a larger sub-region that includes Richmond, El Cerrito, Berkeley, Kensington, North and West Oakland, Piedmont, and Emeryville. Figure A-17 shows the percentage of cost-burdened homeowners in each census tract, while Figure A-18 shows the percentage of cost-burdened renters. The colors correspond to the percentage of household income spent on housing. Orange tracts correspond to areas of moderate cost-burden, while the darker orange and red tracts indicate severe cost-burden. In some tracts, homeowners may be spending over 80 percent of their incomes on housing costs.

Figure A-17 indicates that cost-burden among homeowners is spread evenly over Albany and not concentrated in any single geographic location. Every tract in Albany falls within the same color band (median income spent on housing is 20-40%). The figures in each tract are generally between 30 and 40 percent. Higher rates of homeowner overpayment (above 40 percent) occur in parts of Central and South Berkeley, in Richmond, and in the tract around El Cerrito Plaza. Parts of San Francisco and Marin Counties, which are also visible on this map, likewise have overpayment rates above 40 percent in some tracts.

Figure A-18 indicates generally higher incidences of overpayment among renters than owners, as there are more dark orange and red tracts on the map. In Albany, the northeastern part of the City (around Memorial Park) has a significantly higher rate of renter cost-burden than the rest of the city. The AFFH data viewer indicates that 61 percent all renters in this census tract (east of Masonic and north of Marin Avenue) spend more than 30 percent of their incomes on housing. By contrast, the tracts corresponding to southeast Albany and north-central Albany have cost burden rates of 38 and 39 percent, respectively. The cost burden rate in the area west of San Pablo Avenue is 48 percent (in other words, 48 percent of all renters in this tract pay more than 30 percent of their incomes on rent).



(R) Overpayment by Home Owners (ACS, 2015 - 2019) - Tract

Percent of Owner Households with Mortgages whose Monthly Owner Costs are 30.0 Percent or More of Household Income

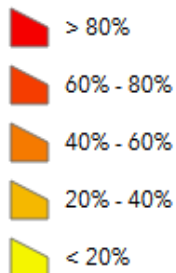
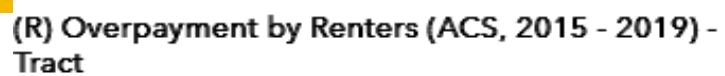







Figure A-17:
Cost-Burdened Homeowners by Census Tract*

* A household is considered cost-burdened if it spends more than 30% of its income on housing

Source: AFFH Data Viewer, 2022



 > 80%
 60% - 80%
 40% - 60%
 20% - 40%
 < 20%

* A household is considered cost-burdened if it spends more than 30% of its income on housing

Source: AFFH Data Viewer, 2022

Overcrowding

As noted in Chapter 3, a household is considered overcrowded if the housing unit it occupies has more than one person per room, excluding kitchens and bathrooms. As noted in Table A-9, about four percent of Albany's owner-occupied homes and eight percent of its rental homes meet this definition. These rates are about the same as the countywide average for owner-occupied homes and lower than the rate for renter-occupied homes. Countywide, 3.7 percent of all owner-occupied homes and 12.3 percent of all rental units are considered overcrowded.

Table A-12 indicates that the incidence of overcrowding in Albany has increased since 2010, as households have gotten larger and very little new construction has occurred. In 2010, less than one percent of the city's owner-occupied units and only 4.2 percent of the renter-occupied units were considered overcrowded. The increase in renter overcrowding is particularly notable, since it occurred at a faster rate than the countywide average.

**Table A-12:
Overcrowded Households, Albany and Alameda County**

		Percent of Households in Albany		Percent of Residents in Alameda County	
		2010	2020	2010	2020
Owner Households					
	Less than 1.0 persons per room	99.2%	95.8%	96.9%	96.3%
	1.01-1.50 persons per room	0.8%	3.3%	2.4%	2.9%
	1.51-2.00 persons per room	0	0.6%	0.5%	0.6%
	2.01 or more persons per room	0	0.2%	0.2%	0.2%
Renter Households					
	Less than 1.0 persons per room	95.8%	91.8%	92.1%	87.3%
	1.01-1.50 persons per room	2.8%	5.3%	5.3%	7.6%
	1.51-2.00 persons per room	0.3%	1.8%	2.0%	4.0%
	2.01 or more persons per room	0	1.0%	0.6%	1.1%

Sources: American Community Survey Five-Year averages for 2010 and 2020

Figure A-19 shows this information graphically, and in a regional context. The map shows the rate of overcrowding by census tract for a large portion of the Central Bay Area. The data includes both owners and renters together. The unshaded tracts indicate total overcrowding rates of less than 8.2 percent, which is the statewide average. Every census tract in Albany is unshaded, indicating that no single part of the city is overly impacted. The map indicates high incidences of overcrowding—in some cases affecting more than 20 percent of all households—in Fruitvale and East Oakland, Richmond, San Pablo, and San Francisco.

Housing Problems

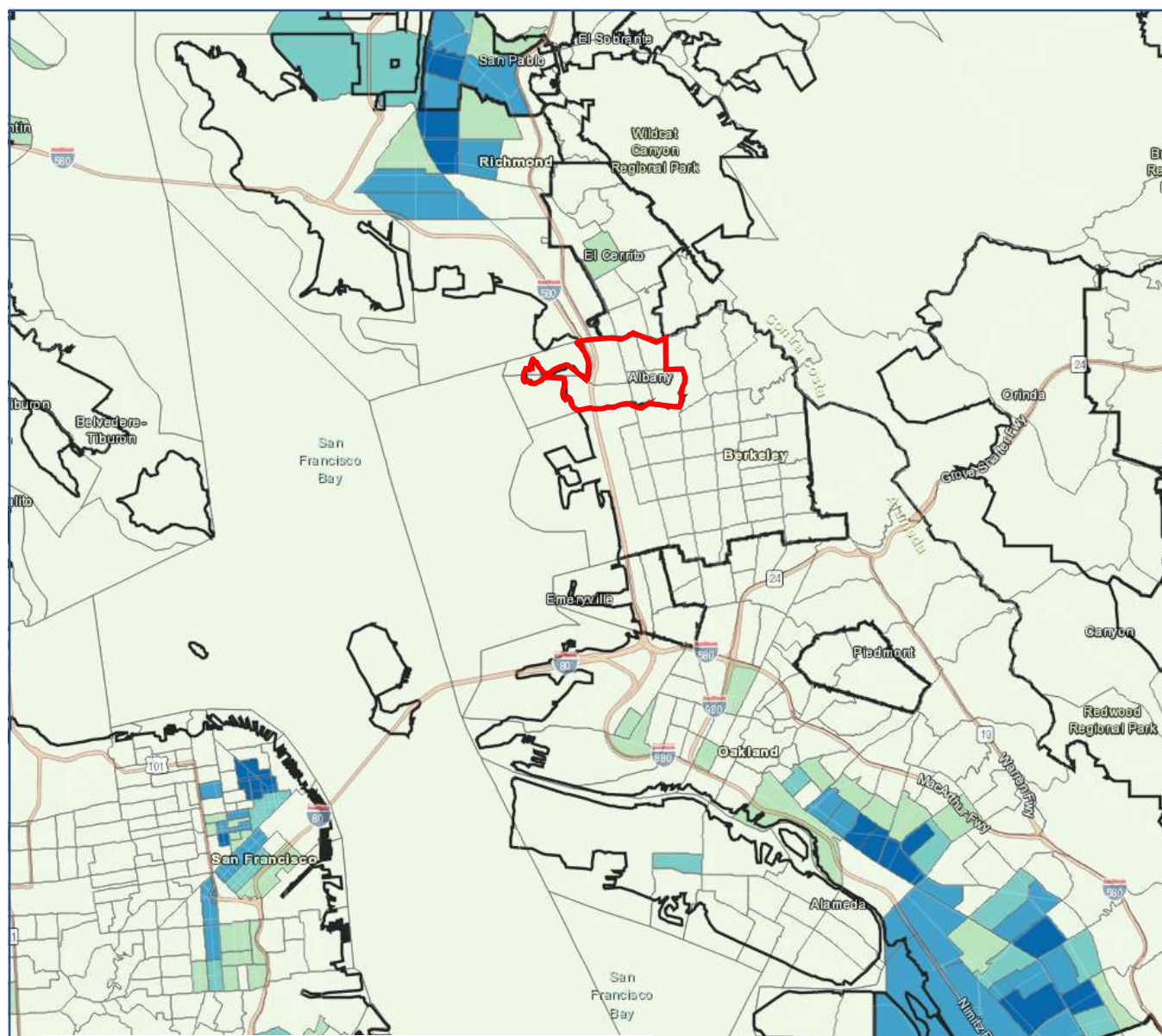
The HUD CHAS data indicates how many households in each community experience one of four specific housing problems—these problems are (a) lack of a complete kitchen; (b) lack of complete plumbing facilities; (c) overcrowding; and (d) severe cost burden (paying more than 50 percent of income on housing). According to CHAS data for 2014-2018, there are about 290 owner-occupied households in Albany and 1,415 renter households in Albany with one or more of these problems. Since almost all housing units in the city have kitchens and baths, and fewer than five percent (overall) are overcrowded, the primary problem experienced is a severe housing cost burden. The CHAS data indicates there are 194 owner-occupied households and 1,055 renter households with a severe housing cost burden.

Figure A-20 shows this data on a citywide and regional level, using census tract data. Citywide, every census tract in Albany falls in the same interval on the map. In other words, every tract in the city has 20 to 40 percent of all households experiencing one of the four listed severe housing problems. The reported rate for Albany is 24.4 percent. This rate is comparable to Emeryville (22.2 percent) and Berkeley (26.6 percent) and is somewhat lower than Richmond (27.1 percent) and Oakland (28.2 percent). El Cerrito and Piedmont have substantially lower rates of 19.3 percent and 14.7 percent, respectively.

Displacement Risk

Figure A-21 illustrates “sensitive communities” in the Central East Bay area. These are communities with relatively high risks of displacement due to rising rents and a lack of tenant protection. Two tracts in Albany are shown as vulnerable. Both are located on the east side of San Pablo Avenue and west of the BART tracks, extending from El Cerrito on the north to Berkeley on the south. The identification of these areas as sensitive is based on the fact that they have two or more of the following conditions:

- Renters are over 40% of all households
- People of color are 50% or more of the population
- Share of severely cost-burdened very low income renters is above county median
- Rents have been increasing at faster rate than county median
- Larger than average gap between local rents and rents in surrounding tracts



(R) Overcrowded Households (CHHS) - Tract

Percent of Overcrowded Households

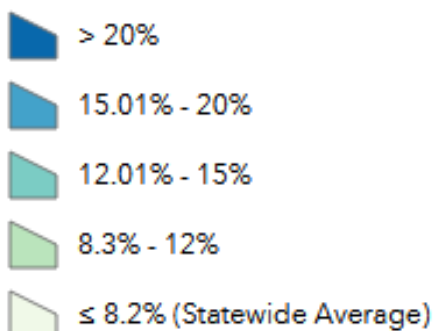
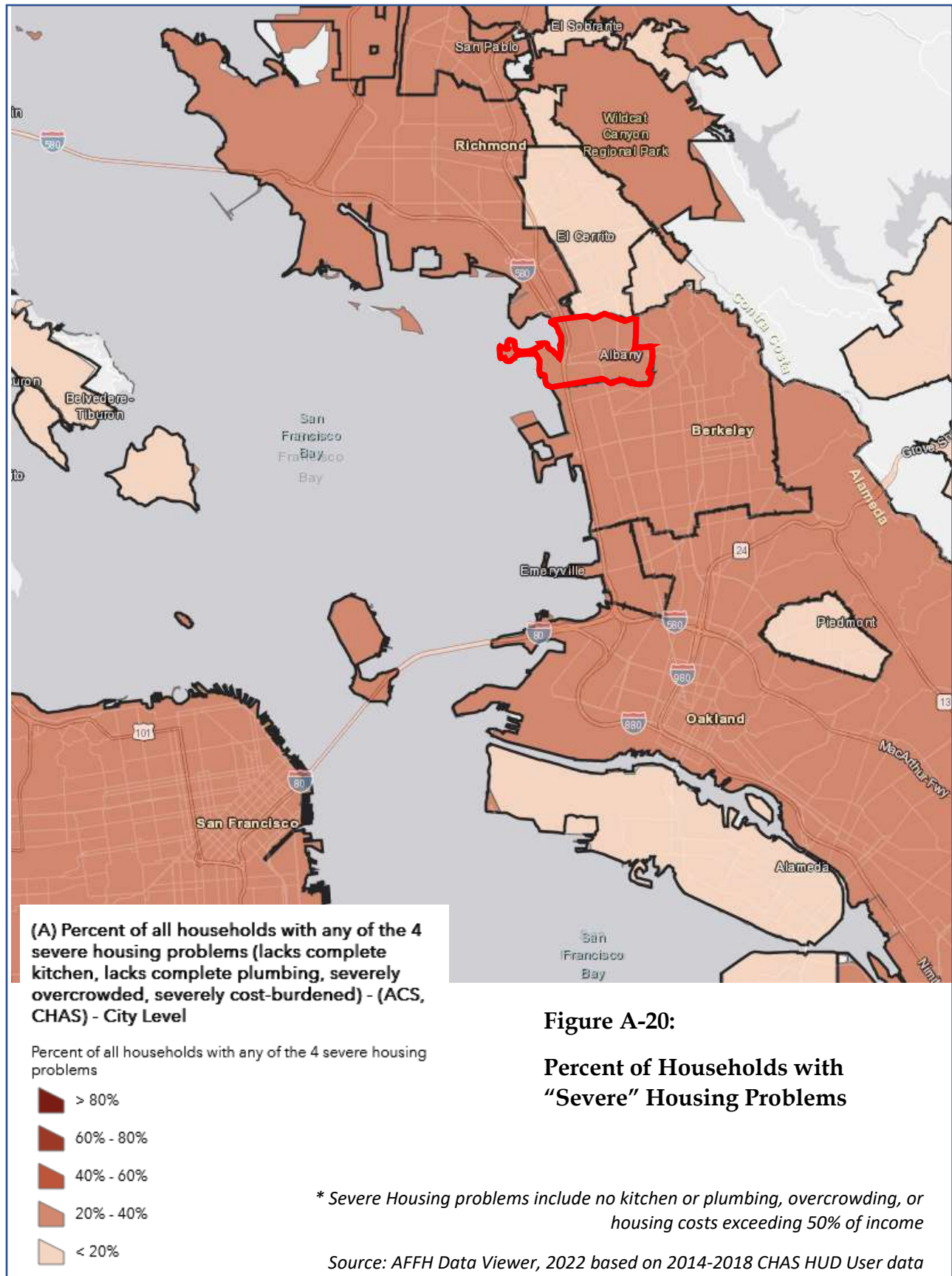


Figure A-19:

Overcrowded Households by
Census Tract*

* A household is considered overcrowded if there are more than 1.0 persons per room

Source: AFFH Data Viewer, 2022



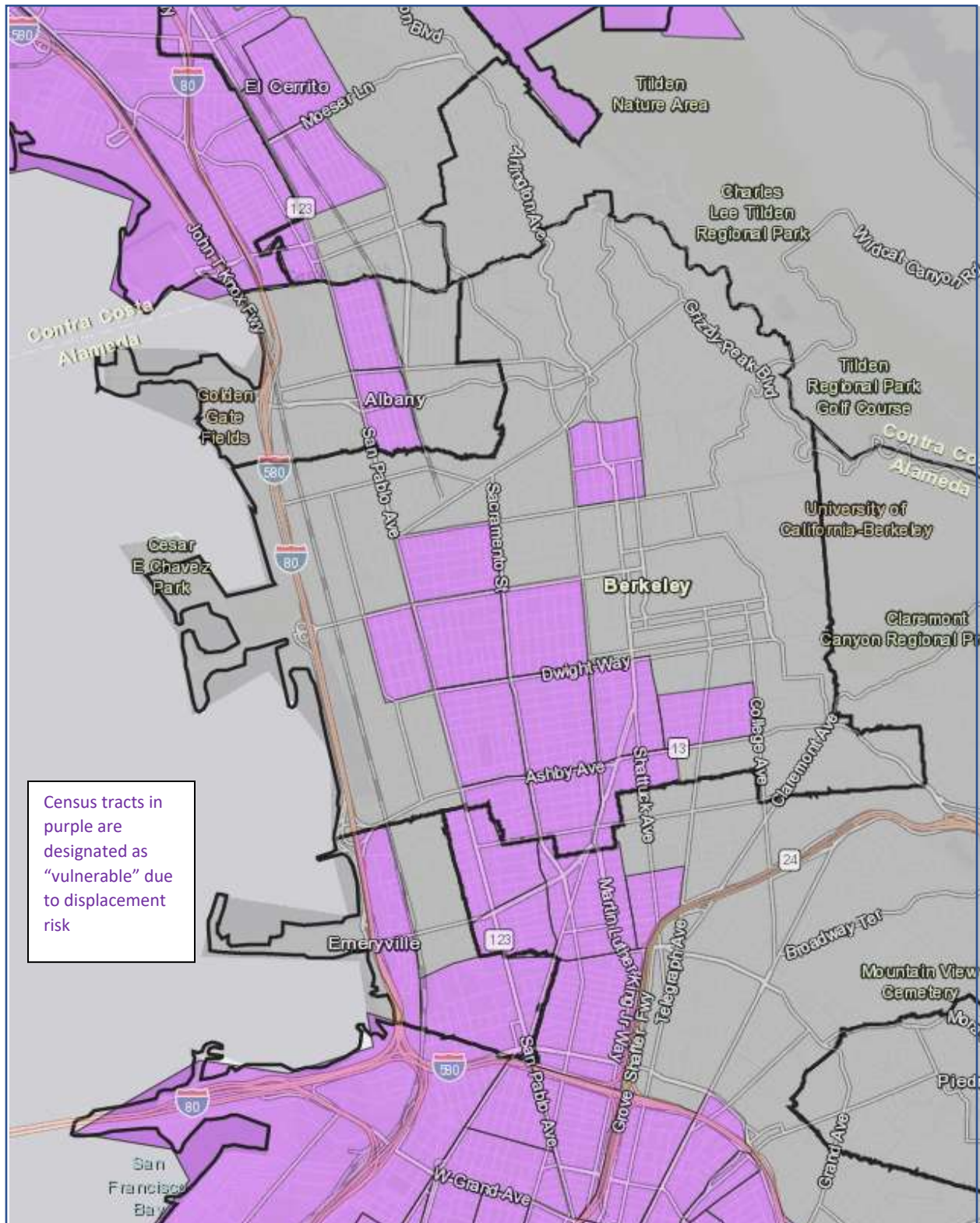


Figure A-21: Census Tracts Listed as "Sensitive Communities"

Homelessness

Homelessness is addressed on Pages 3-33 through 3-37 of the Housing Element, as part of the Housing Needs Assessment. As noted in that section, an updated Point-in-Time count was completed for Alameda County in February 2022. The count had been postponed by 13 months due to the COVID-19 pandemic. Figure A-22 below is an infographic provided by Everyone Home, the Countywide collaborative created to address homelessness in the County and its 14 cities.

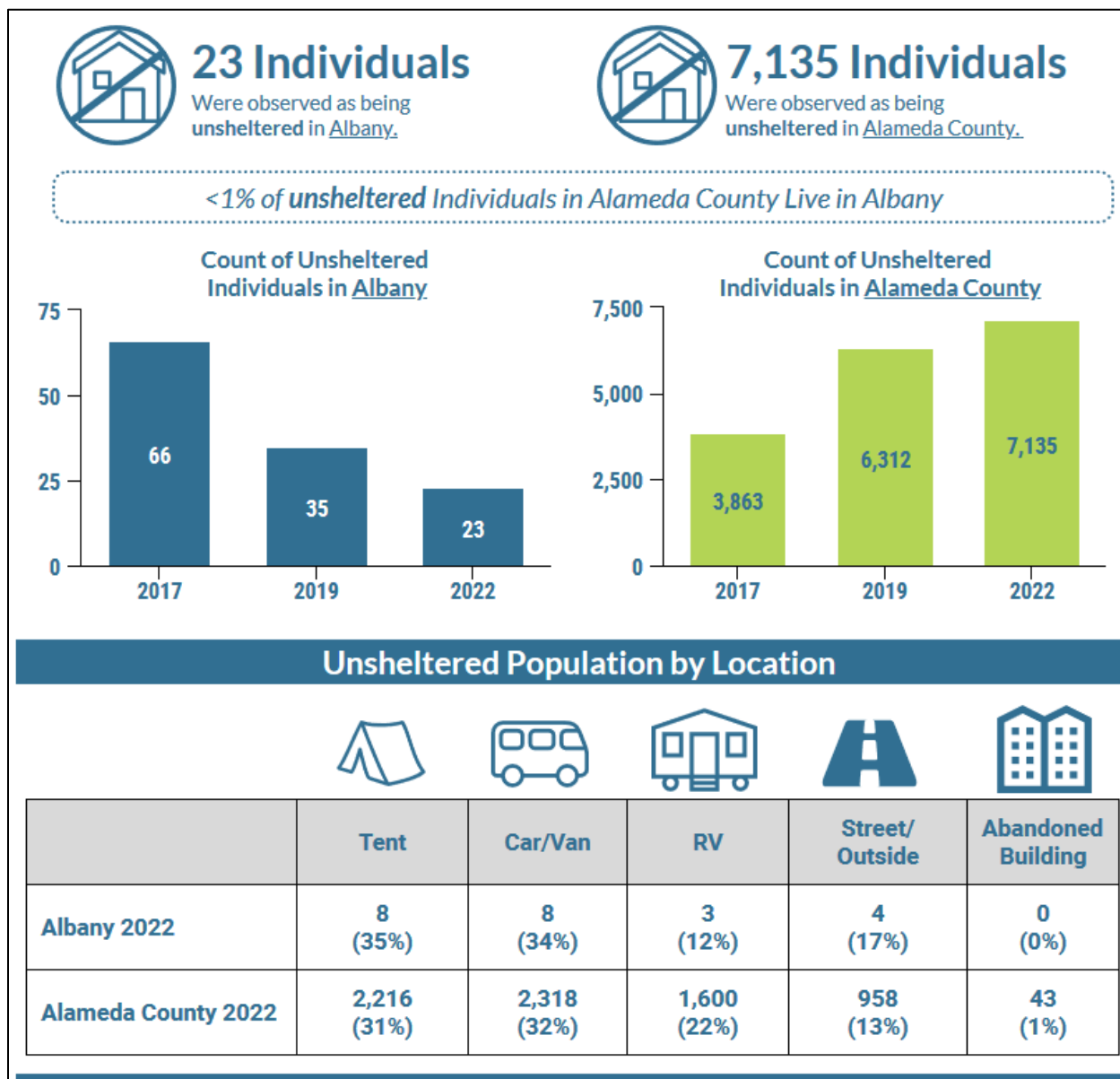


Figure A-22: Characteristics of the Unsheltered Population in Albany and Alameda County in 2022

The number of unsheltered persons in Alameda County increased 13 percent between 2019 and 2021. This followed an even sharper countwide increase of 63 percent between 2017 and 2019. In Albany, the trend was reversed, with the unsheltered population dropping from 66 persons in 2017 to 23 in 2022. Albany's unhoused residents include people living in tents, in cars and vans, in RVs, and outside or on the street. The decline in the number of unhoused residents in Albany does not lessen the urgency of the challenge or the magnitude of need. Homelessness is a regional issue that requires multi-jurisdictional solutions.

On a countywide level, the largest number of persons experiencing homelessness are in Oakland, Berkeley, and Fremont. These are also the largest cities in the County. Some 27 percent of the County's unhoused population was sheltered (in emergency shelters, etc.), while 73 percent was unsheltered. The 2022 survey found that 43 percent of the County's unhoused residents were Black, while Black residents comprise just 10 percent of the Countywide population. Only 2 percent of the County's unhoused residents were Asian, while Asian residents comprise 32 percent of the Countywide population.

About 75 percent of the County's unhoused residents had been homeless for one year or more. Nearly half had psychiatric or emotional conditions, 30% had a substance abuse problem, and one-third had a physical disability.

Other Relevant Factors

Home Loan Applications

Table A-13 shows home loan applications in Albany filed by race and income during 2018 and 2019. Of all mortgage applications filed, 65 percent were "originated" (i.e., approved), 17 percent were denied, 12 percent were withdrawn by the applicant, and 6 percent were either approved but not accepted or closed for incompleteness. The rate of denial was 20 percent for Black and Hispanic households, while it was 15 percent for White and Asian households. However, the number of Black and Hispanic households applying for mortgages was relatively small, representing just 8 percent of the total.

While the margins between loan approvals and denials among racial and ethnic groups was relatively small, it is notable that so few of the applicants were Black or Hispanic. These two groups collectively comprise 16 percent of Albany's population but made up only 8 percent of the mortgage loan applicants. The data is consistent with by the local rates of home ownership in Albany among persons of color.

Table A-13:
Mortgage Applications and Acceptance by Race in Albany, 2018 and 2019

Racial / Ethnic Group	Application approved but not accepted	Application denied	Application withdrawn by applicant	File closed for incompleteness	Loan originated
American Indian or Alaska Native, Non-Hispanic	0	1	1	0	0
Asian / API, Non-Hispanic	3	22	14	3	102
Black or African American, Non-Hispanic	0	3	3	1	8
White, Non-Hispanic	6	39	31	12	164
Hispanic or Latinx	2	6	4	2	16
Unknown	2	22	15	4	76
Totals	13	93	68	22	366

Source: Federal Financial Institutions Examination Council's (FFIEC) Home Mortgage Disclosure Act loan/application register files, 2020

Note: Notes:

-“Loan originated” means that the application was accepted a loan was made by a financial institution to the applicant. “File incomplete or withdrawn” means a loan was not originated because the application was withdrawn before a credit decision was made or the file was closed for incompleteness. “Application denied” means a loan was not originated because the financial institution did not approve the mortgage application. “Application approved but not accepted” means the financial institution approved the loan application but the applicant did not complete the transaction and a loan was not originated.

Transportation

Access to public transportation can also help shape a community’s status as a “high opportunity” area. Although Albany does not have a BART station, parts of the city are within a 10-minute walk of the El Cerrito Plaza station and much of the city is within a one-mile radius of North Berkeley station. San Pablo Avenue is a major bus transit route for AC Transit, while Solano Avenue is an important secondary route with relatively frequent service. The City also has express bus transportation to San Francisco. Relative to outlying communities in suburban Alameda and Contra Costa Counties, as well as cities in the North Bay Counties, Albany has relatively good transit access. The City is also strongly committed to improving conditions for bicycles and pedestrians, making it safer and more convenient to travel from one’s home or workplace to transit and local destinations.

Albany has relatively high walk scores and its density and land uses are conducive to walking and bicycling. The overall walk score is 84 (out of 100) while the bike score is 91. Much of the City is laid out on a grid pattern, and much of the topography is relatively flat. The exception is Albany Hill, which includes sloped streets and hillside homes, as well as an area of very high density housing on the western flank. This area is more isolated from the City’s commercial center and schools and is more auto-oriented. Walkscores at Gateview and Bridgewater are 65-73, making them somewhat less accessible for residents without cars.

Access to Parks and Open Space

Albany's parks include City-owned and operated properties, a linear greenbelt beneath the BART tracks, and a regional park along the waterfront. The 2035 General Plan identifies 112 acres of open space in Albany, including 21 acres of active open space and 91 acres of passive open space. In addition to the 112 acres, another 22 acres of public land is associated with school yards and athletic fields at Albany's schools, University Village recreation areas, and public buildings serving recreational purposes such as the senior center and community center. On an aggregate basis, the City's park acreage exceeds National Park and Recreation Association standards. However, most of this acreage is unimproved. When only active parks are considered, the ratio is 2.38 acres per 1,000 residents, which is below NRPA standards. Parts of the City have limited access to parkland. There is also a shortage of outdoor recreational facilities such as soccer fields.

The City adopted an updated Parks, Recreation, and Open Space Master Plan in January 2022. It includes project ideas, priorities, and potential funding sources for future improvements. The need for additional park space will become more critical if the housing envisioned by the Housing Element is constructed, particularly in areas near San Pablo and Solano Avenues.

Albany also ranks very highly on the California Healthy Places Index, a metric established by statewide health organizations. Each census tract in the city is assigned a numeric ranking based on various metrics, including exposure to pollution. The maximum score is 100. Only one of Albany's six Census Tracts has a rating below 90. The other tracts range from 90.6 (Albany Hill/NW Albany) to 99.1 (Southeast Albany). University Village has a rating of 59.99.

Disadvantaged Communities

There are no designated disadvantaged communities in Albany. These are neighborhoods that are specifically targeted for investment with proceeds from the State's cap and trade program. The funds are used to improve public health, the quality of life, and economic opportunities.

Local Data and Knowledge

Residents participating in the Housing Element Update shared the following insights into AFFH priorities:

- Albany should remain economically inclusive and diverse. With home prices over \$1 million, the city is at risk of becoming a "city of millionaires." Many residents expressed that they did not wish to live in an "exclusive" city.
- Additional opportunities for affordable units should be provided in single family neighborhoods. This includes duplexes, as well as triplexes and fourplexes where feasible.
- Existing housing that is "affordable by design" (i.e., lower cost rental properties) is an essential resource and should be conserved.
- The number of housing choice vouchers should be increased

- Housing opportunities for families are important. Incentives for affordable 3-bedroom units should be provided.
- The effort to reduce parking requirements must be balanced with the reality that many working families need cars to get to their jobs. We should not reduce parking requirements if the outcome is that families and single parents can't live in Albany anymore.
- Opportunities for condos and limited equity partnerships should be created so that more renters have an opportunity to own a home. This is particularly important for people of color, who were denied the opportunity to build generational wealth in the past.
- The inclusionary zoning requirements for new market-rate projects should be increased.
- The City should achieve a higher percentage of accessible units for persons with disabilities, perhaps by requiring elevators in a larger number of buildings, or by providing incentives.
- Additional housing is needed for lower-income seniors.
- The existing rent review system does not adequately protect tenants. Tenants are intimidated by the process.
- Many landlords and tenants are unaware of the mandatory mediation process.
- The City should consider additional tenant protection measures (this was not a universally shared viewpoint; many landlords believe existing measures are sufficient)
- Ensure that housing opportunities are geographically distributed and not concentrated entirely on the San Pablo Avenue corridor. The higher income eastern neighborhoods should absorb their "fair share."
- The Measure that restricts rezoning of R-1 properties should be repealed.
- Outreach should be done in Mandarin and Cantonese.
- The City should consider a tenant opportunity to purchase act (TOPA) program.
- The biggest housing issue in Albany is housing cost burden – an unacceptably large share of renters are paying half of their incomes on housing, with disproportionately large impacts on persons of color.
- Create opportunities for first-time buyers, particularly for groups that were shut out of the market in prior generations. Explore programs that make this possible, particularly for Black and brown residents.
- The City should engage renters in discussions about housing, as they have historically not participated.
- The City should engage local affinity groups (parent groups representing racial and ethnic minorities) and have honest conversations about race in Albany.
- A safe parking space should be created for residents living in cars and vans.
- The history of redlining in Albany needs to be told. Residents should be made more aware of past practices.
- Fair housing testing is needed to see if there is discrimination in the city.
- More resources are needed for extremely low and acutely low income residents, not just low and very low.
- The perspectives of landlords deserve to be heard in this process also; don't create a one-sided document that only addresses tenants' needs.
- Many landlords are "mom and pop" operations; they are small local businesses and have experienced financial hardships during the pandemic. Their needs must be considered alongside those of tenants when creating new renter protection policies.

Identification and Prioritization of Contributing Factors

“Contributing factors” are the underlying forces that create, contribute to, perpetuate, or increase the severity of fair housing issues. In its AFFH Guidance Memo (2021), HCD has identified eight contributing factor topic areas, including general outreach, fair housing enforcement and outreach capacity, segregation and integration, racially and ethnically concentrated areas of poverty, disparity in access to opportunity, disparity in access for persons with disabilities, disproportionate housing needs and displacement risks, and the site inventory. Under each of these topic areas, the Guidance memo lists individual issues which can potentially be addressed by a Housing Element action program.

AB 686 requires that the City strategically prioritize the contributing factors and develop programs that mitigate these factors through goals, policies, and actions (programs). HCD generally groups these actions into the following four categories:

- Housing Mobility Strategies, which consist of removing barriers to housing in areas of opportunity
- New Housing Choices and Affordability, which include strategies to promote more housing supply and choices in areas of high opportunity and outside areas of concentrated poverty
- Place-based strategies to Encourage Community Conservation and Revitalization, which include approaches to conserve and improve assets in areas with concentrated poverty and lower opportunities
- Protecting Residents from Displacement, which includes strategies to preserve housing choices and affordability for residents within low and moderate opportunity areas.

Following is an assessment of factors that could contribute to fair housing issues in Albany, along with the programs that specifically address these factors. Table A-14 summarizes this information, listing fair housing issues, the factors contributing to those issues, the AFFH program category, and the relevant programs in Chapter 6 of the Housing Element that address these programs. Chapter 6 uses an equal housing opportunity icon as shown below to indicate programs that are expressly intended to affirmatively further fair housing:



AFFH Icon (used in Chapter 6)

The intent of this analysis is to ensure that the City has developed meaningful actions that effectively address the contributing factors.

High Priority: Address Disparities in Access to Opportunity

Contributing Factors:

- Land Use and Zoning Laws
- Limited Access to Capital and Financing
- Historic Discriminatory Lending Practices
- Limited Supply of Affordable Housing

The City's highest AFFH priority is to address disparities in access to opportunity. These disparities have been created by land use and zoning laws, coupled with the high cost of land and construction, as well as lending and real estate practices during the first half-century of Albany's development. There has been very little rental housing built in Albany in the last 40 years. Most of the ownership housing that has been built is not affordable to Albany residents.

As an economically diverse and highly urbanized city of 20,000 residents, Albany has very little permanently affordable housing. The city now faces a mandate to plan for 1,114 units in the next eight years. It is critical that a significant share of this new housing be affordable. The City's RHNA calls for 43 percent of the total new units to be within reach of low and very low income households. Inclusionary zoning alone will not be sufficient to reach that target. Moreover, inclusionary zoning typically does not produce housing for those with the most acute needs, including extremely low income and persons experiencing or at risk of homelessness.

Addressing disparities in opportunity also means providing affordable housing opportunities that are geographically dispersed. This includes opportunities in single family neighborhoods, along Solano Avenue, and on Albany Hill, as well as the opportunities recently created along the San Pablo Avenue Corridor. Rezoning of commercial corridors to allow taller buildings and higher densities will create capacity, but further incentives and funding will be needed to attract affordable housing development. Rezoning of single family neighborhoods to allow additional units and encourage accessory dwellings provides a more "organic" opportunity to provide more affordability, while adding to the vitality and diversity of the city.

Specific Programs (described in Chapter 6) to address this priority fall into three categories:

- (1) Programs that are focused on increasing the viability of housing in general
- (2) Programs that increase the affordable housing supply
- (3) Programs that are focused on creating more affordable housing opportunities in high-resource areas

These are summarized in Table A-14.

High Priority: Reduce Displacement Risks

Contributing Factors:

- Limited Renter Protection Measures
- Economic Pressures
- Limited Supply of Affordable Units

The other top AFFH priority is to address the threat of displacement resulting primarily from economic pressure. Many renters in Albany face severe cost burdens and are spending more than half their incomes on rent. There are nearly 4,000 renter households in the city. Data provided to the City by the Alameda County Housing Authority in June 2022 indicated only 12 Albany households are using Housing Choice Vouchers. Additional resources are needed to close the gap between an “affordable rental” price and market-rate rents. Programs in the Housing Element call for an assessment of the City’s rent review program, taking into consideration the views of both tenants and landlords. Additional renter protection measures will be considered in the future.

Reducing displacement also is about creating opportunities for Albany renters to become Albany homeowners. If renters cannot afford to purchase a home in the city, they may move elsewhere. Programs in the Housing Element include measures to assist first-time buyers, create alternative ownership models (such as limited equity cooperatives), and increase the supply of moderately priced condominiums.

Housing programs also seek to assist lower income homeowners in the city, reducing economic hardships. These include energy assistance programs, shared housing programs, and accessory dwelling unit opportunities. They also include various home rehabilitation and maintenance loans and grants offered through Alameda County.

Measures to reduce displacement are summarized in Table A-14.

Medium Priority: Increase Fair Housing Outreach, Education, and Enforcement Capacity

Contributing Factors:

- Lack of awareness of fair housing resources
- Lack of resources for fair housing organizations
- Language access

Programs in Goal 5 emphasize the need for additional fair housing outreach, education, and enforcement. While the number of fair housing complaints and cases in Albany is low, it is important to know whether certain households may experience fair housing issues at higher rates than others. At the same time, many residents may be unaware of their rights as renters, buyers, may have limited English proficiency, or may lack knowledge of who to contact or how to proceed if they experience discrimination. Program 5A calls for continuing the City’s fair housing agreement with ECHO housing, while 5B calls for implementing recommendations in

the County Impediments to Fair Housing report at the local level. Program 5H calls more equitable and inclusive outreach.

Another aspect of this program is increasing awareness of past discriminatory lending and real estate practices in the East Bay. This is part of a broader community dialogue about social equity and inclusion, involving local schools, the City, and community partners. Housing education and outreach also includes increasing public awareness of the need for affordable housing, and the challenges that may be faced to finance and build such projects.

Medium Priority: Improve Housing Opportunities for Older Adults, Lower-Income Families, and Persons with Disabilities

Contributing Factors:

- Limited availability of suitable and accessible housing units
- Cost of supportive services
- Community opposition

Another important AFFH priority is to improve housing opportunities for various groups in Albany with special housing needs. While State AFFH guidelines focus specifically on the needs of persons with disabilities, Albany has approached this more broadly by including other groups with unmet housing needs in the community. As noted in Chapter 3, these groups include older adults (persons over 65), lower-income families, and extremely low income residents, including persons experiencing homelessness. Affordable housing resources for these groups – as well as persons with disabilities – are extremely limited in Albany.

As indicated in Table A-14, programs have been proposed to make meaningful and significant progress toward addressing these issues. For older adults, these programs include development of one or more affordable senior housing developments (Program 3A) and facilitating age in place retrofits (Program 3C). For persons with disabilities, these include increasing the percentage of new units that are accessible or adaptable, encouraging additional buildings with elevator access, and providing new supportive services (Program 3B). The City has also identified the need for 3-bedroom units in affordable housing developments, including the inclusionary units that are dedicated in market rate projects. Incentives for such units should be created (Program 3E).

Finally, several programs have been included to address the needs of acutely low income residents, including persons experiencing homelessness. These include development of additional physical facilities for supportive services (such as a drop in center), transitional and supportive housing (potentially including a navigation center or single room occupancy building), and ongoing work with local non-profits, service providers, and community groups to supplement local resources.

**Table A-14:
Fair Housing Priorities, Issues, Contributing Factors and Strategies**

Priority	Fair Housing Issue	Contributing Factors	Program Category	Relevant Programs
High	Disparities in Access to Opportunity	• Land Use and Zoning Laws	New housing choices	<ul style="list-style-type: none"> • 2B: Measure K Ballot Measure • 2D: San Pablo Avenue Specific Plan Monitoring • 2G: Density Bonus Implementation • 4E: Changes to City parking requirements
		• Limited supply of affordable units	New housing choices	<ul style="list-style-type: none"> • 2C: Revisions to Inclusionary • 2F: Student Housing • 4F: Incentives for affordable (reduced fees, etc) • 4I: Non-traditional housing • 6A: Affordable housing fund • 6B: CDBG and HOME funds • 6E: Collaboration w non-profits • 6G: Technical assistance to non-profits
		• Availability of units for a range of incomes	Housing mobility and opportunities for affordable housing in high resource areas	<ul style="list-style-type: none"> • 1A: Single family zoning reform • 1B: Measure D repeal • 1J: ADU affordability incentives • 2A: No net loss of lower income capacity monitoring • 4A: Modifications to residential zoning district standards • 4D: Modifications to Solano Commercial zoning standards • 6F: MCCs for First time buyers
High	Disproportionate Housing Needs, including Displacement Risks	• Lack of renter protection	Protect existing residents from displacement	<ul style="list-style-type: none"> • 1E: Monitor existing affordable units • 5C: Strengthen Rent Review • 5D: Tenant Protection • 5E: TOPA • 5G: Landlord acceptance of HCVs
		• Economic pressure	Assistance to lower income owners	<ul style="list-style-type: none"> • 1D: Housing Rehabilitation Programs • 1F: Energy Assistance for Lower Income Households • 1K: Shared Housing

Priority	Fair Housing Issue	Contributing Factors	Program Category	Relevant Programs
Medium	Fair Housing Enforcement and Outreach Capacity	<ul style="list-style-type: none"> • Lack of awareness of fair housing resources • Lack of resources for fair housing organizations 	Housing mobility	<ul style="list-style-type: none"> • 2H: Public awareness of importance of housing • 5A: Fair Housing Services • 5B: Removal of Impediments • 5F: AFFH Education and Historic Context • 5H: Equitable Inclusive Outreach • 6C: Hire Housing Coordinator
Medium	Disparities in Access to Opportunity for Persons with Special Housing Needs	<ul style="list-style-type: none"> • Limited availability of suitable and accessible housing units • Cost of supportive services 	Housing mobility	<ul style="list-style-type: none"> • 3A: Develop a senior affordable housing project • 3B: Increase housing resources for persons with disabilities • 3C: Facilitate age in place retrofits • 3D: Create opportunities for persons with developmental disabilities • 3E: Create incentives for 3-bedroom (family) low-income units • 3G: Create a navigation centers, SRO, shelter, or drop—in center • 3H: Implement countywide plan to end homelessness • 2I: Continue outreach and engagement to unhoused residents
			New housing choices in areas of opportunity	<ul style="list-style-type: none"> • 6D: Additional funding • 6E: Non-profit collaborations

APPENDIX B:

ALBANY HOUSING SITE INVENTORY

Technical Report

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Overview

This appendix contains an inventory of housing opportunity sites in Albany, California. It has been prepared as part of the 2023-2031 Housing Element Update. As part of the Update, the City must demonstrate that it has the capacity for 1,114 housing units, including 486 units that are potentially affordable to lower income households. The 1,114 units is referred to as the “Regional Housing Needs Allocation” (RHNA) and has been assigned to the City by the Association of Bay Area Governments (ABAG) in accordance with State housing law.

Under SB 166, the City is further required to provide for a “buffer” beyond the 1,114 units in the event that some of the identified housing opportunity sites become unavailable for lower-income housing during the eight-year planning period. A buffer of 15-25 percent is recommended by the State, which effectively increases the site requirement to 1,300-1,400 units. The City is also required to demonstrate that it is “affirmatively furthering fair housing” (AFFH) by distributing its housing sites in a number of locations and not concentrating them in a single part of the city.

This analysis was initially published in January 2022. At the time, the City was in the process of preparing a Specific Plan for the San Pablo Avenue corridor. That Plan was subsequently adopted in July 2022. New zoning for the corridor will become effective in August 2022, prior to the start of the Housing Element planning period. For each site in the Specific Plan area, the analysis in this chapter includes a “pre-Specific Plan” housing unit yield and a “post-Specific Plan” housing unit yield. This distinction is important, because the Specific Plan provided the City with the capacity to meet its RHNA.

This capacity did not exist previously. The initial evaluation of sites along the San Pablo Avenue corridor concluded that the allowable density shown in the Albany 2035 General Plan (63 units per acre) was difficult to attain due to height limits and other development standards that posed a challenge to taller, denser development. The San Pablo Avenue Specific Plan responded to this constraint by eliminating density limits, substantially increasing to height limits (from 38 feet to 68 feet or 85 feet) and increasing the allowable Floor Area ratio.

Additional rezoning is still recommended in order to more equitably distribute housing opportunities around the city. This is necessary to achieve the State mandate of affirmatively furthering fair housing, and also to capitalize on important housing opportunities that would be difficult to realize under current zoning. This analysis looks at the possibility of a 10’ height increase on Solano Avenue and an increase in the number of allowable units on the 10.79-acre Albany Hill Pierce Street parcel, which is currently vacant.

The findings of the overall site analysis are shown in Table B-3 on page B-10. This information is also presented in Chapter 4 of the 2023-2031 Housing Element.

This analysis considers the potential for accessory dwelling units (ADUs) based on trends between 2018 and 2022. However, it does not consider potential changes to single family neighborhoods that would enable small multi-family buildings on R-1 properties commonly referred to as SB 9 units). Such opportunities exist today, and will likely be expanded during

the planning period, but it is difficult to quantify their potential contribution to the RHNA. Moreover, these units would be less likely to serve lower income households due to economies of scale, construction costs, and densities. The passage of SB 9 and proposed R-1 changes will help the City meet its housing needs, but they are not a substitute for larger sites that can be developed with quality affordable housing or mixed income projects.

Methodology

The methodology for this analysis is as follows:

Step 1: Adjust RHNA totals based on committed development

Projects that are under construction (as of June 30, 2022) or in the development pipeline are presumed to be completed during the eight-year planning period and are subtracted from the RHNA assignment. These units have been allocated by income category to produce adjusted totals. The largest projects are the Albany Bowl (207 units, including 21 very low-income) and 755 Cleveland (SAHA, with 43 very low income and 19 low-income units).

Adjusted totals are:

- Very Low Income: 243 Units
- Low Income: 157 Units
- Moderate Income: 108 Units
- Above Moderate Income: 309 Units

Consistent with HCD guidelines, the Very Low and Low Income units have been combined into a single category called “Lower” Income for the site inventory.

Step 2: Adjust RHNA totals based on ADU projections

On September 28, 2021, ABAG issued a [report](#) designed to help cities calculate the percentage of their RHNA that could be met by Accessory Dwelling Units (ADUs). The report determined that in jurisdictions with fair housing concerns, the following income distribution could be used: Very Low (5%), Low (30%), Moderate (50%), Above Moderate (35%). Albany issued building permits for 17 ADUs in 2018, 23 ADUs in 2019, 24 ADUs in 2020, and 19 ADUs in 2021. The four-year average was 20.75 ADUs/year, but only about half of these units were actually constructed. As such, the City is projecting 10 ADUs/ year for 2023-2031. Applying the ABAG-recommended income distribution, the yield would be 4 very low-income units, 24 low-income units, 40 moderate-income units, and 12 above moderate-income units. These assumptions have been built into the adjusted RHNA total in Table B-2 below.

With committed projects and projected ADUs subtracted out, the remaining RHNA balance is 725 units. This includes 370 lower income units and 355 moderate and above moderate income (e.g., “market rate”) units. With the State-mandated “buffer” added, sites for roughly 900 units are needed.

Table B-1: Approved Units Expected to be Occupied After June 30, 2022

Address	Status	Total Units (net)	Income Category				Comments
			Very Low	Low	Moderate	Above Moderate	
755 Cleveland Av	Approved, not yet built	62	43	19			Albany Family Housing, to be developed by Satellite Affordable Housing Associates (SAHA) on 1.13 acres of City-owned land
423 Evelyn	Approved, not yet built	14	1	1		12	14 rental units, includes 2 inclusionary (1 L, 1 VL). Remainder are market rate
910 Tulare	Under construction	1				1	Convert psychiatrist offices to SF home
540 San Pablo	Approved, not yet built	207	21		67*	119	Albany Bowl development. Incl. 21 VL units (for density bonus) plus 186 mkt rate
1600 Solano	Approved, not yet built	12		2		10	12 rental units, including 2 Very Low
634 Kains	Under construction	9		1		8	Townhomes
904 Masonic	Approved, not yet built	4				4	Includes 3 traditional units and 1 live-work unit
TOTAL		309	65	23	67	154	

Source: Albany Community Development Department, Barry Miller Consulting, 2021, 2022

Table excludes planned University of California student housing (Addressed in Section 7 of this report)

(*) Market rate studios and 1-bedroom apts in this project are presumed to meet moderate income affordability levels

Table B-2: Adjusted RHNA for Opportunity Site Analysis

	Very Low	Low	Moderate	Above Moderate	Total
RHNA	308	178	175	453	1,114
Committed Units	(65)	(23)	(67)	(154)	(309)
Accessory Dwelling Units	(4)	(24)	(40)	(12)	(80)
Adjusted RHNA	239	131	68	287	725

Source: Barry Miller Consulting, 2021, 2022

Step 3: Calculate potential on vacant residential land

Sections 1, 2, and 3 of this analysis show potential on vacant residential land. Alameda County tax assessor data was used to identify vacant sites. There are 5,737 parcels in the City of Albany. The Alameda County Assessor's Office assigns each parcel a four-digit code indicating existing land use. Vacant residential land is specifically called out as a category. The parcel data base was sorted to identify all vacant residentially zoned parcels – this was supplemented by a review of aerial photos and Google Street View data to determine any additional vacant sites.

The estimated yield for vacant residential land was determined based on existing zoning and site conditions. For the Albany Hill property, the estimate considers rezoning of the site to allow R-1 densities, or 129 units on the site rather than the 66 currently allowed. Even higher densities could be considered on this property. Importantly, the assumption for the Albany Hill site is that the new zoning for this property requires clustering of the allowable number of units at a minimum density of 20 units per acre. Although the gross density of the site may be less than that, most of the property is expected to be set aside as open space, with density transferred to the flatter portion of the site. This allows the site to be counted as a lower income site, since such sites are subject to a "default density" requirement of 20 units per acre under AB 2348.

Table B-4 summarizes the potential on vacant residential sites. Background data on each site, including aerial photos, is included in Sections 1, 2, and 3 below. Total yield on these sites is estimated to range from 79 to 142 units.

Step 4: Calculate potential on underutilized residential land

The potential for additional units on already developed residential sites was calculated for the R-3 (High Density) zoning district only. R-1 and R-2 sites are less likely to be redeveloped and are generally not conducive to affordable housing under current market conditions. An analysis of all R-3 properties outside the San Pablo Avenue Specific Plan Area was completed. This included field inspection, analysis of existing improvements (age of structure, size of structure, size of parcel, etc.), calculation of land to improvement value ratio, property ownership, and the potential to aggregate adjacent parcels. Adjacent parcels under common ownership, with a mailing address in another location and low improvement values, were considered the most viable sites. These sites often contain small (1,000 SF) rental houses on properties that could be aggregated and redeveloped with multi-family housing.

Table B-5 indicates the potential on these sites. A net gain of 33 units was estimated for these sites. A fact sheet was prepared for each site to meet the HCD requirement for "substantial evidence" for non-vacant sites.

Step 5: Calculate potential on parcels in the San Pablo Avenue Specific Plan Area

The Specific Plan Area encompasses approximately 360 parcels in the San Pablo Avenue corridor. This area is bounded by Berkeley on the south, El Cerrito on the north, Kains Avenue on the east and Adams Street on the west. San Pablo Avenue forms the spine of the area.

As noted earlier, two estimates of yield were prepared for each site in the Specific Plan area. The first estimate is the yield that was possible in January 2022, when this analysis was completed. As in the 2015-2023 Housing Element, the yields are 30-40 units per acre in this scenario – or roughly half of what is allowed based on the General Plan and zoning. This yield is based on the actual densities for projects built in Albany in the late 1990s and early 2000s (Portland Gardens, Villa de Albany, Albany Gardens).

The second estimate is the yield that will be possible throughout the 2023-2031 planning period, given the adoption of the Specific Plan in July 2022. The Specific Plan eliminated density limits, increases of allowable Floor Area Ratio from 2.25 to 4.0 (4.5 in some cases), and increased height from 38 feet to 68 feet in the area south of Brighton and 85 feet in the area north of Brighton (e.g., on parcels with walking distance from the El Cerrito Plaza BART station). Not only does the Specific Plan increase capacity, it also increases the likelihood the sites will be developed, as the greater yield on each site will help projects “pencil out.” The Specific Plan also includes provisions for streamlined approval for projects that meet objective development and design standards in the document.

Although a density limit would not apply under the new Specific Plan, a “proxy” density was applied to each parcel based on comparably sized parcels along San Pablo Avenue that have recently been developed or approved for development in Albany, Berkeley, and El Cerrito. It should be noted that the heights allowed by the new Specific Plan are comparable to – or higher than – those in place in Berkeley and El Cerrito.

Appendix C includes data on 32 projects in Albany, Berkeley, and El Cerrito. All of these projects have been approved or developed in the last decade. The analysis found that most projects on the corridor are developing at densities between 80 and 200 units per acre. A density assumption at the low end of this range was used on most of the Albany sites. This results in conservative (e.g., low) estimates of capacity in order to ensure that an adequate number of sites is provided. The City has identified more sites than it needs to meet the RHNA, recognizing that this will provide greater market flexibility, a larger “buffer” in the inventory, and the ability to allow other uses on the listed sites as opportunities arise. The larger buffer further recognizes that some of the property owners in the Specific Plan area may choose to not develop their properties during the planning period.

Selection of sites along San Pablo Avenue was based on a number of factors, including:

- Previous listing of the site as a housing opportunity in the 2015-2023 Housing Element
- Listing of the site as a development opportunity in the Draft San Pablo Avenue Specific Plan

- Size of the site (sites larger than 10,000 square feet were prioritized)
- Improvement to land value ratio (sites where the assessed value of land was more than the assessed value of improvements)
- Existing floor area ratio (sites with existing FARs below 0.5)
- Feasibility of aggregation with adjacent sites (sites under common ownership)
- Existing use (parking lots, storage areas, and other lower value uses)
- Prior proposals (sites which have been previously studied or proposed for development)
- Vacancy level (buildings with for lease/ for rent signs, etc.)
- Building age and condition (older buildings and buildings in poor condition)
- Ownership of the site (sites that were investor-owned or owned by development interests)
- Field observations
- Expressions of interest from property owners

Twenty opportunity sites were identified in this area. Many of these sites are comprised of multiple adjacent parcels. The sites are numbered 16-35 in the data base and are discussed in Section 5 of this Appendix. A Fact Sheet was prepared for each site, including pertinent data and statistics, a narrative description of the site and why it has been included, current (December 2021) photographs of the property, aerial photos, and assessor maps. The Fact Sheets provide substantial evidence that these are viable development sites, as required by HCD.

Table B-6 indicates a likely yield of 309 units without the Specific Plan and 884 units with the Specific Plan (this excludes units in the Albany Bowl project, which are already accounted for).

Step 6: Calculate potential on Solano Avenue parcels

A similar analysis, using the same factors described for San Pablo Avenue, was conducted for Solano Avenue. The focus here was on parcels with Solano Avenue frontage and adjacent parcels on the perpendicular cross-streets. All parcels with a General Plan designation of “Solano Mixed Use” were evaluated, along with several parcels along Solano Avenue designated Public/Quasi-Public. A total of 189 parcels were evaluated.

Nine housing opportunity sites were identified. These sites are numbered 36-44 in the data base and are discussed in Section 6 of the Appendix. A two-sided “Fact Sheet” was prepared for each site, including pertinent data and statistics, a narrative description of the site and why it has been included, current (December 2021) photographs of the property, aerial photos, and assessor maps. The Fact Sheets are intended to provide substantial evidence that these are viable development sites.

As with San Pablo Avenue, two estimates of capacity were made for each site. The first is a “baseline” capacity that presumes existing zoning remains in place. These estimates are conservative and are below the actual potential under existing zoning. For reference, a recently approved project at 1600 Solano Avenue includes 12 units on a 5,127 square foot lot, resulting in a density of 102 units per acre. However, the project used a 50 percent density bonus and

included multiple concessions and waivers. Absent the bonus and waivers, a lower density must be presumed.

The second capacity estimate presumes an increase in allowable height (from 35 feet to 45 feet) on each property. A program in the Housing Element proposes such an increase “automatically” for all projects meeting the City’s 15% inclusionary requirement. Effectively, every residential project larger than seven units would be allowed to build to 45 feet provided it meets the inclusionary requirement on-site. A program in the Housing Element also proposes replacing the density limit with an FAR limit, further increasing the number of units allowed by right. These changes allow higher yields to be presumed for the Solano Avenue sites – although the capacity assumptions are still below 63 units per acre.

Table B-7 indicates an estimated likely yield of 234 units with adjustments to zoning standards and 133 units without adjustments to zoning standards. Although the City can meet its RHNA without zoning changes along Solano Avenue, the increased height limit should be considered as an equity measure to more evenly balance housing opportunities across the city.

Step 7: Calculate potential on UC Village property

The final step was to determine residential development potential at UC Village. The University of California (UC) is moving forward with plans for a 289-unit apartment complex for students on the site. State protocol for counting University housing toward the RHNA is ambiguous, but preliminary indications from HCD and other cities with UC student apartments (Davis and Irvine) is that these units cannot be counted toward RHNA.

It should be noted that if these units were counted, they would qualify as lower income (based on rents and the income of occupants). This would effectively reduce the remaining lower income RHNA balance to only 108 units.

Due to uncertainties about how these units will be treated, the UC Village units have been tallied separately rather than counted with Albany Bowl and other “committed” projects. The City recognizes that students are only one component of the lower income population. As such, it is treating the UC capacity as part of its “buffer” and is still planning for a sufficient quantity of lower income units to meet the RHNA without considering this project.

Findings

Table B-3 summarizes the number of potential units in each category. A “low” and “high” range is provided for some of the categories. The low range presumes status quo in terms of zoning regulations, including no Specific Plan for San Pablo Avenue, no changes on the Albany Hill parcel, no height increase on Solano Avenue, and no units counted at UC Village. The high range presumes adoption of the San Pablo Avenue Specific Plan, a doubling of the number of units allowed on the Albany Hill parcel, additional zoning flexibility on Solano Avenue, and counting of UC Village units as part of the City’s RHNA buffer (though not by income).

This analysis is based on “realistic potential” rather than the theoretical capacity of each site. However, it is important to keep in mind that several projects approved in recent years have developed above their theoretical capacity. In other words, “realistic” potential is arguably higher than theoretical potential and not lower. The City has taken a more conservative approach, recognizing that not every one of its housing sites is likely to develop by 2031.

Table B-3 indicates that the Low Estimate would be inadequate to meet the RHNA, while the High Estimate provides a lower-income buffer of 176 units, or 35% above the 486 lower income units assigned to the city. Table B-3 assumes that sites on San Pablo Avenue and Solano Avenue will develop proportionally to the RHNA assignments, with 43% of all new units in the lower income range. The existing 15 percent inclusionary requirement alone will not be sufficient to meet the RHNA target. It would result in 167 units on San Pablo and Solano Avenues, which is much lower than the 477 units shown in Table B-3. Meeting the more aggressive target means the City will also need to attract 100% affordable projects as well as market-rate projects.

Table B-3: Summary of Housing Potential on All Sites

Category	Low Estimate: Status Quo Regulation		High Estimate: Specific Plan, Zoning Changes, UC Village	
	UNITS	Lower Income	UNITS	Lower Income
Committed Projects	309	88	309	88
Accessory Dwelling Units	80	28	80	28
Vacant R-1 and R-2 sites	13	0	13	0
Albany Hill Pierce St parcel	66	0	129	65
Underutilized R-3 sites	27	2	27	2
San Pablo Av Corridor	309	133(*)	880	377(*)
Solano Av Corridor	133	57(*)	234	100(*)
UC Village (buffer only)	0	0	289 (buffer)	--
TOTAL	937	308	1,961	660

Source: Barry Miller Consulting, 2022

(*) Presumes 43% of capacity is lower income, per the RHNA

SECTION 1: SINGLE FAMILY INFILL LOTS

The following are vacant single family R-1 lots capable of accommodating one single family home each (8 units total, all presumed “above moderate” income)

<div>1</div> <div>APN 66-2793-19</div> <div>Between 739/ 745 Madison</div> <div>Lot Size: 2,500 SF</div> <div>Zoning: R-1</div>	 An aerial photograph of a residential street. A rectangular lot is outlined in red, situated between two existing houses. The lot is currently vacant and appears to be covered in grass or weeds. The surrounding area includes other residential properties with houses and trees.
<div>2</div> <div>APN 66-2753-6-3</div> <div>Between 895/ 889 Hillside</div> <div>Lot Size: 4,800 SF</div> <div>Zoning: R-1/Hillside</div>	 An aerial photograph of a residential street. A rectangular lot is outlined in red, located between two houses. The lot is vacant and covered in vegetation. The surrounding area shows other residential lots with houses and trees.
<div>3</div> <div>APN 66-2751-16</div> <div>Between 840/ 846 Hillside</div> <div>Lot Size: 3,600 SF</div> <div>Zoning: R-1/Hillside</div>	 An aerial photograph of a residential street. A rectangular lot is outlined in red, positioned between two houses. The lot is vacant and covered in grass. The surrounding area includes other residential properties with houses and trees.

<p>4 APN 66-2753-31</p> <p>Between 705/715 Hillside</p> <p>Lot Size: 6,100 SF</p> <p>Zoning: R-1/ Hillside</p>	
<p>5 APN 66-2751-12-1</p> <p>Between 830/ 840 Hillside</p> <p>Lot Size: 5,600 SF</p> <p>Zoning: R-1/Hillside</p>	
<p>6 APN 66-2751-5-13</p> <p>Between 716/ 796 Hillside</p> <p>Lot Size: 5,400 SF</p> <p>Zoning: R-1/Hillside</p>	

<div data-bbox="207 197 282 268" data-label="Text">7</div> <div data-bbox="289 197 542 231" data-label="Text">APN 065-2463-066</div> <div data-bbox="201 273 428 424" data-label="Text"> <p>1196 Curtis St. Lot Size: 8,176 SF Zoning: R-1 Potential lot split</p> </div>	
<div data-bbox="207 747 282 819" data-label="Text">8</div> <div data-bbox="289 741 509 774" data-label="Text">APN 65-2412-39</div> <div data-bbox="201 848 428 999" data-label="Text"> <p>1197 Curtis Lot Size: 4,000 SF Zoning: R-1 Potential lot split</p> </div>	

SECTION 2: VACANT R-2 (MEDIUM DENSITY) LOTS

The following are vacant single family R-2 lots — one is capable of accommodating two units and the other is capable of accommodating three units. For Housing Element purposes, these are presumed to be “above moderate” income units.

<p>9 APN 66-2727-7 South of 910 Adams St. Lot Size: 5,600 SF Zoning: R-2</p>	
<p>10 APN 66-2723-13 Between 934/ 940 Madison Lot Size: 3,952 SF Zoning: R-2</p>	

SECTION 3: VACANT, UNSUBDIVIDED RESIDENTIAL LAND

11

Pierce Street, Albany Hill

There is one large vacant, unsubdivided site zoned for housing in Albany (APN 66-2760-10-7). It is a 10.79-acre parcel on Pierce Street immediately south of the Gateview condominium complex. The site is owned by Golden Gate Hill Development Company in San Francisco. Its General Plan designation is Hillside Residential, with a maximum density of 6 units per acre. Policy direction in the Albany 2035 General Plan indicates that this density may be clustered on the least environmentally sensitive part of the site. The property is moderate to steeply sloping and is heavily wooded with eucalyptus trees. Current zoning is Hillside Residential.

The 1992 Albany Housing Element estimated the capacity of this site at 112 units, or about 10 units per acre. This capacity was reduced by Albany voters through a ballot measure in 1994 that established a maximum density of 6 units per acre, or roughly 65 units for the entire site. The 2015-2023 Housing Element acknowledged the potential for 66 units on the site but the property was not included in the Housing Element site inventory. At the time, the RHNA was much smaller than it is today, and inclusion of this property was not required. There had also been a recent proposal by Trust for Public Land to acquire the site as open space.

The property is currently for sale and is now considered a viable housing site. It is noted that the three properties north of the site are developed at densities of 69 units/acre (Gateview), 17 units/acre (Bridgewater), and 30 units/acre (Bayside Commons). These are gross densities that included dedicated open space at each complex—the net densities (based on the developed areas only) are well over 100 units per acre at Gateview and over 50 units per acre at Bayside Commons. On each site, the density is clustered along Pierce Street and the upper slopes are open space.

If a similar approach were to be taken on the 10.79-acre vacant site and a gross density of 12 units/acre was applied (equivalent to R-1), the site would yield roughly 129 units. The allowable units would be clustered on roughly 4 acres along Pierce Street, achieving densities that make the site eligible to be counted as an affordable housing opportunity site while allowing preservation of a substantial open space area. A program in this Housing Element calls for a ballot measure in the next three years to allow higher densities on the site—densities above 12 units per gross acre also may be considered. While the City can attain its Regional Housing Needs Allocation without this site, its rezoning would ensure that housing opportunities are geographically dispersed around the city. Site images are provided below and on the next page.



*Looking north on Pierce,
site on right*



*Looking south on Pierce,
site on left*



Table 4 summarizes the potential housing yield from the 11 vacant, residentially zoned sites:

Table 4: Summary of Housing Potential on Vacant R-1, R-2, and R-HD sites (see Fact Sheets for further information)

ID	APN	Address	Area (Acres)	Theoretical Yield	Realistic Capacity	Income Group			Counted Previously?	Enviro Constraints	Infra- structure
						Low	Mod	AbvMod			
R-1 Zoned Sites (General Plan: Low Density Residential) – 12 DU/Ac											
1	66-2793-19	b/w 739-745 Madison	0.06	1	1			1	Yes	Slope	Avail
2	66-2753-6-3	b/w 895-889 Hillside	0.11	1	1			1	Yes	--	Avail
3	66-2751-16	b/w 840-846 Hillside	0.08	1	1			1	Yes	Slope	Avail
4	66-2753-31	b/w 705-715 Hillside	0.14	1	1			1	Yes	Slope	Avail
5	66-2751-12-1	b/w 830-840 Hillside	0.13	1	1			1	Yes	Slope	Avail
6	66-2751-5-13	b/w 716-796 Hillside	0.12	1	1			1	Yes	--	Avail
7	65-2463-66	1196 Curtis	0.09	1	1			1	Yes	--	Avail
8	65-2412-39	1197 Curtis	0.09	1	1			1	Yes	--	Avail
R-2 Zoned Sites (General Plan: Medium Density Residential) – 34 DU/Ac											
9	66-2722-7	S of 910 Adams	0.06	2	2			2	Yes	--	Avail
10	66-2723-013	b/w 930-934 Madison	0.09	3	3			3	Yes	--	Avail
SUBTOTAL R-1/R-2			0.97	13	13			13			
R-HD Zoned Sites (General Plan: Hillside Residential) – 6 DU/ Ac											
11	66-2760-10-7	Pierce St, southwest side of Albany Hill	10.79	65	129	65 ¹		64	No	Slope, Biological, Wildfire	On-site imps. needed
TOTAL			11.76	78	142	65		77			

¹ Contingent on rezoning of this site to allow 130 units, clustered at a minimum of 20 DU/AC along Pierce Street. For analysis purposes, this site is divided evenly among lower and above moderate-income units.

SECTION 4: UNDERUTILIZED (NON-VACANT) R-3 SITES

Four underutilized R-3 sites have been identified, based on Land/Improvement Value ratios, existing Floor Area Ratios, age and condition of structures, owner-occupancy of structure, number of housing units present vs number allowed, size and dimension of sites, adjacent land uses, and visual (field) conditions. These sites are listed on the following pages, with a one-page Fact Sheet for each site.

A summary of the four sites is provided in Table B-5 below. Total net yield is estimated to be 27 units. All of these sites could potentially support lower income units based on the allowable densities. However, because these are non-vacant sites, they are assumed to be market rate projects subject to a 15% inclusionary requirement.

Table B-5: Summary of Housing Potential on Underutilized R-3 Sites*

ID	APN	Address	Area (Acres)	Theoretical Yield	Realistic Capacity	Income Group			Counted Previously?	Enviro Constraints	Infra- structure
						Low	Mod	AbvMod			
R-3 Zoned Sites (General Plan: High Density Residential) – 63 DU/Ac											
12	067-2828-005/-06	412-416 Stannage	0.17	8	6			6	Yes	None	Avail
13	067-2829-015-01	415 Stannage	0.15	7	7	1		6	No	None	Avail
14	067-2830-04/ -05	408-412 Talbot	0.16	8	6			6	No	None	Avail
15	066-2730-012-02 and -03	701-703 Johnson	0.20	10	8	1		7	No	Near Frwy	Avail
TOTAL			0.82	32	27	2		25			

(*) Theoretical yield and realistic capacity are net increases, adjusted for existing units on these parcels

Attribute	Description
APNs	067-2828-005 067-2828-006
Lot Area	7,500 SF (0.17 ac)
General Plan	Residential - High Density
Zoning	R-3
Existing Use	Two rental homes

Opportunity Site Attributes	Yield Calculation
Carry-Over Site from 2015?	Yes
Max Density Before Bonuses	63 UPA
Presumed Density for Housing Element	47 UPA
Realistic Gross Yield	8 units
Net Yield (minus 2 homes)	6 units

The site consists of two renter-occupied single family homes, both built in 1940 and in fair condition. The same party owns both properties at a mailing address outside the city. County Assessor records indicate that the assessed value of the land for these two parcels is 1.74 times the assessed value of improvements, creating conditions favorable for reinvestment. Other parcels on this block have been developed with multi-family housing, and these are among the few single family homes in this block.

Zoning standards would allow 8 units, yielding a net gain of 6 units if the site were to redevelop. These two parcels present similar conditions to the multi-family projects approved at 423 -427 Talbot and 1157 Brighton, both within two blocks of this property in the same zoning district. Because this is a non-vacant site also listed in the 2015 Housing Element, future multi-family housing in which 20% of the units are affordable must be allowed by right under AB 1397. This is addressed by a Program in the 2023-31 Housing Element.



Attribute	Description
APNs	067-2829-015-01
Lot Area	6,674 SF (0.15 ac)
General Plan	Residential - High Density
Zoning	R-3
Existing Use	Rental house

Opportunity Site Attributes	Yield Calculation
Carry-Over Site from 2015?	No
Max Density Before Bonuses	63 UPA
Presumed Density for Housing Element	54 UPA
Realistic Gross Yield	8 units
Net Yield (minus 1 home)	7 units

The site consists of a renter-occupied single-family home built in 1940; the existing home is 1,029 square feet. The same party owns the rental properties across the street (412-416 Stannage), with a mailing address outside the city. County Assessor records indicate that the assessed value of the land for the parcel is 1.88 times the assessed value of improvements, creating conditions favorable for reinvestment. Other parcels on this block are developed with multi-family housing, including 3 and 4-story buildings next door.

Zoning standards would allow 8 units, yielding a net gain of 7 units if the site were to redevelop. The parcel presents similar conditions to the projects approved at 423-427 Talbot and 1157 Brighton, both within two blocks of this property in the same zoning district. Because of the City's inclusionary requirement, a project on this site could yield more than the 8 units cited here through a density bonus.



Attribute	Description
APNs	067-2830-04 and -05
Lot Area	6,800 SF (0.16 ac)
General Plan	Residential - High Density
Zoning	R-3
Existing Use	Single family homes

Opportunity Site Attributes	Yield Calculation
Carry-Over Site from 2015?	No
Max Density Before Bonuses	63 UPA
Presumed Density for Housing Element	52 UPA
Realistic Gross Yield	8 units
Net Yield (minus 2 homes)	6 units

The site consists of two small single-family rental homes, each about 900 square feet and over 80 years old. Both homes are owned by the same party (mailing address in another city). The site is adjacent to El Cerrito Plaza, 1,200 feet from the BART platform, and one block from the recently completed 128-unit Creekside Walk apartments in El Cerrito. Other parcels on this block have been developed with multi-family housing, and these are among the few single-family homes on the block.

Zoning standards would allow 8 units, yielding a net gain of 6 units if the site were to redevelop. Similar projects in the R-3 district within one block of this site have been approved at higher densities than this but have used density bonuses.

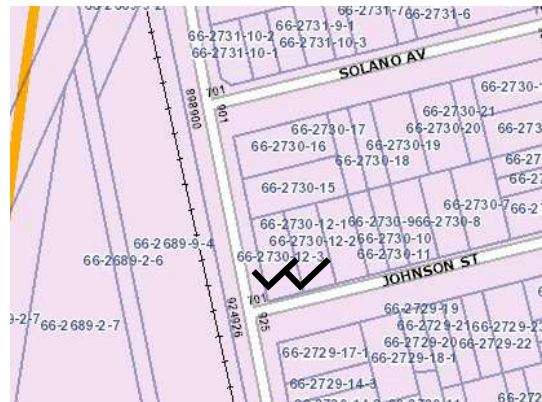


Attribute	Description
APNs	066-2730-012-02 066-2730-012-03
Lot Area	8,600 SF (0.20 ac)
General Plan	Residential - High Density
Zoning	R-3
Existing Use	2 rental homes

Opportunity Site Attributes	Yield Calculation
Carry-Over Site from 2015?	No
Max Density Before Bonuses	63 UPA
Presumed Density for Housing Element	52 UPA
Realistic Gross Yield	10 units
Net Yield (minus 2 homes)	8 units

The site consists of two renter-occupied single-family homes on adjacent lots at the corner of Johnson Street and Cleveland Avenue. Both of the rental houses were built in 1942 and are 884 square feet each. The properties are owned by the same party, located in Southern California. The site is flat and rectangular in shape and is similarly situated to the SAHA project 2 blocks to the north.

Zoning standards would allow 12 units, yielding a net gain of 10 units if the site were to redevelop. A yield of 10 units has been assumed based on comparable projects in the area, resulting in a net gain of 8 units. Because of the City's inclusionary requirement, a project on this site could yield a larger number of units through a density bonus.



SECTION 5: SAN PABLO AVENUE CORRIDOR

Twenty (20) potential Housing Opportunity sites have been identified along the San Pablo Avenue Corridor. The next section of the inventory provides a profile of each site, explaining the rationale for its selection, existing conditions, and potential yield. Two estimates of yield are provided for each site—one reflecting estimating yield as of January 2022 (without the Specific Plan) and another yield as of August 2022, following adoption of the Specific Plan. All the sites listed below are zoned SPC—a few also include areas with R-3 zoning. Table B-6 summarizes potential yield from these sites.

It should be acknowledged that other sites on San Pablo Avenue may also be redeveloped with affordable and market rate housing at similar densities during 2023-2031. Table B-6 simply represents the most viable sites, as determined by the City's analysis. It is further acknowledged that the "net yield" estimates shown here are conservative; each of these sites can support a larger number of units, particularly if State density (FAR) bonuses are applied.

Distribution of Sites by Income

HCD requires that cities classify their Housing Opportunity sites based on the income group they will serve. Usually, sites may be deemed suitable for lower income housing if they are between ½ acre and 10 acres and can accommodate at least 16 units (although HCD indicates that yields of 50 to 150 units are ideal). Such sites also should have minimal improvements and constraints, thus making them less costly to develop.

HCD also allows local governments to identify sites as being suitable for more than one income group, provided they meet other basic criteria (such as zoning for at least 20 units per acre). Albany has taken this approach to the sites on San Pablo and Solano Avenues. All of the housing sites on these two corridors are non-vacant, and there are few characteristics that would compel some sites to be designated as "lower income" sites and others as "above moderate" income sites. The City would strongly support an affordable housing development on any of these sites, and all of them are considered suitable for lower income housing. Rather than singling some out and not others, the City has pro-rated income assumptions for the sites based on the RHNA proportions. These proportions are as follows:

- Lower Income: 43%
- Moderate Income: 16%
- Above Moderate Income: 41%

In the event any of the opportunity sites are developed with a smaller percentage of lower income units, the City will be required to find that it still has the capacity to meet the lower-income RHNA on the remaining sites.

Table B-6: Summary of Housing Potential on San Pablo Avenue Corridor Sites

ID	Address	Acres	Net Yield Jan 2022	Net Yield Aug 2022 (w/ Specific Plan)	INCOME			Counted Previously ?
					Low (43%)	Mod (16%)	Abv Mod (41%)	
16	398 San Pablo Av	0.73	23	73	31	12	30	Yes
17	409 San Pablo Av	0.38	6	10	4	2	4	No
18	433 San Pablo Av	0.91	29	96	41	15	40	Part
19	501 San Pablo Av	0.47	15	47	20	8	19	Yes
20	545 San Pablo Av	0.2	7	18	8	2	8	No
21	611 San Pablo Av	0.11	4	6	3	1	2	Yes
22	618 San Pablo Av	0.32	10	32	14	5	13	No
23	665 San Pablo Av	0.34	11	34	15	5	14	Yes
24	702-718 San Pablo Av	0.69	20	55	23	9	23	Part
25	759 San Pablo Av	0.34	11	27	12	4	11	No
26	805 San Pablo Av	0.51	16	60	25	10	25	Yes
27	813 San Pablo Av	0.35	12	35	15	6	14	No
28	836-844 San Pablo Av	0.74	30	74	32	12	30	No
29	911-13 San Pablo Av	0.61	16	61	26	10	25	Yes
30	934 San Pablo Av	0.17	11	17	7	3	7	Yes
31	950 San Pablo Av	0.96	30	83	36	13	34	Yes
32	949-953 San Pablo Av	0.3	16	24	10	4	10	No
33	965-969 San Pablo Av	0.51	18	51	22	8	21	No
34	1061-1063 San Pablo Av	0.34	11	34	15	5	14	Yes
35	1107-1111 San Pablo Av	0.43	13	43	18	7	18	Yes
TOTAL		9.41	309	880	377	141	362	

Attribute	Description
APNs	066-2761-10
Lot Area	32,000 SF (0.73 ac)
General Plan	San Pablo Mixed Use
Zoning	SPC/ San Pablo Av Specific Plan
Existing Use	Car Wash
Carry-Over?	Yes (4 th and 5 th Cycles)

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.5
Max Height	38'	85'
Presumed Density for Housing Element	32 units/ ac	100 units/ ac
Realistic Yield Before Bonuses	23 units	73 units

This site is a car wash on a single parcel on San Pablo Avenue at the northern city limits. It was counted in the 2015-2023 Housing Element and is being carried forward. As required by AB 1397, future development on this site in which at least 20% of the units are affordable to lower income households may be processed by right. This has been codified by the San Pablo Avenue Specific Plan.

The site consists of three separate buildings – two are associated with the car wash and the third is a dry cleaners. Assessed land values currently exceed improvement values on the site. The site is north of the Sutter Health Care facility and the proposed 207-unit, six-story Albany Bowl development. It is across the street from El Cerrito Plaza and is less than a 10-minute walk from the BART Station. The site is part of the “Northern Activity Node” identified by both the Albany General Plan and the San Pablo Avenue Specific Plan.

The prior Housing Element presumed a density of 32 units/ acre, yielding 23 units. As a result of the Specific Plan, the floor area permitted on this site has more than doubled, and the height limit has increased from three stories to eight stories. Comparable sites in El Cerrito subject to similar standards have been approved for development at densities of 100 to 200 units per acre. A lower-end density of 100 units per acre is assumed for this site. There are no environmental or infrastructure constraints. Cerrito Creek is on an adjacent parcel of land, within a riparian corridor that could be restored and expanded if this site is redeveloped.





Looking west
across San
Pablo Av



Looking
northeast, San
Pablo Avenue
at top



Attribute	Description
APNs	067-2827-14-004
Lot Area	16,605 SF (0.38 ac)
General Plan	San Pablo Mixed Use
Zoning	SPC/ San Pablo Av Specific Plan
Existing Use	Parking Lot
Carry-Over?	No

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.5
Max Height	38'	85'
Presumed Density for Housing Element	30 units/ ac (@0.2 ac)	50 units/ ac (@0.2 ac)
Realistic Yield Before Bonuses	6 units	10 units

This is a new Housing Element site that has not been counted previously. It is the parking lot for the Wells Fargo Bank, which straddles the property line between El Cerrito and Albany. The bank building itself is located in El Cerrito. This parcel is irregularly shaped, as it follows the former course of Cerrito Creek, which runs beneath the site in a storm drain facility (see image below). Given the potential for daylighting the creek and applying watercourse protection setbacks, only about half of the site is counted as having development potential.

Although the bank is still operational it is a viable candidate for redevelopment given the large size of the site (including the El Cerrito portion, it is over one acre). The site is walking distance from the El Cerrito BART Station and is the northern gateway to Albany. At 4.5 FAR, the site could yield 74,000 square feet of building space. However, a much lower development yield of 10 units is presumed, recognizing that this site has a number of limitations. Development would most likely be on the Kains frontage, similar to the townhomes recently developed at Kains and Portland Avenue.





Looking northeast across San Pablo Av. El Cerrito portion in dotted blue



Looking west across Kains Av. El Cerrito portion in dotted blue. San Pablo Av runs across top center.



Attribute	Description
APNs	067-2827-009-01 067-2827-015 and -16 067-2827-11
Lot Area	39,918 SF (0.91 ac)
General Plan	San Pablo Mixed Use
Zoning	SPC/ San Pablo Av Specific Plan
Existing Use	Tire Store/ Fast Food/ Office
Carry-Over?	Yes (4 th and 5 th Cycles)

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.5
Max Height	38'	85'
Presumed Density for Housing Element	32 units/ ac	100 units/ ac
Realistic Yield Before Bonuses	13 units	96 units

This is a carry-over site from the 2015-2023 Housing Element. The site has been expanded to include three additional parcels, bringing the total area from 29,300 square feet to almost 40,000 square feet. As required by AB 1397, future development on this site in which at least 20% of the units are affordable to lower income households may be processed by right. This has been codified by the San Pablo Avenue Specific Plan.

The principal activity on the property is a tire store, extending from San Pablo Avenue a block deep to Kains Avenue, with frontage along Brighton Avenue. The tire store parcel is 29,323 square feet and includes an 8,000 square foot showroom and garage built in 1968. The assessed value of improvements is \$179,000, while the land is valued at \$322,000, indicating the site is underutilized. While the business is operational, this is one of the largest sites on the corridor and its current floor area ratio (FAR) is just 0.27.

Two of the additional parcels added to this opportunity site are in common ownership, but by a different party than the tire store owner. One parcel is just 899 square feet and is used for parking. The other is at the northeast corner of Brighton and San Pablo and includes a 1,958 square foot fast food restaurant built almost 60 years ago (Al's Big Burger). Adding these two parcels to the opportunity site "rounds out" its edges and creates a block-to-block through lot with two corners. The third parcel added to the site is a 940 square foot house on a 5,000 square foot lot at 427 San Pablo Av, which is being used as an office. Its assessed land value is five times the assessed improvement value.

This site is also located in the Northern San Pablo Avenue "Activity Node" and has been identified as particularly well suited for transit-oriented development, including higher density housing and mixed use. Under the Specific Plan, the allowable FAR is 4.5 and building heights of 85 feet are permitted. This could potentially yield a project of over 150 units on this site. However, a "realistic capacity" of 96 units is used here, based on comparable projects in Berkeley and El Cerrito on similarly positioned sites. All sites have infrastructure and there are no environmental constraints.





Looking
northeast across
San Pablo Av at
Brighton Av



Looking west
across Kains Av,
Brighton on left
and San Pablo Av
at top center



Attribute	Description
APNs	067-2826-001-00 067-2826-027 067-2826-028
Lot Area	20,312 SF (0.47 ac)
General Plan	San Pablo Mixed Use
Zoning	SPC/ San Pablo Av Specific Plan
Existing Use	Goodwill Retail Store
Carry-Over?	Yes (5 th Cycle)

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.5
Max Height	38'	85'
Presumed Density for Housing Element	32 units/ ac	100 units/ ac
Realistic Yield Before Bonuses	15 units	47 units

This site consists of three adjacent parcels under contiguous ownership at the southeast corner of San Pablo Avenue and Brighton Avenue. The site was also counted in the 2015-2023 Element and is being carried forward. As required by AB 1397, future development on this site in which at least 20% of the units are affordable to lower income households may be processed by right. This has been codified by the San Pablo Avenue Specific Plan.

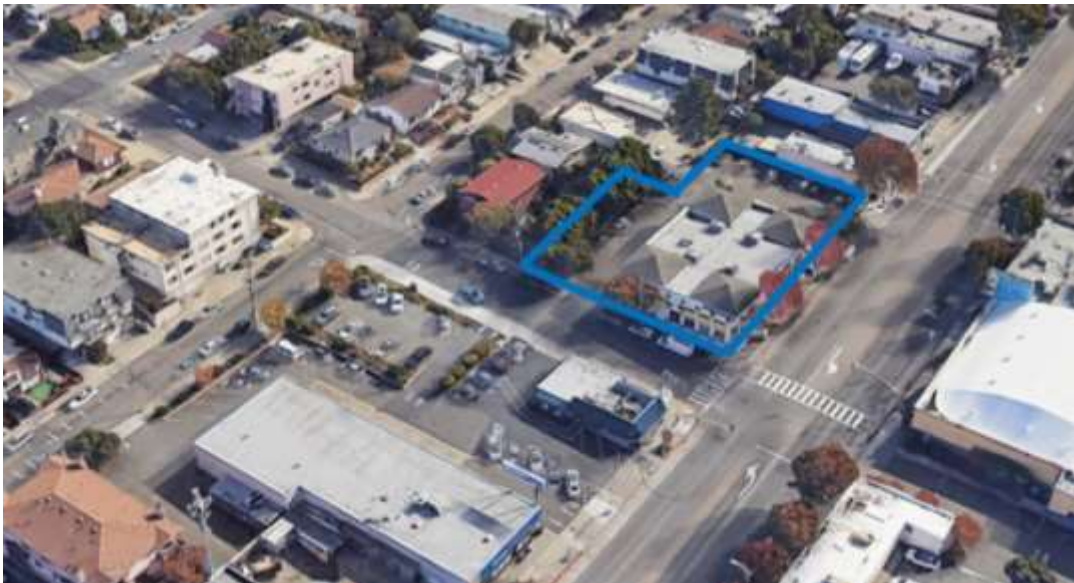
The site was initially developed with a 6,500 SF one-story Blockbuster Video store in 1993. When the store closed, the building became a Goodwill retail outlet. Although the assessed building value is higher than the assessed land value on this site, the property is underutilized. Total floor area ratio for the property is 0.32, while Specific Plan zoning allows more than ten times this intensity. The site is part of the Specific Plan's Northern Node, which allows 85' height and 4.5 FAR. The site has no environmental or infrastructure constraints.

The 2015-2023 Housing Element presumed a yield of 15 units on this site, based on a three-story project with ground floor commercial use and a density of 33 units per acre. The new Specific Plan permits eight-story construction on this site, creating significantly more development potential. Moreover, this is a corner site adjacent to a transit-oriented activity node that extends to the El Cerrito Plaza BART station. The site is within the 15-minute walking radius of BART and is across the street from the Albany Bowl project, which is proposed at a density of 95 units per acre. A density of 100 units per acre is used in the 2023-2031 Element, yielding 47 units. Comparably situated sites on San Pablo Avenue in Berkeley and El Cerrito have recently been developed at densities of 80 to 120 units per acre.





Looking
northeast across
San Pablo Av



Looking south
across San Pablo
Av at Brighton Av



Attribute	Description
APNs	67-2826-23-2
Lot Area	8,693 SF (0.20 ac)
General Plan	San Pablo Mixed Use
Zoning	SPC/ San Pablo Av Specific Plan
Existing Use	Xin Cheng Int'l (former Caspers)
Carry-Over?	No

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	35 units/ ac	90 units/ ac
Realistic Yield Before Bonuses	7 units	18 units

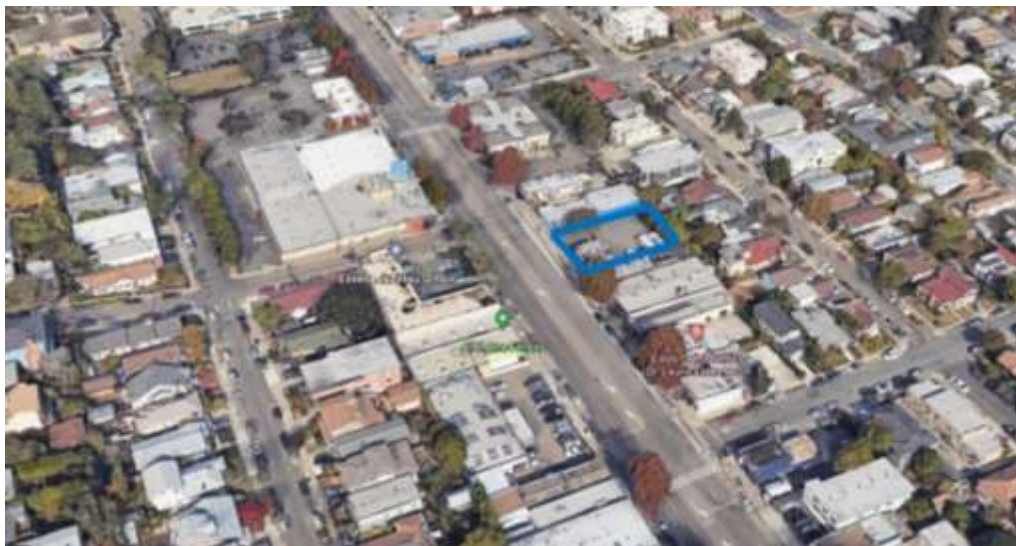
This is a vacant former fast food restaurant (Caspers Hot Dogs). The site was sold in 2020 and now has signage for Xin Cheng International but is in a blighted state, with the building tagged and in poor condition. The adjacent site at 533 San Pablo was also for sale but is currently in active use as a table tennis club.

Although the former Caspers property is less than 10,000 square feet, its vacant status warrants its inclusion as a housing opportunity site. The site has roughly 86 feet of frontage along San Pablo Avenue and is 100 feet deep. A similarly sized and situated property at 949 San Pablo was recently proposed for 16 units of housing. Materials used to market the Caspers site (MRE Commercial Real Estate) advertised the potential for similar densities on this property.

The structure itself is 1,134 square feet and was built in 1970. The assessed value of improvements is \$282,000, while the assessed value of the land is over \$1.11 million. Most of the property is an unused parking lot. There are no environmental or infrastructure constraints.

The yield shown here assumes ground floor commercial and three stories of housing (six units per floor). Higher densities are possible and have been achieved on comparably zoned sites on San Pablo Avenue in Berkeley.





Looking northeast
up San Pablo Av



Looking northwest
up San Pablo Avenue
(Albany Bowl at top
center)



Attribute	Description
APNs	67-2813-22
Lot Area	5,000 SF (0.11 ac)
General Plan	San Pablo Mixed Use
Zoning	SPC/ San Pablo Av Specific Plan
Existing Use	Concrete Pad/ Workshop
Carry-Over?	Yes (4 th and 5 th Cycles)

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	35 units/ ac	53 units/ ac
Realistic Yield Before Bonuses	4 units	6 units

This site was counted in the 2015-2023 Housing Element and is being carried forward. As required by AB 1397, future development on this site in which at least 20% of the units are affordable to lower income households may be processed by right. This has been codified by the San Pablo Avenue Specific Plan.

Use of the site has not changed since 2015. It is a 50 x 100 parcel facing San Pablo Avenue. A 1,200 square foot contractor's workshop sits at the back property line and the front of the site is screened from the Avenue by an opaque wood slat fence. The front area is a paved concrete pad with no improvements.

The existing FAR is 0.24, while the new SPC zoning allows more 16 times that floor area, or FAR 4.0. The assessed value of the land (\$47,566) is four times greater than the assessed value of the building (\$12,684). Reuse of this site as a small mixed use project with ground floor commercial and two stories of housing (6 units total) would be consistent with zoning and the overall vision for San Pablo Avenue. A larger, taller project is possible on this site but would be unlikely unless the site is aggregated with additional parcels. There are no environmental or infrastructure constraints.





Looking southeast
across San Pablo
Av



Looking northeast
across San Pablo
Av



Attribute	Description
APNs	066 2796 008 01
Lot Area	13,750 SF (0.32 ac)
General Plan	San Pablo Mixed Use
Zoning	SPC/ San Pablo Av Specific Plan
Existing Use	Auto Repair
Carry-Over?	No

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	32 units/ ac	100 units/ ac
Realistic Yield Before Bonuses	10 units	32 units

This site has not been included in prior Housing Elements and is new to the inventory. It is an approximately 137' x 100' parcel along San Pablo Avenue and has been included both because of its relatively large size and the low assessed value of improvements relative to land value. The site contains a one-story automotive repair businesses along the west side of San Pablo Avenue mid-way between Castro Street and Clay Street. It is the largest parcel on this block.

The current business at the site is Carstar, a national auto repair company with locations across the country. The business is active and operational. The building is 5,800 square feet and was constructed in 1961. The building is assessed at just \$83,000 while the land is assessed at \$350,000, indicating underutilization. The current floor area ratio is 0.42, with much of the site used for parking and vehicle storage. Unlike other buildings on this block, which are built to the front property line, the building is setback from the street with parking in front.

Based on comparably situated sites with similar development regulations on San Pablo Avenue in Berkeley and El Cerrito, a density of 100 units per acre has been assumed. This yields 32 units on the site, which is a conservative estimate. Two recent developments in Berkeley on sites that were also roughly 135 x 100 were recently approved for projects with 63 units (2527 San Pablo) and 52 units (1740 San Pablo).





Looking west
across San Pablo
Av



Looking north
along San Pablo
Av, Garfield at
bottom right



Attribute	Description
APNs	067-2813-14-008
Lot Area	14,950 SF (0.34 ac)
General Plan	San Pablo Mixed Use
Zoning	SPC/ San Pablo Av Specific Plan
Existing Use	Restaurant
Carry-Over?	Yes (4 th and 5 th Cycles)

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	32 units/ ac	100 units/ ac
Realistic Yield Before Bonuses	11 units	34 units

This site was counted in the 2015-2023 Housing Element and was partially developed in 2021. In 2015, it was a 25,000 square foot site comprised of four parcels under one ownership. Three of the parcels were parking and the fourth contained a former Sizzler restaurant that had been converted into a new restaurant. The property has been replatted and now consists of two parcels, with one facing Kains and the other facing San Pablo. Both of these parcels also have frontage along Portland Avenue and are corner lots. The Kains frontage, which has R-3 zoning, is currently being developed with nine townhomes. The San Pablo frontage includes the restaurant, which remains operational, and surface parking.

The Kains portion of this opportunity site has been removed. The remainder of the site is roughly 100' x 130', with an additional area on the northeast edge. Most of the property is zoned SPC, and the site will be subject to the regulations of the San Pablo Avenue Specific Plan. These standards accommodate much higher floor area ratio and height than the prior zoning regulations and facilitate reuse of the site at higher densities. The site's location on a corner lot make it ideally situated for mixed use, with four to five floors of housing above ground floor commercial and structured parking. A density of 100 units per acre is presumed, yielding 34 units on the site.

It may be noted that comparably sized and situated sites in Berkeley and El Cerrito, which are subject to similar development standards, are yielding 50-65 units. The 34-unit estimate is conservative. The townhomes on Kains were developed at 37 units per acre but were subject to R-3 zoning and approved before the Specific Plan was adopted. The Specific Plan envisions much higher densities for parcels with San Pablo Avenue frontage.





*Looking north
on San Pablo
Av, Portland Av
at bottom*



*Looking east
across San
Pablo Av at
Portland Av*



Attribute	Description
APNs	066-2792-003 066-2792-007-02 066-2792-027 066-2792-028
Lot Area	29,994 SF (0.69 ac)
General Plan	San Pablo Mixed Use/ HD Res
Zoning	SPC/ San Pablo Av Specific Plan R-3/ San Pablo Av Specific Plan
Existing Use	Auto Repair/ Car Storage
Carry-Over?	Partial (4 th and 5 th Cycles)

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	3.5
Max Height	38'	68'
Presumed Density for Housing Element	30 units/ ac	80 units/ ac
Realistic Yield Before Bonuses	20 units	55 units

Part of this site was counted in the 2015-2023 Element, but it has been expanded to include additional land along San Pablo Avenue. Parcels -027 and -028, both of which are vacant (parking) sites along Adams Street, were identified as a housing site in the prior Element. As required by AB 1397, future development on this site in which at least 20% of the units are affordable to lower income households may be processed by right. This has been codified by the San Pablo Avenue Specific Plan. The “carry-over” portion of the housing site (9,982 square feet) is zoned R-3. In the prior Housing Element, it was presumed to have the capacity for seven units.

The opportunity site has been expanded to include adjacent parcels with San Pablo Avenue frontage. The owner of one of the Adams Street parcels also owns the adjacent 50' x 100' parcel facing San Pablo Avenue. That site contains an auto repair shop. The adjacent property, which also uses the rear lot along Adams Street for parking and vehicle storage, is a Subaru dealership that occupies a 15,012 square foot parcel along San Pablo Avenue. Together, these sites provide more than 200 linear feet of frontage along San Pablo and 100 feet of frontage along Adams, making them an excellent housing site.

The Subaru dealership (718 San Pablo) is a mostly one-story structure built in 1956. Its assessed land value is \$658,000, while its assessed improvement value is \$295,000, suggesting it is a candidate site for redevelopment. The auto repair shop at 702 San Pablo includes a one-story structure built in 1952 that covers the entire site. This opportunity site could potentially be further expanded to include the southwest corner of Castro and San Pablo, which is also an auto repair shop (c. 1945) on a 50 x 100 lot. However, it is owned by a separate party and is not counted in the calculations above.

Because this site includes R-3 parcels along Adams, a density of 80 units per acre is presumed (rather than the 100 units per acre assumed for properties exclusively along San Pablo). The realistic capacity estimate is 55 units, but considerably higher yields are possible based on projects in Berkeley and El Cerrito subject to similar development standards.





Looking east,
San Pablo Av at
top and Adams
at bottom



Looking north
on San Pablo
Av, Adams at
left



Attribute	Description
APNs	066 -2812-015-01
Lot Area	14,843 SF (0.34 ac)
General Plan	San Pablo Mixed Use/ HD Res
Zoning	SPC/ San Pablo Av Specific Plan R-3/ San Pablo Av/ Specific Plan
Existing Use	Liquor Store/ private school
Carry-Over?	No

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	33 units/ ac	80 units/ ac
Realistic Yield Before Bonuses	11 units	27 units

This is a new site that was not previously counted in the 2015-2023 Element. It forms the southern “cap” of the block bounded by San Pablo, Washington, Portland, and Kains, with frontage on San Pablo and Kains and block-to-block frontage on Portland. The eastern half of the parcel (along Kains) has R-3 zoning, while the western half has SPC zoning. The site has 200 feet of frontage along Portland Avenue, 50 feet of frontage on San Pablo, and 100 feet of frontage on Kains, so a stepped down building design would be likely. For this reason, a presumed density of 80 units/ acre is used rather than 100 units/acre. Considerably higher densities are possible, based on comparable projects on the San Pablo corridor subject to similar development regulations.

The site contains a 9,500 square foot one-story building constructed in 1963. The San Pablo frontage includes a liquor store. The rear portion of the building, containing most of its square footage, contains the TG Learning Center, which offers after-school programs and summer camp to children in grades K-12. The TG space includes classrooms, activity space, and an outdoor area along the Kains frontage.

The site has no environmental or infrastructure constraints. Total building value is assessed at \$426,000 while the land value is assessed at \$1.54 million, indicating the property is underutilized. While the building is occupied and is in good condition, its location on a “two-corner” lot makes it an ideal housing site.





Looking east on Washington at Kains, San Pablo Av at top



Attribute	Description
APNs	067-2799-001-01
Lot Area	22,000 SF (0.51 ac)
General Plan	San Pablo Mixed Use
Zoning	SPC/ San Pablo Av Specific Plan
Existing Use	Bank and surface parking
Carry-Over?	Yes (4 th and 5 th Cycles)

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	32 units/ ac	120 units/ ac
Realistic Yield Before Bonuses	16 units	60 units

This is an active Mechanic's Bank built in 1966. The site was also counted in the 2015-2023 Element and is being carried forward. As required by AB 1397, future development on this site in which at least 20% of the units are affordable to lower income households may be processed by right. This has been codified by the San Pablo Avenue Specific Plan.

The site is 22,000 square feet, with the bank reported as being 5,648 square feet. This equates to a floor area ratio of 0.25. The assessed value of the land is \$362,000, while the assessed value of the building is \$247,000, providing another indication that the site is underutilized. There is another branch of the same bank located just six blocks to the north at El Cerrito Plaza.

The site is optimally positioned for reuse as a mixed use development with housing over commercial uses. It forms the northern "cap" of the block bounded by San Pablo, Kains, Washington, and Solano, with street frontage on three sides and a full block of frontage on Washington. Similarly situated sites in Berkeley and El Cerrito have been developing at densities of 100 to 200 units per acre. The Mechanics Bank site is particularly well situated, as the San Pablo Avenue Specific Plan expanded the SPC General Plan and zoning designations to extend to Kains Avenue at this location. The FAR and height limit accommodate six story construction.

An estimate of 120 units per acre has been used to calculate the potential number of units, which is 60. The site has no environmental or infrastructure constraints.





Looking southwest across Washington at Kains



Looking southeast on San Pablo Av, Washington at bottom center



Attribute	Description
APNs	066-2799-19 066-2799-20 066-2799-21
Lot Area	15,000 SF (0.35 ac)
General Plan	San Pablo Mixed Use
Zoning	SPC/ San Pablo Av Specific Plan
Existing Use	Vacant Restaurant/Martial Arts
Carry-Over?	No

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	35 units/ ac	100 units/ ac
Realistic Yield Before Bonuses	12 units	35 units

This is a new site that was not previously counted in the 2015-2023 Element. It consists of three parcels along San Pablo Avenue, all in common ownership. Two of the parcels are parking lots and the third is a commercial building, including a closed restaurant and Tae-Kwon-Do studio.

The southerly two parcels are each 5,000 square feet (50 x 100) and provide parking for the restaurant. The northerly parcel is also 5,000 square feet (50 x 100), providing a single-ownership development site with 150 feet of San Pablo Avenue frontage, and 100 feet of depth. The site backs up to multi-story development on Kains Avenue. The restaurant is the Royal Café, which was temporarily closed by the COVID-19 pandemic in March 2020. A Tae Kwon Do business operates in the rear of the 4,000 square foot building. The building was constructed in 1932 and has been a family-run business for over 30 years. The site has no environmental or infrastructure constraints.

Similarly situated parcels in Berkeley and El Cerrito have been developed with or recently approved for 5-story construction at densities at 100-200 units per acre. Given the comparable development standards in the San Pablo Avenue Specific Plan, including FAR and height limits, similar densities may be expected on this site. A conservative density of 100 units/acre has been used, yielding 35 units on the site. The actual number of units could be considerably higher.





Looking
southwest on
San Pablo Av



Looking north
on San Pablo
Av



Attribute	Description
APNs	066-2791-009-01 066-2791-013, -014, -015, -016 066-2791-025 (Adams)
Lot Area	32,417 SF (0.74 ac)
General Plan	San Pablo Mixed Use/ HD Res
Zoning	SPC/ San Pablo Av Specific Plan
Existing Use	Large Format National Retailer
Carry-Over?	No

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	40 units/ ac	100 units/ ac
Realistic Yield Before Bonuses	30 units	74 units

This is a new site that was not previously counted in the 2015-2023 Element. It consists of six contiguous parcels, all in common ownership. Five of the parcels face San Pablo Avenue, and the sixth faces Adams Street. Five of the parcels are parking, including the Adams Street parcel. The four parking parcels on San Pablo adjoin each other and collectively form the parking lot for the Beverages and More (BevMo) retail store. The store itself occupies the entirety of parcel 066-2791-009-01, with 100 percent lot coverage. It is a roughly 15,000 square foot "big box" format store, initially constructed in 1953. There are no environmental or infrastructure constraints.

While this is an active business and sales tax generator, it could also be a potential ground floor tenant in a five-story mixed-use building on the site. The current FAR for this site is 0.46. Similarly situated sites on San Pablo Avenue in Berkeley and El Cerrito have developed at densities of 100 to 200 units per acre. A conservative estimate of 100 units/ acre is used here, to generate a potential yield of 74 units. In the event the property owner is able to acquire parcels to the rear of the site along Adams Street, a higher yield would be expected.





Looking northwest across San Pablo



Looking east across Adams, San Pablo Av in background



Attribute	Description
APNs	065-2661-3 065-2661-5 and 6 (on Kains) 065-2661-57 065-2661-54-1
Lot Area	26,400 SF (0.61 ac)
General Plan	San Pablo Mixed Use/ HD Res
Zoning	SPC and R-3/ San Pablo Av Specific Plan
Existing Use	Retail store, 2 houses, parking lots
Carry-Over?	Yes (5 th Cycle)

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	32 units/ ac	100 units/ ac
Realistic Yield Before Bonuses	16 units	61 units

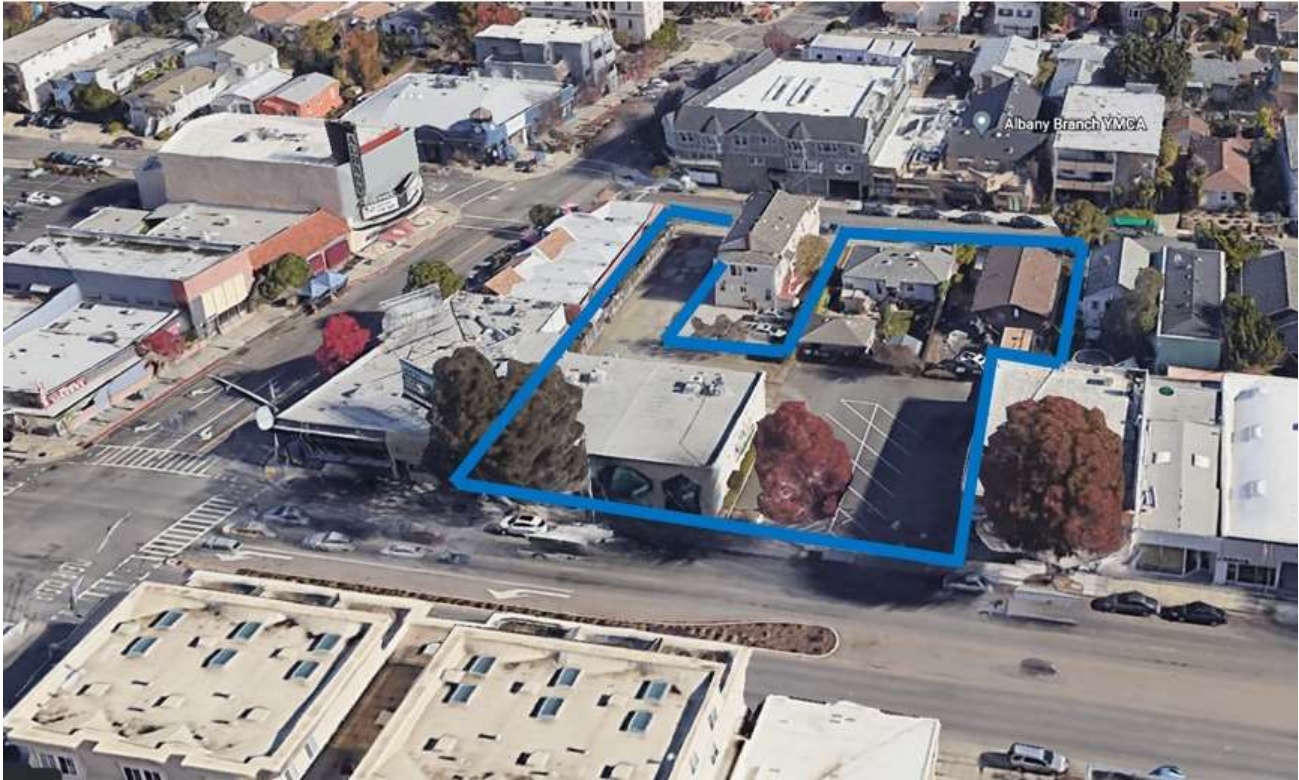
This site consists of five adjacent parcels, with two fronting San Pablo Avenue and three fronting Kains Avenue. The properties are just south of Solano Avenue and are within the Solano/San Pablo “node” (an area identified by the General Plan as being suitable for more intense uses). The site was also counted in the 2015-2023 Element and is being carried forward. As required by AB 1397, future development on this site in which at least 20% of the units are affordable to lower income households may be processed by right. This has been codified by the San Pablo Avenue Specific Plan. The site has no environmental or infrastructure constraints.

All five parcels are under common ownership. The San Pablo frontage includes a commercial building containing Mary and Joe’s Sporting Goods, a hair salon, and a massage therapist. The commercial building is a single-story 4,100 square foot structure with an assessed improvement value that is one half of the assessed value of the land. To the south, a 7,410 square foot parcel with no improvements (pictured below) provides parking for the building. These two parcels have SPC zoning and are in the Solano/San Pablo “node.”

The two San Pablo frontage parcels abut three parcels on the rear with Kains frontage. One of these parcels (also zoned SPC) is vacant and provides driveway access to the Mary and Joe’s parking lot. The other two parcels (zoned R-3) contain rental houses, one of which has been substantially remodeled and the other of which is in fair condition and 80-100 years old. Each home is about 1,100 square feet and both have assessed land values that exceed the improvement values. An outparcel at 914 Kains includes a small rental apartment building.

The prior Housing Element estimated the potential for 16 units on the site (18 minus two existing), using a density of 32 units/acre. However, this predated the San Pablo Avenue Specific Plan. Allowances for taller buildings, higher FAR, and bonuses for “through lots” would yield substantially higher densities. Assuming a density of 100 units per acre, which is conservative relative to comparably sized properties on San Pablo Avenue in El Cerrito and Berkeley, would yield 61 units. Given the location of this site near Albany’s “100 percent corner” of Solano and San Pablo, considerably higher densities could occur here.





Looking east, Solano and San Pablo intersection at left



Attribute	Description
APNs	066-2721-11-1
Lot Area	7,500 SF (0.17 ac)
General Plan	San Pablo Mixed Use
Zoning	SPC/ San Pablo Av Specific Plan
Existing Use	Parking lot
Carry-Over?	Yes (4 th and 5 th Cycles)

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	63 units/ ac	100 units/ ac
Realistic Yield Before Bonuses	11 units	17 units

This is a surface parking lot along San Pablo Avenue. The site was also counted in the 2015-2023 Element and is being carried forward. As required by AB 1397, future development on this site in which at least 20% of the units are affordable to lower income households may be processed by right. This has been codified by the San Pablo Avenue Specific Plan.

The site is zoned SPC and is within the Specific Plan boundary. While sites under 10,000 SF are not typically included in the Housing Sites inventory, this particular site has been the site of previous multi-family development proposals, including proposals with affordable (inclusionary) units. The prior application for the site proposed 13 units, including 2 affordable units. A density bonus request was submitted, along with requests for concessions for FAR (2.6) and parking (24 spaces). However, the project was impacted by the 2009-11 recession and was not pursued.

The San Pablo Avenue Specific Plan allows considerably more density and height on the site than was allowed previously, and market conditions are more favorable now. A yield of 17 units has been presumed for the 2023-2031 Housing Element. The site has no environmental or infrastructure constraints.

This site also offers the potential to be aggregated with other sites along San Pablo Avenue and Adams Street, creating a larger opportunity site. The two parcels to the north of this site are owned by other parties, but each contains a modest one-story commercial building (924 and 928 San Pablo) that is over 60 years old and less than 3,000 square feet. Beyond these two buildings is a larger parcel (918-920 San Pablo), including frontage on both Adams Street and San Pablo Avenue, owned by the same party who owns 934 San Pablo. That parcel includes a small office building. Aggregation of these four sites, and potentially the commercial property at 925 Adams, would create a 31,700 SF development site with double frontage on Adams and San Pablo. However, there are four different owners involved so the larger site is not counted here.





*934 San Pablo
site, looking
west across
San Pablo*



*Potentially larger
site (not counted
here) with
aggregation of
918-934 San
Pablo, plus Adams
Street properties*



Attribute	Description
APNs	066-2721-26-6
Lot Area	42,000 SF (0.96 ac)
General Plan	San Pablo Mixed Use/ HD Res
Zoning	SPC/ R-3 San Pablo Av Specific Plan
Existing Use	Shopping Center and offices. Pt of property with multi-family units has been excluded.
Carry-Over?	Yes (5 th Cycle)

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	32 units/ ac	87 units/ ac
Realistic Yield Before Bonuses	30 units	83 units

This site is the Albany Town Centre shopping center at 950 San Pablo Avenue. The site was also counted in the 2015-2023 Element and is being carried forward. As required by AB 1397, future development on this site in which at least 20% of the units are affordable to lower income households may be processed by right. This has been codified by the San Pablo Avenue Specific Plan.

This is one of the largest sites on San Pablo Avenue in common ownership. Its substantial parking areas, relatively low improvement values, and location near City Hall make it an attractive option. Although the total area of the parcel is 1.3 acres, the southwest and northwest corners (along Adams Street) have been excluded since they include two houses and about 18 apartments. These units would presumably be retained if the shopping center is redeveloped. The site has no environmental or infrastructure constraints.

Assessor records indicate the shopping center is 50 years old and has an assessed land value that is more than double the value of the structural improvements on the site. The property is noted as being in fair condition. The existing floor area ratio on the property is less than 0.5. Existing tenants in the shopping center include a veterinary clinic, coin laundry, pizza parlor, donut shop, pet supply store, real estate office, and various services (physical therapy, chiropractor, salon).

Presumed yield on the site is 83 units, which is a conservative (low) estimate, but substantially higher than the 30 units assumed for the 2015 Housing Element. With the adoption of the San Pablo Avenue Specific Plan, the site could theoretically support over 150,000 square feet of floor area and six stories of housing. In fact, comparably sized and situated sites on San Pablo Avenue in Berkeley and El Cerrito have yielded 170 units per acre. A more conservative estimate is appropriate here, as the site remains in active use and the Adams frontage retains R-3 zoning.





Looking west
across San
Pablo Av



Looking north
up San Pablo
Av



Attribute	Description
APNs	065-2661-046 065-2661-043-02 065-2662-045-01
Lot Area	13,261 SF (0.30 ac)
General Plan	San Pablo Mixed Use/HD Res
Zoning	SPC/ San Pablo Av Specific Plan R-3/San Pablo Av Specific Plan
Existing Use	Vacant commercial/ rental house
Carry-Over?	No

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	53 units/ ac	80 units/ ac
Realistic Yield Before Bonuses	16-18 units	24 units

This is a new site that was not identified in the prior Housing Element. It consists of three parcels, all in common ownership by an LLC that has expressed in redeveloping the property. The site includes “double frontage” along San Pablo and Kains Avenues. It currently includes two vacant commercial buildings built in 1939 and a small rental residence located to the rear of one of the buildings built in 1913. The R-3 property along Kains is a vacant lot. The assessed valuation of the buildings is \$11,208, while the assessed valuation of the land is 100 times that amount at \$1,115,000. Total building area is 3,680 SF, creating a floor area ratio of 0.28. There are no environmental or infrastructure constraints.

In 2018, the City convened a Planning Commission Study Session to consider two potential development plans for the site. At the time, the property owner was considering two options, both involving a three-story building that complied with the 38-foot height requirement and 2.25 FAR. One option was a mixed use building with ground floor commercial and 16 units of multi-family housing, plus driveway access via Kains Av. The other option was an 18-unit multi-family residential project on San Pablo, with the Kains parcel developed separately as a single family home and ADU.

As a double frontage (“through lot”) property with more than 100 feet of frontage along San Pablo Avenue, the site provides a unique opportunity for future mixed use or residential development and should be considered a housing opportunity site. Comparable sites in El Cerrito and Berkeley have been developed at densities of over 100 units per acre, using development standards that are comparable to those in the San Pablo Avenue Specific Plan. A conservative density estimate of 80 units/acre is applied here, resulting in a yield of 24 units. A substantially larger number of units is possible. Comparably sized sites in El Cerrito have been approved with 50 to 60 dwelling units. The conservative estimate reflects a presumed stepdown in intensity on the Kains parcel.





Looking east
across San
Pablo at site



Link to [plans](#) presented to Planning Commission in 2018 for possible 16-18 unit project on site

Attribute	Description
APNs	065-2661-043-03
Lot Area	22,231 SF (0.51 ac)
General Plan	San Pablo Mixed Use
Zoning	SPC/ San Pablo Av Specific Plan
Existing Use	Kelly Moore Paint + Vacant Retail
Carry-Over?	No

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	35 units/ac	100 units/ac
Realistic Yield Before Bonuses	18 units	51 units

This is a new site that was not identified in the prior Housing Element. It is a non-vacant commercial property of just over one-half acre along San Pablo Avenue, facing City Hall. The site contains a Kelly Moore paint store and adjacent retail space that is vacant and for lease. Most of the site is parking – the building itself is one-story and 7,600 square feet, resulting in an FAR of 0.34. The property has an assessed value of over \$3.9 million for the land and just \$887,000 for the building, for an I/L ratio of just 0.225. The site's proximity to City Hall, the Solano/San Pablo node, and the intersection of major bus lines also support its inclusion as a housing site.

The property includes over 220 feet of frontage along San Pablo Avenue and 100 feet of depth, backing on to multi-family properties along Kains Avenue. Similarly situated properties along San Pablo Avenue in Berkeley and El Cerrito have been redeveloped or approved for redevelopment at densities ranging from 60 to over 200 units per acre. Adoption of the San Pablo Avenue Specific Plan will facilitate redevelopment. A conservative estimate of 100 units per acre has been used on the site, yielding 51 units.

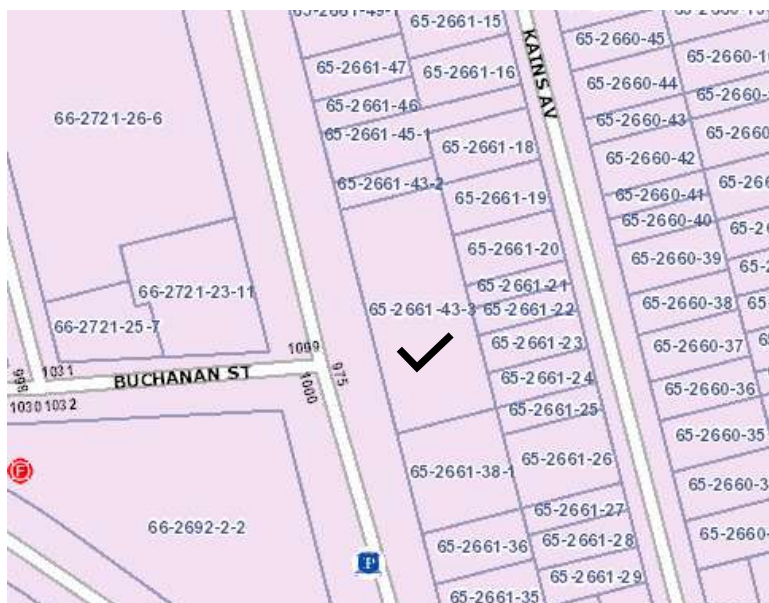




*Looking north
along San
Pablo, City Hall
at lower left*



*Looking east
across San
Pablo, City Hall
at lower right*



Attribute	Description
APNs	065-2662-035 065-2662-037-01
Lot Area	14,929 SF (0.34 ac)
General Plan	San Pablo Mixed Use
Zoning	SPC/ San Pablo Av Specific Plan
Existing Use	Rental Car Lot (parking lot)
Carry-Over?	Yes (4 th and 5 th Cycles)

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	32 units/ ac	100 units/ ac
Realistic Yield Before Bonuses	11 units	34 units

This is a large surface parking lot with a small 500 SF trailer on foundation that serves as a Hertz rental car office. Zoning is San Pablo Commercial. The site was also counted in the 2015-2023 Element and is being carried forward. As required by AB 1397, future development on this site in which at least 20% of the units are affordable to lower income households may be processed by right. This has been codified by the San Pablo Avenue Specific Plan.

This opportunity site consists of two adjacent parcels under common ownership. It functionally operates as a single property. The existing floor area ratio (FAR) is .03 and the assessed value of the land is 47 times greater than the assessed value of the improvements (\$532,000 vs \$11,400). The site is rectangular, with 150' of frontage along San Pablo Avenue and a depth of 100' feet. It faces the four-story Belmont Village project on the opposite side of San Pablo Avenue and backs on to multi-story apartment buildings along the eastern property line. Development could create a continuous active street front and would be in keeping with the city's efforts to promote mixed use on this corridor.

The existing business on the site is operational, but the site has similar characteristics to recent multi-family developments and development proposals in Berkeley and El Cerrito in a similar size category. With the adoption of the San Pablo Avenue Specific Plan, the site will be subject to development standards that are similar to those in Berkeley and El Cerrito. Densities for comparably sized sites in those cities ranges from 80 to 200 units per acre. A conservative estimate of 100 units/acre is used for Housing Element purposes, yielding 34 units on the site. Under a 3.5 FAR and 68-foot height limit, the actual potential for this site is considerably higher.





*Looking north
along San Pablo,
Belmont Village
at lower left*



*Looking east
across San Pablo,
Sprouts Market
at left*



Attribute	Description
APNs	065-2410-1 065-2410-13
Lot Area	18,622 SF (0.43 ac)
General Plan	San Pablo Mixed Use
Zoning	SPC/ San Pablo Av Specific Plan
Existing Use	Auto Repair/ Restaurant
Carry-Over?	Yes (4 th and 5 th Cycles)

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 du/ac	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	30 units/ ac	100 units/ ac
Realistic Yield Before Bonuses	13 units	43 units

This site consists of two adjacent parcels on San Pablo Avenue just south of Dartmouth Street. The site was also counted in the 2015-2023 Element and is being carried forward. As required by AB 1397, future development on this site in which at least 20% of the units are affordable to lower income households may be processed by right. This has been codified by the San Pablo Avenue Specific Plan.

The northerly parcel is 7,500 SF and contains a small (1,500 SF) restaurant built in 1966. This was originally a KFC fast food restaurant and is now a quick-serv sushi restaurant. The southerly parcel is 11,000 SF and contains a 2,970 SF auto repair shop built in 1963. The property continues to be owned by a party who has built other mixed use developments along the San Pablo Avenue corridor. The FAR is 0.21 on one site and 0.27 on the other, indicating significant underutilization. The combined assessed value of the sites is \$1.17M for land and \$1.02M for improvements, further indicating the site is underutilized.

Consolidation of these two parcels would create a corner lot development site at Dartmouth and San Pablo that is roughly 100' deep with 186' of frontage along San Pablo Ave. The parcel is adjacent to the multi-family Creekside development on the south and is across San Pablo Avenue from the four-story Belmont Village senior housing development.

Similarly situated parcels in Berkeley and El Cerrito have been developed with or recently approved for 5-story construction at densities at 100-200 units per acre. Given the comparable development standards in the San Pablo Avenue Specific Plan, including FAR and height limits, similar densities may be expected on this site. A conservative density of 100 units/acre has been used, to yield realistic capacity of 43 units on the site.





Looking north along San Pablo, Creekside Townhomes at bottom and Belmont Village at left



SECTION 6: SOLANO AVENUE CORRIDOR

Nine (9) Housing Opportunity sites have been identified along the Solano Avenue Corridor. The next section of the inventory provides a profile of each site, explaining the rationale for its selection, existing conditions, and potential yield. The first site listed in the inventory is on Solano Avenue but is within the San Pablo Avenue corridor. As a result, it is zoned SPC (San Pablo Commercial) and subject to the standards in the San Pablo Avenue Specific Plan. The remaining sites are zoned Solano Commercial.

The analysis shows the estimated yield under current zoning regulations, and the yield under new zoning regulations that are proposed in the Housing Element. These regulations would automatically add an additional story of development for residential projects meeting the City's inclusionary housing requirement on-site. Site 36 is an exception, as it is located within the San Pablo Avenue Specific Plan boundary and would be subject to the taller heights and higher Floor Area Ratios (FAR) allowed by that Plan.

Table B-7 summarizes the yield for the Solano Avenue parcels. Only two of the nine sites are carried over from the 2015-2023 Housing Element—all of the others are newly added. Without allowing for increased height, FAR, or zoning flexibility, some of these sites are less viable as development opportunities as there would be less economic incentive to pursue their redevelopment.

As with the San Pablo Avenue sites, the City is required to assign each site to an income group or make an estimate of the income groups that will be served by each site. These estimates have been developed by using the proportions in the 2023-2031 RHNA. If one of these sites is proposed for development with a smaller number of lower income units, the City must make a determination that the remaining sites in Albany still have the capacity to meet the lower income RHNA.

Table B-7: Summary of Housing Potential on Solano Avenue Corridor Sites

ID	Address	Area (Acres)	Net Yield Jan 2022	Net Yield with Proposed Zoning Changes	INCOME			Counted Previously?
					Low (43%)	Mod (16%)	Abv Mod (41%)	
36	1121 Solano Av (*)	0.41	13	41	18	6	17	No
37	1200 Solano Av	0.23	7	14	6	2	6	No
38	1221 Solano Av	0.19	6	12	5	2	5	No
39	1245-1247 Solano Av	0.3	11	19	8	3	8	Partial
40	1382 Solano Av	0.45	15	27	12	4	11	No
41	1451 Solano Av	0.3	9	18	8	3	7	Yes
42	1500 Solano Av	1.56	50	62	27	10	25	No
43	1516 Solano Av	0.45	14	27	12	4	11	No
44	1540 Solano Av	0.24	8	14	6	2	6	No
TOTAL		4.13	133	234	102	36	96	

(*) Site 36 is on Solano Avenue but is actually in the San Pablo Avenue Specific Plan Area. As such, it is not subject to a density limit and has an FAR of 4.0.

Attribute	Description
APNs	66-2799-10 66-2791-11 66-2791-12
Lot Area	18,150 SF (0.41 ac)
General Plan	San Pablo Mixed Use
Zoning	SPC/San Pablo Av Specific Plan
Existing Use	Albany Theater
Carry-Over?	No

Opportunity Site Attributes	Without Specific Plan	With Specific Plan
Max Density Before Bonuses	63 UPA	None
Max FAR Before Bonuses	2.25	4.0
Max Height	38'	68'
Presumed Density for Housing Element	32 UPA	100 UPA
Realistic Yield Before Bonuses	13	41

This is a new site that was not previously counted in the 2015-2023 Element. It consists of three parcels along Kains Avenue, all in common ownership. Two of the parcels are parking lots and the third is the Albany Theater. Although the theater faces on Solano Avenue, it is within the San Pablo Avenue Specific Plan area and zoned San Pablo Commercial. It is also part of the high-density “node” identified around the San Pablo/ Solano intersection and is functionally part of the Kains Avenue multi-family district. The San Pablo Avenue Specific Plan identified this site as a development opportunity.

The theater was built in 1948 and has roughly 7,300 square feet of floor space. This equates to a floor area ratio of just 0.4, while 4.0 is permitted by the new Specific Plan. The assessed value of improvements is \$842,000, while the assessed value of the land is \$1,170,000, suggesting the property is underutilized. While the theater is still operational, it presents a unique opportunity for a mixed use project with commercial use along the Solano frontage and multi-story residential to the rear. The property is in the “heart” of Albany on a corner parcel with shops and restaurants on adjacent sites. A four-story apartment building (three stories over parking) lies immediately to the north.

The San Pablo Avenue Specific Plan allows six stories and up to 63,000 square feet of floor space on this site based on new height and floor area ratio standards. The actual amount of floor space would likely be smaller due to site dimensions and upper story stepback provisions. Based on comparable sites along the San Pablo Avenue corridor, a density of 100 units per acre has been used to determine the realistic yield. The assumed yield is 41 units, although higher densities and unit yields are possible.





Looking west,
Solano at left of
image and San
Pablo near top
running left-right



Looking southwest
down Kains toward
Solano intersection



Attribute	Description
APNs	065-2656-035-01
Lot Area	10,250 SF (0.23 ac)
General Plan	Public/ Quasi-Public
Zoning	Public Facilities
Existing Use	YMCA
Carry-Over?	No

Opportunity Site Attributes	Current zoning	With 10' height inc.
Max Density Before Bonuses	N/A	N/A
Max FAR Before Bonuses	N/A	2.0
Max Height	40'	45'
Presumed Density for Housing Element	32 UPA	60 UPA
Realistic Yield Before Bonuses	7	14

This is a new site that was not previously counted in the 2015-2023 Element. It consists of the Solano Avenue frontage of Cornell Elementary School. The school property occupies an entire city block, extending from Solano Avenue to Marin Avenue between Cornell and Talbot. The school itself is set 60 to 80 feet back from Solano, with a building in the front area that has been leased to the Albany YMCA. This a popular community gathering place with a high volume of foot traffic. It is also an opportunity for mixed use development with teacher housing, or affordable/ special needs housing, given public ownership of the site.

The Albany Unified School District Master Plan identified the potential to replace the YMCA building with a new two-story academic structure. The 2013 Facilities Master Plan included illustrations of what such a structure might look like, but this improvement is not currently being pursued. The possibility of a three- or four-story residential building with replacement space for the YMCA or other community-serving or School District uses on the ground floor could be considered on this site.

The property does have a number of constraints, particularly shallow depth. The area under consideration is over 200' long (Solano frontage) but only about 50' deep, assuming separation (either open space or a driveway access) is required between a new structure and the north façade of Cornell School. The presumed density of 60 units per acre assumes that 45' height can be approved on this site (the existing height limit in the PF district is 40 feet).





Looking west down Solano across Talbot. Cornell School in center left of photo



Looking southeast down Solano across Cornell Avenue



Attribute	Description
APNs	66-2803-023-001 66-2803-024-001
Lot Area	8,280 SF (0.19 ac)
General Plan	Solano Mixed Use
Zoning	Solano Commercial
Existing Use	Offices
Carry-Over?	No

Opportunity Site Attributes	Current SC zoning	With 10' height inc.
Max Density Before Bonuses	63 UPA	--
Max FAR Before Bonuses	1.25	2.0
Max Height	35'	45'
Presumed Density for Housing Element	32 UPA	63 UPA
Realistic Yield	6	12

This is a new site that was not previously counted in the 2015-2023 Housing Element. It consists of two adjacent parcels under common ownership. The property is located at the northeast corner of Talbot and Solano Avenue and is roughly 120 feet in depth (along Talbot), with 75 feet of Solano Avenue frontage. The Solano-facing parcel is almost entirely covered by the building, while the rear parcel is the parking lot.

The structure was built in 1955 and is a mid-century style office building with 4,800 square feet of floor area. It is considered "Class C" office space and includes an insurance office, a driving school, a salon, and vacant space for lease. There are 14 parking spaces on the rear parcel, plus the access drive. The assessed value of the land is about 25 percent higher than the assessed value of the structure, indicating underutilization. The adjacent structure at 1229 Solano is considerably taller than 1221 Solano, with a blank wall facing the building.

The estimated yield of 12 units is conservative. A 45' height limit and higher FAR allowance could enable additional units, particularly with density bonuses.





*Looking
northwest down
Solano across
Evelyn Av*



*Looking
southeast down
Talbot Street to
Solano Ave*



Attribute	Description
APNs	066-2804-017 066-2804-018 066-2804-019-001
Lot Area	13,079 (0.30 ac)
General Plan	Solano Mixed Use
Zoning	Solano Commercial
Existing Use	Vacant, plus retail
Carry-Over?	Partial (4 th and 5 th Cycles)

Opportunity Site Attributes	Current SC zoning	With 10' height inc.
Max Density Before Bonuses	63 UPA	--
Max FAR Before Bonuses	1.25	2.0
Max Height	35'	45'
Presumed Density for Housing Element	36 UPA	63 UPA
Realistic Yield Before Bonuses	11	19

This site combines two vacant properties that were listed in the 2015-2023 Element with a third non-vacant property located at the northwest corner of Masonic and Solano. All three properties are in common ownership, but the corner building was not previously counted as an opportunity site. Collectively, the three properties comprise 13,079 square feet. The two vacant properties counted previously (1245 Solano) total 6,258 square feet. They are the only true vacant properties on Solano Avenue. Expansion of this housing site to include 1247-1251 Solano makes this a corner site and improves its developability.

The two vacant sites are used seasonally for pumpkin sales, Christmas tree sales, special events, staging, and other temporary uses. The building on the corner contains a restaurant and art gallery. The assessed value of the building, which was constructed in 1926, is roughly half the assessed value of the land. This opportunity site abuts the City-owned day care center and senior center on its northern boundary (842-846 Masonic), creating potential opportunities for a project with municipal involvement, or even the addition of City-owned land to the development opportunity site. A senior housing project or other affordable housing development could be explored here.

The site was presumed to develop at 36 units per acre in the 2015 Housing Element. Given the location of this site across the street from BART tracks, adjacent to the Senior Center, and at the intersection of two heavily traveled streets, a more dense building form is appropriate. The estimated yield of 19 units presumes 63 units per acre and an allowable building height of 45 feet (four stories).





Looking southwest across BART tracks, Solano and Masonic at left



Looking north up Masonic, across Solano



Attribute	Description
APNs	065-2467-001 065-2467-038-02 065-2467-038-03
Lot Area	19,948 SF (0.45 ac)
General Plan	Solano Mixed Use
Zoning	Solano Commercial
Existing Use	CVS Pharmacy
Carry-Over?	No

Opportunity Site Attributes	Current SC zoning	With 10' height inc.
Max Density Before Bonuses	63 UPA	--
Max FAR Before Bonuses	1.25	2.0
Max Height	35'	45'
Presumed Density for Housing Element	33 UPA	60 UPA
Realistic Yield Before Bonuses	15	27

This is a new opportunity site that was not included in the 2015-2023 Housing Element. It is the CVS Pharmacy located at 1382 Solano Avenue. Although this is an active pharmacy and operating business, it is one of the larger sites on the corridor and one of the few that includes a large parking lot. The site could potentially be redeveloped with a pharmacy (or other commercial use) and parking on the ground floor and two to three stories of housing above.

The site includes three adjacent parcels under common ownership that function as a single property. The 8,000 square foot building was built in 1953 and was previously a Longs Drug Store. It was remodeled by CVS around 2010. While the assessed building value is higher than the assessed land value, the site is underutilized. Its current floor area ratio is 0.4, which is among the lowest on Solano Avenue.

A development yield of 60 units per acre is used here, yielding 27 units on the property. This is consistent with the current General Plan designation for the site, which allows 63 units per acre. Achieving this yield would require a height increase to 45 feet, which is proposed by this Housing Element. In the event the height is retained at 35 feet, a yield of 27 units also could be achieved through an entirely multi-family residential three-story building (e.g., with no ground floor commercial).





Looking
north up
Ramona,
Solano at
top



Looking
south on
Ramona,
Solano in
foreground



Attribute	Description
APNs	067-2846-17
Lot Area	13,000 SF (0.3 ac)
General Plan	Solano Mixed Use
Zoning	Solano Commercial
Existing Use	Bank
Carry-Over?	Yes (4 th and 5 th Cycle)

Opportunity Site Attributes	Current SC zoning	With 10' height inc.
Max Density Before Bonuses	63 UPA	--
Max FAR Before Bonuses	1.25	2.0
Max Height	35'	45'
Presumed Density for Housing Element	32 UPA	60 UPA
Realistic Yield Before Bonuses	9	18

This site consists of a single 13,000 square foot parcel on Solano Avenue spanning the entire block frontage between San Carlos and Santa Fe Avenues. The site was also counted in the 2015-2023 Element and is being carried forward. As required by AB 1397, future development on this site in which at least 20% of the units are affordable to lower income households may be processed by right.

The site is currently occupied by California Bank and Trust. The building is reported by the tax assessor as 4,263 square feet, meaning the current floor area ratio (FAR) is just 0.33. The structure was built in 1981. Most of the site consists of surface parking. The parking lot abuts a single family residence and multi-family building.

Given the consolidation of banking services and expansion of on-line services, the site shows potential for reuse. It would be an ideal location for mixed use with housing. In the 2015-2023 Housing Element, a density of 32 units/ acre was presumed, yielding nine units. For the 2023-2031 Element, a density of 60 units/acre is presumed, based on an increase in allowable height to 45 feet.. The housing yield is 18 units. This could be achieved without raising the height limit if the ground floor is non-residential. At 45 feet, a yield that is considerably higher than 18 units is possible.





Looking
northwest
down Solano,
across Santa
Fe Av



Looking
southwest
down Santa
Fe Av to
Solano
intersection



Attribute	Description
APNs	065 -2639-028-01
Lot Area	67,953 SF (1.56 ac)
General Plan	Solano Mixed Use
Zoning	Solano Commercial
Existing Use	Safeway Supermarket
Carry-Over?	No

Opportunity Site Attributes	Current SC zoning	With 10' height inc.
Max Density Before Bonuses	63 UPA	--
Max FAR Before Bonuses	1.25	2.0
Max Height	35'	45'
Presumed Density for Housing Element	32 UPA	40 UPA
Realistic Yield Before Bonuses	50	62

This is a new site that was not previously counted in the 2015-2023 Element. It is the Albany Safeway, a full-service supermarket. The 1.56-acre parcel is the largest privately-owned property along the Solano Avenue corridor, and one of the few properties developed with a suburban, auto-oriented site plan. Unlike the rest of Solano Avenue, which is characterized by relatively small buildings extending to the front lot line, the Safeway is set more than 150 feet back from the street, with a large parking lot facing Solano. The site presents a premium opportunity for mixed use development, potentially including a project with a market or grocery on the ground floor. Given the size of the site, it could support a mix of densities, including townhomes as well as multi-family.

Based on County Assessor records, the store is 23,900 square feet, corresponding to a floor area ratio of 0.35. More than half the property is used for parking. The building was constructed in 1964 and has been remodeled several times. There are no active plans to redevelop the market, and the assessed value of the building and land are roughly equal. Nonetheless, the site is under-developed relative to other properties on Solano Avenue and could support a substantial number of housing units. It also represents an urban design opportunity for a more attractive community showpiece and gathering place.

The General Plan and zoning allow 63 units per acre on this site, which would yield nearly 100 housing units. However, a more conservative estimate of 40 units per acre is used here, recognizing the opportunity for more diverse housing types and commercial as well as residential land uses. The development yield at this density would be 62 units. Higher yields are strongly encouraged.

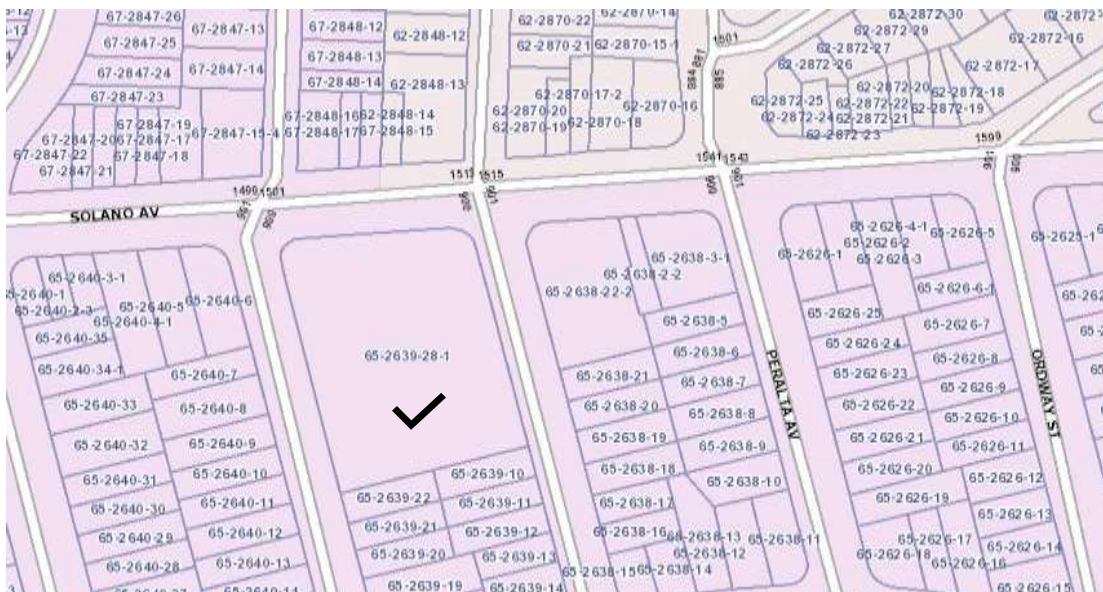




Looking southwest across Solano, at Curtis St



Looking east up Solano, at Curtis St crosswalks



Attribute	Description
APNs	065-2838-022-02
Lot Area	19,581 (0.45 ac)
General Plan	Solano Mixed Use
Zoning	Solano Commercial
Existing Use	Bank
Carry-Over?	No

Opportunity Site Attributes	Current SC zoning	With 10' height inc.
Max Density Before Bonuses	63 UPA	--
Max FAR Before Bonuses	1.25	2.0
Max Height	35'	45'
Presumed Density for Housing Element	32 UPA	60 UPA
Realistic Yield Before Bonuses	14	27

This is a new site that was not previously counted in the 2015-2023 Element. It consists of a Bank of America branch bank located at 1516 Solano. The bank occupies a corner property at Neilson Street, with roughly 115 feet of frontage on Solano and about 180 feet of frontage on Neilson. The Bank has 6,300 square feet of floor space, for a floor area ratio of 0.32, one of the lowest on the Avenue. There is a large parking lot that wraps around the building, with driveway access to both Neilson Street and to Solano Avenue.

The bank itself is relatively new, with assessor records indicating it was built (or substantially rehabilitated) in 1995. However, the assessed land value is \$1.39 million, while the assessed value of the building is \$564,000, indicating the site is underutilized. The bank itself was closed in 2020 and 2021 due to the COVID-19 pandemic, with signage directing patrons to other locations. While the closure was temporary due to the pandemic, the shift to on-line banking and proximity of this site to other B of A branches make it a potentially viable site for reuse.

A density of 63 units per acre is permitted on the site. However, it could be difficult to reach this density with the 35' height limit and a requirement for ground floor commercial uses. With a 10-foot height increase, the unit yield would come closer to the General Plan figure. A density of 60 units per acre is used for the Housing Element, with 27 multi-family units.





Looking north
up Nielsen
Street, Solano
at top



Looking south
on Nielsen,
across Solano



Attribute	Description
APNs	065-2638-003-01
Lot Area	10,353 SF
General Plan	Solano Mixed Use
Zoning	Solano Commercial
Existing Use	Convenience Store
Carry-Over?	No

Opportunity Site Attributes	Current SC zoning	With 10' height inc.
Max Density Before Bonuses	63 UPA	--
Max FAR Before Bonuses	1.25	2.0
Max Height	35'	45'
Presumed Density for Housing Element	35 UPA	60 UPA
Realistic Yield Before Bonuses	8	14

This is a new site that was not previously counted in the 2015-2023 Element. It consists of a 7-11 Convenience Store and a dry cleaners located at 1540 Solano. This is a corner property at Peralta Avenue, with roughly 90 feet of frontage on Solano and about 110 feet of frontage on Peralta. As with other housing sites on Solano Avenue, this site has been selected in part because the existing site plan is auto-oriented and suburban, with a large parking area facing the street. The property could be redeveloped with active ground floor uses along the street-front, with housing above.

The existing commercial building on the site is about 35 years old and 3,600 square feet. Existing floor area ratio is about 0.35, which is substantially below the zoning allowance. The site includes a 12-space parking lot with a wide parking aisle. The building is assessed at a slightly higher value than the land. The development yield assumes 60 units per acre, which is equivalent to 14 units. The site is one block away from a recently approved 12-unit mixed use project on a site that is one-half this size.





Looking south on Peralta, Solano at bottom



SECTION 7: UC VILLAGE

45

Monroe/Jackson Apartments

Attribute	Description
APNs	66-2692-008 (part)
Lot Area	165,500 SF (3.8 ac)
General Plan	University Village
Zoning	R-2 (Residential Medium Density)
Existing Use	Vacant, parking, recreation
Carry-Over?	No

Opportunity Site Attributes	Current zoning
Max Density Before Bonuses	Exempt
Max FAR Before Bonuses	Exempt
Max Height	Exempt
Presumed Density for Housing Element	76 UPA
Realistic Yield Before Bonuses	289

The final property in the opportunity site inventory is APN 66-2692-008, which corresponds to University Village. The entire area of this parcel, which is owned by the Regents of the University of California, is 72 acres. Most of the site is developed with apartments, providing student family housing for up to 973 households. Portions of the site are also improved with community uses, including a ballfield and community center. The UC Village Master Plan approved in 2004 identified a 3.8-acre area at the northeast corner of Monroe and Jackson Streets for future University student apartments. This portion of the site was formerly a biological research facility. The University is proceeding with plans to develop the site with graduate student apartments. The housing will be designed as independent apartments with kitchens and bathrooms, rather than dormitories or group quarters.

The site currently hosts overflow parking for University Village, storage for campus units, a community-serving recreation building, uncultivated fields, and a small number of structures associated with the former research facility. The recreation and community uses are being relocated to nearby sites as part of the project. The project consists of 289 apartment units and is intended to provide housing for 760 students. Proposed density is 76 units per acre. Total square footage of the new building is 328,394 square feet, for a floor area ratio of 1.98. This includes 218,567 square feet of residential units, 8,020 square feet of indoor amenities, 800 square feet of (enclosed) bicycle parking, and 101,007 feet of hallways, maintenance areas, lobbies, and other “back of house” spaces.

The project is proposed to be a single six-story structure, with living units on every floor. Each unit will include full kitchens, living areas, and in-unit washers and dryers. Three large courtyards are included in the project design for landscaping, socializing and outdoor amenities. The project will include a mix of studios, one-bedroom apartments, two-bedroom apartments, and four-bedroom apartments. In this context, each occupied unit will function as a “household.”

While planned rents for the units have not been disclosed, the agenda memo for the July 21, 2021 Regents’ Finance and Capital Strategies Committee Meeting states that “the project would provide below-market living options for graduate students and help mitigate Berkeley’s severe graduate student housing shortage.” Given this description, and the limited income of the student population, the units are presumed to be affordable to lower income households of one to four persons.

The City has not subtracted these units from its RHNA total or presumed “credit” for the units toward its lower income allocation. The units in this project have not been assigned to an income group, although they will likely all qualify as lower income. The property is being shown as an opportunity site to acknowledge the value added by building housing for all residents, including students with lower incomes.



Looking southeast across Jackson Street, Monroe Street near center, San Pablo Av (Sprouts, Belmont Village) at top of image



Looking northwest across San Pablo Avenue, Belmont Village at bottom, University Village at top. Monroe/Jackson intersection is in center left.



Extent of Assessor Parcel 66-2692-8. Proposed development site is highlighted.



Illustrative rendering of project (from University Regents Committee staff report)

ALBANY 2023-2031 Housing Element																		
HOUSING OPPORTUNITY SITES formatted for HCD review																		
														Income Category				
ID #	Census Tract	APN	Address/Location	Acreage	GP des	Zoning	Existing Use	DU/AC	Theoretical capacity	Realistic capacity	Pub/ Priv	Constraints	Infra-structure	Low	Mod	Above Mod	Counted Before?	Comments
ENTITLED PROJECTS																		
A	4203	66-2760-24-1	755 Cleveland Av	1.13	High Density Res	R-3	Vacant	63	71	62	Pub	Noise, AQ	Avail	62			No	Albany Family Housing. Fully entitled 100% affordable project to be built by Satellite Affordable Housing Associates (SAHA)
B	4202	67-2832-7-3	423 Evelyn	0.22	High Density Res	R-3	4--plex	63	14	14	Priv	None	Avail	2		12	Yes	Approved 14 unit rental project on site that was identified in the prior Element. Project is to rear of existing 4-plex on same site, to be retained
C	4206	65-2624-6	910 Tulare	0.095	Solano Comm	SC	Office	63	6	1	Priv	None	Avail			1	No	Conversion of psychiatric office to house--approved
D	4206	65-2625-1	1600 Solano	0.12	Solano Comm	SC	Office	63	8	12	Priv	None	Avail	2		10	No	Approved demolition of dental office and construction of 12 new units
E	4203	66-2797-9-2; 66-2797-7-2; 66-2797-2-3; 66-2797-4; -5; and -6; 66-2797-23; -24; and -25	540 San Pablo	2.18	San Pablo Comm	SPC	Bowling alley	63	137	207	Priv	None	Avail	21	67	119	No	Albany Bowl project--fully entitled 207-unit apartment complex with 21 inclusionary lower income units and 186 market rate units (studios and 1-bedrooms presumed to meet moderate income guidelines by design)
F	4202	67-2813-25	634 Kains	0.23	San Pablo Comm	SPC	parking lot	63	14	9	Priv	None	Avail	1		8	Yes	9 townhomes, under construction. Site is part of a parcel that had been identified in the 2015 Element
G	4205	65-2652-6	904 Masonic	0.0861	Solano Comm	SC	Office	63	5	4	Priv	None	Avail			4	No	Approved project with 3 traditional housing units and 1 live-work unit. Existing use is house converted to office space
HOUSING OPPORTUNITY SITES																		
1	4203	66-2793-19	b/w 739/745 Madison	0.06	Low Density Res	R-1	Vacant	12	1	1	Priv	Slope	Avail			1	Yes	
2	4203	66-2753-6-3	b/w 895/889 Hillside	0.11	Low Density Res	R-1	Vacant	12	1	1	Priv	None	Avail			1	Yes	
3	4203	66-2751-16	b/w 840/846 Hillside	0.08	Low Density Res	R-1	Vacant	12	1	1	Priv	Slope	Avail			1	Yes	
4	4203	66-2753-31	b/w 705/715 Hillside	0.14	Low Density Res	R-1	Vacant	12	1	1	Priv	Slope	Avail			1	Yes	
5	4203	66-2751-12-1	b/w 830/840 Hillside	0.13	Low Density Res	R-1	Vacant	12	1	1	Priv	Slope	Avail			1	Yes	
6	4203	66-2751-5-13	b/w 716/796 Hillside	0.12	Low Density Res	R-1	Vacant	12	1	1	Priv	None	Avail			1	Yes	
7	4206	65-2463-66	1196 Curtis	0.09	Low Density Res	R-1	Vacant	12	1	1	Priv	None	Avail			1	Yes	
8	4206	65-2412-39	1197 Curtis	0.09	Low Density Res	R-1	Vacant	12	1	1	Priv	None	Avail			1	Yes	
9	4203	66-2722-7	S of 910 Adams	0.06	Med Density Res	R-2	Vacant	34	2	2	Priv	None	Avail			2	Yes	
10	4203	66-2723-13	b/w 930/934 Madison	0.09	Med Density Res	R-2	Vacant	34	3	3	Priv	None	Avail			3	Yes	
11	4203	66-2760-10-7	Pierce St	10.79	Hillside Res	R-HD	Vacant	6	65	129	Priv	Slope, Bio, Wildfire	Impr. Needed	65		64	No	South of 555 Pierce. Yield assumes rezoning to allow minimum 12 DUA, with density clustered along Pierce
12	4202	67-2828-5; 67-2828-6	412-416 Stannage	0.17	High Density Res	R-3	2 rental homes	63	10	6	Priv	None	Avail			6	Yes	Total 8 units, minus 2 existing = 6 net gain
13	4202	67-2829-15-1	415 Stannage	0.15	High Density Res	R-3	1 rental home	63	9	7	Priv	None	Avail	1		6	No	Total 8 units, minus 1 existing = 7 net gain
14	4202	67-2830-4; 67-2830-5	408-412 Talbot	0.16	High Density Res	R-3	2 rental homes	63	10	6	Priv	None	Avail			6	No	Total 8 units, minus 2 existing = 6 net gain

														Income Category					
ID #	Census Tract	APN	Address/Location	Acreage	GP des	Zoning	Existing Use	DU/AC	Theoretical capacity	Realistic capacity	Pub/ Priv	Constraints	Infra-structure	Low	Mod	Mod	Above	Counted Before?	Comments
15	4203	66-2730-12-2; 66-2730-12-3	701-703 Johnson	0.2	High Density Res	R-3	2 rental homes	63	12	8	Priv	Noise, AQ	Avail	1			7	No	Total 10 units, minus 2 existing = 8 net gain
16	4203	66-2761-10	398 San Pablo	0.73	San Pablo Comm	SPC	Car wash	N/A*	N/A*	73	Priv	None	Avail	31	12		30	Yes	car wash, counted in cycles 4 and 5. New zoning has no density limit, allows 4.5 FAR and 85' height
17	4202	67-2827-14-4	409 San Pablo	0.38	San Pablo Comm	SPC	parking lot	N/A*	N/A*	10	Priv	Buried Creek	Avail	4	2		4	No	parking lot--on city limit line, partially over buried creek
18	4202	67-2827-9-1; 67-2827-15; 67-2827-16; 67-2827-11	433 San Pablo	0.91	San Pablo Comm	SPC	Tire shop, fast food, office	N/A*	N/A*	96	Priv	None	Avail	41	15		40	Yes (part)	tire shop, counted in cycles 4 and 5. New zoning has no density limit, allows 4.5 FAR and 85' height. Part of this site is carried over from cycles 4 and 5.
19	4202	67-2826-1; 67-2826-27; 67-2826-28	501 San Pablo	0.47	San Pablo Comm	SPC	Goodwill store	N/A*	N/A*	47	Priv	None	Avail	20	8		19	Yes	former video store, now a goodwill store. Counted in cycle 5 but not 4. New zoning has no density limit, allows 4.5 FAR and 85' height.
20	4202	67-2826-23-2	545 San Pablo	0.2	San Pablo Comm	SPC	Vac fast food	N/A*	N/A*	18	Priv	None	Avail	8	2		8	No	former caspers hot dogs, now owned by Xi Cheng International. Building heavily tagged, in poor condition
21	4202	67-2813-22	611 San Pablo	0.11	San Pablo Comm	SPC	Contractor yard	N/A*	N/A*	6	Priv	None	Avail	3	1		2	Yes	Parcel used as contractors yard. Site carried over from cycles 4 and 5
22	4203	66-2796-8-1	618 San Pablo	0.32	San Pablo Comm	SPC	Auto repair	N/A*	N/A*	32	Priv	None	Avail	14	5		13	No	Auto repair company with large parking area. New zoning allows 100% residential with 68' and 4.0 FAR
23	4202	67-2813-14-8	665 San Pablo	0.34	San Pablo Comm	SPC	Restaurant	N/A*	N/A*	34	Priv	None	Avail	15	5		14	Yes	Was two parcels; rear parcel under construction with housing. Parcel facing San Pablo has restaurant and large parking area. Counted in Cycles 4 & 5. Upzoned as part of SP Specific Plan.
24	4203	66-2792-3; 66-2792-7-2; 66-2792-27; 66-2792-28	702-718 San Pablo	0.69	San Pablo Comm/ High Density Res	SPC/ R-3	Car storage, auto repair	N/A*	N/A*	55	Priv	None	Avail	23	9		23	Part	Two of the four parcels are carry over sites; the other two are newly added. Includes auto dealer/service and parking/ vehicle storage
25	4202	66-2812-15-1	759 San Pablo	0.34	San Pablo Comm/ High Density Res	SPC/ R-3	Liquor store/ private school	N/A*	N/A*	27	Priv	None	Avail	12	4		11	No	Zoning allows 4.0 FAR and 68'. San Pablo-Kains through lot.
26	4202	67-2799-1-1	805 San Pablo	0.51	San Pablo Comm	SPC	Bank	N/A*	N/A*	60	Priv	None	Avail	25	10		25	Yes	Carry over site from Cycles 4 & 5. Mechanics Bank; one-story, surrounded by parking. Current FAR is 0.25 and zoning allows 4.0 FAR
27	4202	66-2799-19; 66-2799-20; 66-2799-21	813 San Pablo	0.35	San Pablo Comm	SPC	Vacant restaurant	N/A*	N/A*	35	Priv	None	Avail	15	6		14	No	New site, includes vacant restaurant and parking lots. Three adjacent parcels under one owner. FAR is 0.27. Could consolidate and redevelop; zoning allows 4.0 FAR and 68'
28	4203	66-2791-9-1; 66-2791-13; 66-2791-14; 66-2791-15; 66-2791-16; 66-2791-25	836-844 San Pablo	0.74	San Pablo Comm/ High Density Res	SPC/ R-3	Retail	N/A*	N/A*	74	Priv	None	Avail	32	12		30	No	New site, big box liquor store and parking lots. Structure built 70 yrs ago. Six parcels in common ownership. FAR is 0.46, where zoning allows 4.0 FAR and 68'; one parcel (R-3) faces Adams; remainder faces San Pablo Av
29	4205	65-2661-3; 65-2661-5; 66-2661-6; 65-2661-57; 65-2661-54-1	911-913 San Pablo; 922-926 Kains	0.61	San Pablo Comm/ High Density Res	SPC/ R-3	Sporting Goods; parking	N/A*	N/A*	61	Priv	None	Avail	26	10		25	Yes	5 adjacent parcels; 2 on San Pablo and 3 on Kains. All under one ownership. Carried over from 5th Cycle (not counted in 4th cycle). Includes Mary and Joe's sporting goods, parking, and 2 rental houses
30	4203	66-2721-11-1	934 San Pablo	0.17	San Pablo Comm	SPC	Parking lot	N/A*	N/A*	17	Priv	None	Avail	7	3		7	Yes	Carry-over site. Was proposed for development prior to 2009-11 recession

														Income Category					
ID #	Census Tract	APN	Address/Location	Acreage	GP des	Zoning	Existing Use	DU/AC	Theoretical capacity	Realistic capacity	Pub/ Priv	Constraints	Infra-structure	Low	Mod	Mod	Above	Counted Before?	Comments
31	4203	66-2721-26-6	950 San Pablo	0.96	San Pablo Comm/ High Density Res	SPC/ R-3	Shopping center and offices	N/A*	N/A*	83	Priv	None	Avail	36	13		34	Yes	Carry over site from Cycle 5 (was not listed in 4). Town Square shopping center. FAR less than 0.5 and land value assessed at twice the improvements value
32	4205	65-2661-46; 65-2661-43-2; 65-2662-45-1	949-953 San Pablo	0.3	San Pablo Comm/ High Density Res	SPC/ R-3	Vacant commercial/ rental house	N/A*	N/A*	24	Priv	None	Avail	10	4		10	No	Not previously counted; same owner owns all three parcels and has been exploring development options since 2018
33	4205	65-2661-43-3	965-969 San Pablo	0.51	San Pablo Comm	SPC	Paint store	N/A*	N/A*	51	Priv	None	Avail	22	8		21	No	Paint store, plus empty retail space and large parking lot. Land valued at 4 times improvements. FAR is 0.34 where new zoning allows 4.0 and 65' height
34	4205	65-2662-35; 65-2662-37-1	1061-63 San Pablo	0.34	San Pablo Comm	SPC	Rental Car lot w/ trailer	N/A*	N/A*	34	Priv	None	Avail	15	5		14	Yes	Carry over site from cycles 4&5. Hertz rental car lot.
35	4205	65-2410-1; 65-2410-13	1107-11 San Pablo	0.43	San Pablo Comm	SPC	Fast food/ auto repair	N/A*	N/A*	43	Priv	None	Avail	18	7		18	Yes	Carry over site from cycles 4 &5. FAR is 0.21 on one site and 0.27 on other.
36	4202	66-2799-10; 66-2799-11; 66-2799-12	1121 Solano	0.41	San Pablo Comm	SPC	Theater/ parking lots	N/A*	N/A*	41	Priv	None	Avail	18	6		17	No	Albany Theater and adjacent parking lots. Faces Solano but in the SP Ave Specific Plan area
37	4205	65-2656-35-1	1200 Solano	0.23	Public/ Quasi-Public	PF	YMCA	N/A	N/A	14	Pub	None	Avail	6	2		6	No	Portion of Cornell School property facing Solano. Currently the YMCA
38	4202	66-2803-23-1; 66-2803-24-1	1221 Solano	0.19	Solano Comm	SC	Office/ parking lot	63	12	12	Priv	None	Avail	5	2		5	No	Office building and adjacent parking lot (2 parcels, same owner)
39	4202	66-2804-17; 66-2804-18; 66-2804-19-1	1245-1247 Solano	0.3	Solano Comm	SC	Vac lot plus retail	63	19	19	Priv	None	Avail	8	3		8	Part	Xmas tree lot counted before; other parcel newly added. All three parcels are in common ownership
40	4206	65-2467-1; 65-2467-38-2; 65-2467-38-3	1382 Solano	0.45	Solano Comm	SC	Pharmacy	63	28	27	Priv	None	Avail	12	4		11	No	Pharmacy and parking lot
41	4201	67-2846-17	1451 Solano	0.3	Solano Comm	SC	Bank	63	18	18	Priv	None	Avail	8	3		7	Yes	Bank and parking, also counted in 4th and 5th cycles
42	4206	65-2639-28-1	1500 Solano	1.56	Solano Comm	SC	Supermarket	63	98	62	Priv	None	Avail	27	10		25	No	Safeway and surface parking lot; presumes mixed density project with townhomes and multi-family
43	4206	65-2838-22-2	1516 Solano	0.45	Solano Comm	SC	Bank	63	28	27	Priv	None	Avail	12	4		11	No	Branch Bank
44	4206	65-2638-3-1	1540 Solano	0.24	Solano Comm	SC	Convenience Store	63	15	14	Priv	None	Avail	6	2		6	No	7-11 store and surface parking
45	4204	66-2692-8	University Village	3.8	Univ. Village	R-2	Vacant	34	129	N/A	Pub	None	Avail	N/A	N/A	N/A		No	Planned 289-unit student apartment complex at University Village. Site is shown but units not counted toward RHNA
TOTALS (excludes ADUs)										1592				634	244	714			
(*) Sites with asterisk in the "density" and "theoretical capacity" column do not have a density limit and are governed by an FAR limit ranging from 4.0 to 4.5.																			

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APPENDIX C:

San Pablo Avenue Corridor Density Analysis

For use in providing substantial evidence for the development capacity of non-vacant sites and calculating realistic development potential for 2023-2031 Albany Housing Element parcels on San Pablo Avenue

Background

The purpose of this appendix is twofold:

- To meet the “substantial evidence” requirement established by HCD for counting non-vacant properties as housing opportunity sites
- To determine the “realistic capacity” of housing sites along the San Pablo Avenue corridor

The California Government Code requires cities that rely on non-vacant sites to accommodate 50 percent or more of their RHNA for lower income households to provide substantial evidence that these sites are viable for development. Examples of substantial evidence include expiring leases, dilapidated structures, relocating businesses, code enforcement action, and recent projects in the vicinity that are on sites with similar uses.

The Government Code further requires that the projected yields for housing opportunity sites be based on “realistic capacity” for each site, rather than the “theoretical capacity” corresponding to the maximum development allowed by zoning. Specifically, the State requires that cities consider:

- Whether “minimum densities” have been adopted
- If there are height limits, floor area ratio limits, lot coverage limits, parking requirements, open space standards, or other requirements that (unintentionally or intentionally) preclude the maximum density from being achieved.
- If there are limits on ground floor residential uses that make it difficult to achieve the maximum density (for instance a 35’ height limit with a ground floor commercial requirement)

State guidance further indicates that realistic capacity may be based on “local or regional track records, past production trends, or net unit increases/yields for redeveloping sites or site intensification” (Site Inventory Guidebook. HCD, May 2020). The State further indicates that cities may cite typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction.

With this guidance in mind, the City of Albany undertook an evaluation of comparable sites along the San Pablo Avenue corridor in the cities of Berkeley, Albany, and El Cerrito. All of the sites listed are within 2.5 miles of the Albany city limits, and all of the sites are on or immediately adjacent to San Pablo Avenue. A total of 32 projects were evaluated, including two in Albany, 17 in El Cerrito, and 13 in Berkeley. The projects include 13 projects that were built in the last decade, four projects that are now under construction, and 15 projects that have recently been approved.

Using sites in adjacent cities as “comparables” is justified due to Albany’s small size, the location of these projects on the same thoroughfare, and the shared attributes of the Berkeley-Albany-El Cerrito real estate market. While the market for higher-density, transit-oriented development in El Cerrito is less well established than in Berkeley, the city is currently experiencing a boom in project proposals and an unprecedented rate of construction along San Pablo Avenue. El Cerrito is several years ahead of Albany in planning for the San Pablo Avenue corridor – it adopted a Specific Plan in 2014 and updated that Plan in 2019-2021.

Albany adopted a Specific Plan in July 2022 and can expect similar results in 2023-2031. Berkeley recently issued a request for proposals for a Specific Plan for San Pablo Avenue and expects to complete such a plan in 2023-24. Regional transportation plans have also been prepared for San Pablo Avenue spanning several cities, with the goal of creating more cohesive and connected neighborhoods along the 12- mile corridor from Oakland to Richmond.

A critical factor in determining whether projects in adjacent cities are transferable to Albany is the underlying zoning and allowable building envelope. If Albany’s zoning standards are much more stringent and its approval process is more onerous, it is harder to argue that the same projects being built in El Cerrito or Berkeley could be built in Albany. Conversely, if Albany’s height limits, floor area ratio requirements, and design standards are comparable to (or more lenient than) those in El Cerrito and Berkeley, the comparison is more valid.

Under the rules in place when this report was initially prepared in December 2021, many of the El Cerrito and Berkeley examples would have been impossible to build in Albany. Prior to adoption of the Specific Plan, Albany’s San Pablo Avenue corridor was subject to a 38-foot height limit and a 2.25 floor area ratio (FAR) standard. The maximum permitted density was 63 units per acre. The corridor was also subject to daylight plane (shadow-reducing) requirements that limited the building size. Ground floor commercial requirements applied on some sites and multi-family open space requirements were high.

With adoption of Albany’s new San Pablo Avenue Specific Plan, the standards are now more in line with those of adjacent cities. The Plan increased the height limit to 68 feet, with 85 feet permitted north of Brighton Avenue. It also increased in the allowable FAR from 2.25 to 4.0 (south of Brighton) and 4.5 (north of Brighton and on through-parcels with SPC zoning). The maximum density of 63 units per acre is eliminated. The Plan also replaces daylight plane requirements with stepback requirements, responding to building construction trends and market demand and avoiding the need for stair-stepped treatment of upper floors. It eliminates minimum parking requirements. It also reduced open space standards. Importantly, the Specific Plan also establishes objective design standards that are intended to streamline the approval of projects that are consistent with these standards.

By comparison, projects on San Pablo Avenue in El Cerrito are subject to height limits ranging from 55 to 65 feet, with 85 feet is allowed through density bonuses. No FAR or density limits apply in El Cerrito. One parking space per unit is required, although there are provisions for reductions. Mixed use projects on San Pablo Avenue in Berkeley are subject to a 50- foot height

limit, although density bonuses may be used to allow an additional story. The San Pablo Avenue corridor in Berkeley is also subject to an FAR limit of 3.0, which is lower than the FAR proposed for Albany. There are also use permit requirements for certain project types in Berkeley, which may add to the number of hearings and processing time.

In summary, the regulations proposed by Albany's San Pablo Avenue Specific Plan will level the playing field relative to Berkeley and El Cerrito. Projects in these two cities provide good benchmarks for what Albany may expect in the coming years and are a valid indicator of the realistic capacity of Albany's housing sites.

It should also be recognized that housing opportunities also exist on other sites along San Pablo Avenue in Albany that are not listed in the opportunity site inventory. Zoning is being changed along the entire San Pablo Avenue corridor in the city, and not just on sites in the inventory. The inventory only includes sites meeting certain criteria. Nothing in the Housing Element precludes the City from approving high-density or affordable housing on sites that are not listed.

Methodology

Both the Berkeley and El Cerrito Planning Departments maintain websites with archived staff reports on recently built and approved projects. In Berkeley's case, staff reports and plans for every high-density project on San Pablo Avenue built or approved in the last 10 years were downloaded and reviewed to obtain pertinent information. In El Cerrito's case, the City has compiled a San Pablo Avenue [Development Map](#) which lists built, approved, and proposed projects. Plans for each built and approved project were reviewed, and pertinent information was recorded.

For Albany, the inventory included two projects along San Pablo Avenue: the proposed Albany Bowl project at 540 San Pablo Avenue, and the recently completed (2017) Belmont Village project at 1100 San Pablo Avenue.

The following information was collected for each of the 32 projects in the corridor:

- Location (address)
- Status (built, under construction, approved, proposed)
- Lot Area (square feet and acres)
- Floor Area
- Floor Area Ratio (ratio of floor area to lot area)
- Number of units (including number affordable)
- Density (units per acre)
- Stories
- Height
- Parking spaces provided
- Former Use
- Proximity to Albany (ranges from zero to 2.5 miles)

Information on the “former use” of each site is particularly relevant, as it shows the range of activities in the local market that are being “recycled” to higher density housing. It also helps demonstrate that “non-vacant” sites are viable for housing, even when they contain active businesses. Very few of the 32 sites listed in this inventory were vacant before they were redeveloped. Prior uses include auto repair shops, fast food restaurants, retail stores, used car lots, plant nurseries, office buildings, and grocery stores, among others. These are the same types of uses that currently exist on Albany’s housing sites.

Another goal of this appendix is to demonstrate the viability of small sites for higher density housing. HCD requires supporting evidence to show that housing sites smaller than 0.5 acres (roughly 21,800 square feet) are realistic locations for affordable housing. Seventeen of the 32 projects in this inventory are on sites smaller than one-half acre. Four are on sites smaller than 10,000 square feet. Given the urban character of the San Pablo Avenue corridor, small sites are an essential part of the land supply for higher density housing. Albany itself is one of the highest-density cities in California and has very few parcels that are larger than 0.5 acres. While the Housing Element supports aggregation of small sites into larger parcels, there is significant potential even without aggregation.

Findings

Tables C-1, C-2, and C-3 provide a summary of the data from the 32 “Project Sheets”

Relevant findings are listed below (DU/AC = dwelling units per acre)

- Project densities ranged from a low of 43 DU/AC to 253 DU/AC
- The mean (average) for the two projects in Albany is 87 dwelling units per acre (DU/AC)
- The mean (average) for the 13 projects in Berkeley is 132 DU/AC (median 126 DU/AC)
- The mean (average) for the 17 projects in El Cerrito is 121 DU/AC (median 117 DU/AC)
- Most of the projects were 4-6 stories. Previously completed projects tended to be 4-5 stories, while approved (not yet built) projects tended to be 6 stories. There was one 8-story project.
- Small parcels (under 10,000 square feet) and large parcels (over 40,000 square feet) had lower densities than mid-sized parcels (10,000-40,000 SF).
 - Mean density on parcels over 40,000 SF was 89 DU/AC
 - Mean density on parcels 20,000-40,000 SF was 156 DU/AC
 - Mean density on parcels 10,000-20,000 SF was 154 DU/AC
 - Mean density on parcels under 10,000 SF was 140 DU/AC
- Approved (not yet built) projects had higher densities than projects that have already been built. Mean density is 129 DU/AC for approved projects, and 109 DU/AC for projects that are built or under construction.

Based on these findings, densities of 80 to 140 units per acre represent realistic capacity for Albany’s housing sites. Conservative estimates of 80 to 100 units per acre are recommended for most sites, recognizing that higher yields are possible. Use of the 80-100 unit per acre range also recognizes that not every site in the inventory will turn over during the time span of the Housing Element and helps ensure that the City maintains an adequate supply of sites. Higher densities are possible on many of Albany’s housing sites and will continue to be encouraged.

Table C-1: List of Comparable Projects

ID	Address	City	Status	Lot Size	Units	DU/Ac	FAR	Stories	Distance from Albany (mi.)
1	540 San Pablo	A	Proposed	95,156	207	95	2.76	6	In Albany
2	1100 San Pablo	A	Built	95,517	175	79	1.98	4	In Albany
3	512 EC Plaza	EC	Built	21,373	128	79	1.6	4	0.1
4	6501 Fairmount	EC	Approved	11,611	45	176	4.69	6	0.3
5	10135 San Pablo	EC	Approved	21,809	72	144	3.9	6	0.3
6	10167 San Pablo	EC	Approved	11,230	62	240	4.43	6	0.3
7	10192 San Pablo	EC	Approved	18,423	26	61	2.12	5	0.4
8	10290 San Pablo	EC	Und Cons	12,501	54	188	3.77	5	0.5
9	10300 San Pablo	EC	Built	24,958	32	56	2.07	4	0.6
10	10534 San Pablo	EC	Built	5,009	5	43	N/A	3	0.9
11	6431 Portola	EC	Built	40,867	57	60	2.2	4	1.2
12	10810 San Pablo	EC	Approved	60,060	40	62	1.77	4	1.2
13	10848 San Pablo	EC	Built	40,000	63	43	N/A	4	1.3
14	10919 San Pablo	EC	Und Cons	22,804	90	171	2.88	5	1.3
15	10963 San Pablo	EC	Built	21,373	50	102	2.88	5	1.4
16	11060 San Pablo	EC	Approved	64,446	170	117	2.7	6	1.5
17	11600 San Pablo	EC	Und Cons	68,489	223	142	4.39	6	2.1
18	11795 San Pablo	EC	Approved	26,169	130	216	3.69	6	2.3
19	11965 San Pablo	EC	Approved	28,300	144	221	3.81	8	2.5
20	1200 San Pablo	B	Approved	12,406	57	185	4.02	6	0.1
21	1201 San Pablo	B	Approved	13,000	66	221	3.6	6	0.1
22	1500 San Pablo	B	Built	74,429	170	99	3.89	5	0.5
23	1740 San Pablo	B	Approved	14,204	52	159	3	5	0.8
24	1800 San Pablo	B	Built	20,373	51	108	2.88	4	0.9
25	2100 San Pablo	B	Und Cons	26,670	91	148	2.7	4	1.2
26	2198 San Pablo	B	Approved	9,800	57	253	3.76	6	1.3
27	2527 San Pablo	B	Approved	13,330	63	205	3.99	6	1.7
28	2700 San Pablo	B	Built	16,800	35	90	N/A	4	1.5
29	2720 San Pablo	B	Approved	9,576	25	113	3.9	6	1.9
30	2747 San Pablo	B	Built	17,386	41	102	2.6	5	2
31	2748 San Pablo	B	Built	9,966	23	100	2.1	4	2
32	3015 San Pablo	B	Built	33800	98	126	3.06	5	2.3

Source: Barry Miller Consulting, 2021

Table C-2: List of Comparable Projects sorted by Parcel Size

ID	Address	City	Status	Lot Size	Units	DU/Ac	FAR	Stories	Distance from Albany (mi.)
PARCELS UNDER 10,000 SQUARE FEET (mean 140 DU/AC, median 107 DU/AC)									
10	10534 San Pablo	EC	Built	5,009	5	43	N/A	3	0.9
29	2720 San Pablo	B	Approved	9,576	25	113	3.9	6	1.9
26	2198 San Pablo	B	Approved	9,800	57	253	3.76	6	1.3
31	2748 San Pablo	B	Built	9,966	23	100	2.1	4	2
PARCELS 10,000-20,000 SQUARE FEET (mean 154 DU/AC, median 180 DU/AC)									
6	10167 San Pablo	EC	Approved	11,230	62	240	4.43	6	0.3
4	6501 Fairmount	EC	Approved	11,611	45	176	4.69	6	0.3
20	1200 San Pablo	B	Approved	12,406	57	185	4.02	6	0.1
8	10290 San Pablo	EC	Und Cons	12,501	54	188	3.77	5	0.5
21	1201 San Pablo	B	Approved	13,000	66	221	3.6	6	0.1
27	2527 San Pablo	B	Approved	13,330	63	205	3.99	6	1.7
23	1740 San Pablo	B	Approved	14,204	52	159	3	5	0.8
28	2700 San Pablo	B	Built	16,800	35	90	N/A	4	1.5
30	2747 San Pablo	B	Built	17,386	41	102	2.6	5	2
7	10192 San Pablo	EC	Approved	18,423	26	61	2.12	5	0.4
PARCELS 20,000-40,000 SQUARE FEET (mean 156 DU/AC, median 135 DU/AC)									
24	1800 San Pablo	B	Built	20,373	51	108	2.88	4	0.9
3	512 EC Plaza	EC	Built	21,373	128	79	1.6	4	0.1
15	10963 San Pablo	EC	Built	21,373	50	102	2.88	5	1.4
5	10135 San Pablo	EC	Approved	21,809	72	144	3.9	6	0.3
14	10919 San Pablo	EC	Und Cons	22,804	90	171	2.88	5	1.3
9	10300 San Pablo	EC	Built	24,958	32	56	2.07	4	0.6
18	11795 San Pablo	EC	Approved	26,169	130	216	3.69	6	2.3
25	2100 San Pablo	B	Und Cons	26,670	91	148	2.7	4	1.2
19	11965 San Pablo	EC	Approved	28,300	144	221	3.81	8	2.5
32	3015 San Pablo	B	Built	33,800	98	126	3.06	5	2.3
PARCELS LARGER THAN 40,000 SQUARE FEET (mean 89 DU/AC, median 87 DU/AC)									
13	10848 San Pablo	EC	Built	40,000	63	43	N/A	4	1.3
11	6431 Portola	EC	Built	40,867	57	60	2.2	4	1.2
12	10810 San Pablo	EC	Approved	60,060	40	62	1.77	4	1.2
16	11060 San Pablo	EC	Approved	64,446	170	117	2.7	6	1.5
17	11600 San Pablo	EC	Und Cons	68,489	223	142	4.39	6	2.1
22	1500 San Pablo	B	Built	74,429	170	99	3.89	5	0.5
1	540 San Pablo	A	Proposed	95,156	207	95	2.76	6	In Albany
2	1100 San Pablo	A	Built	95,517	175	79	1.98	4	In Albany

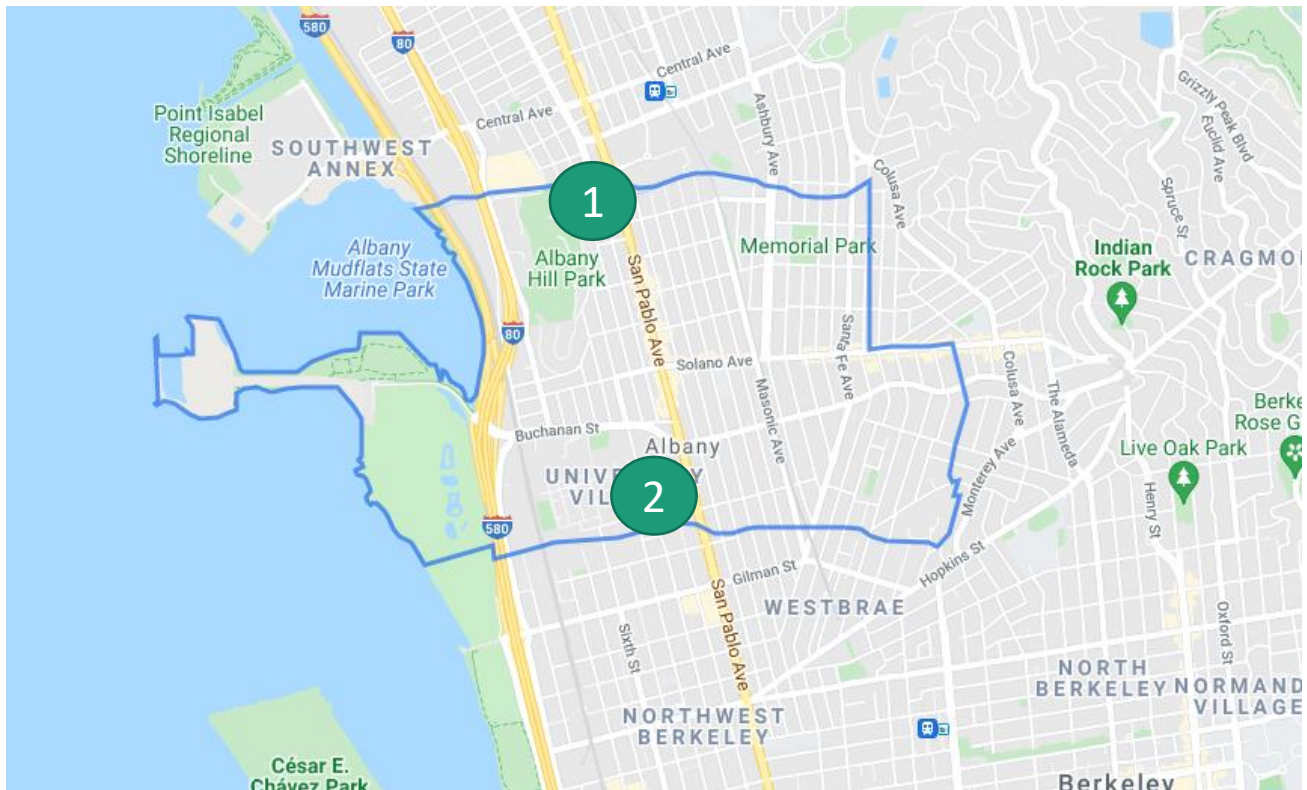
Source: Barry Miller Consulting, 2021

Table C-3: List of Comparable Projects sorted by Project Status

ID	Address	City	Status	Lot Size	Units	DU/Ac	FAR	Stories	Distance from Albany (mi.)
PROJECTS ALREADY BUILT OR UNDER CONSTRUCTION (median = 109 DU/AC)									
2	1100 San Pablo	A	Built	95517	175	79	1.98	4	0
3	512 EC Plaza	EC	Built	21373	128	79	1.6	4	0.1
9	10300 San Pablo	EC	Built	24958	32	56	2.07	4	0.6
10	10534 San Pablo	EC	Built	5009	5	43	N/A	3	0.9
11	6431 Portola	EC	Built	40867	57	60	2.2	4	1.2
13	10848 San Pablo	EC	Built	40000	63	43	N/A	4	1.3
15	10963 San Pablo	EC	Built	21373	50	102	2.88	5	1.4
22	1500 San Pablo	B	Built	74429	170	99	3.89	5	0.5
24	1800 San Pablo	B	Built	20373	51	108	2.88	4	0.9
28	2700 San Pablo	B	Built	16800	35	90	N/A	4	1.5
30	2747 San Pablo	B	Built	17386	41	102	2.6	5	2
31	2748 San Pablo	B	Built	9966	23	100	2.1	4	2
32	3015 San Pablo	B	Built	33800	98	126	3.06	5	2.3
8	10290 San Pablo	EC	Und Cons	12501	54	188	3.77	5	0.5
14	10919 San Pablo	EC	Und Cons	22804	90	171	2.88	5	1.3
17	11600 San Pablo	EC	Und Cons	68489	223	142	4.39	6	2.1
25	2100 San Pablo	B	Und Cons	26670	91	148	2.7	4	1.2
PROJECTS APPROVED/PROPOSED BUT NOT YET BUILT (median = 129 DU/AC)									
7	10192 San Pablo	EC	Approved	18423	26	61	2.12	5	0.4
12	10810 San Pablo	EC	Approved	60060	40	62	1.77	4	1.2
1	540 San Pablo	A	Proposed	95156	207	95	2.76	6	0
29	2720 San Pablo	B	Approved	9576	25	113	3.9	6	1.9
16	11060 San Pablo	EC	Approved	64446	170	117	2.7	6	1.5
5	10135 San Pablo	EC	Approved	21809	72	144	3.9	6	0.3
23	1740 San Pablo	B	Approved	14204	52	159	3	5	0.8
4	6501 Fairmount	EC	Approved	11611	45	176	4.69	6	0.3
20	1200 San Pablo	B	Approved	12406	57	185	4.02	6	0.1
27	2527 San Pablo	B	Approved	13330	63	205	3.99	6	1.7
18	11795 San Pablo	EC	Approved	26169	130	216	3.69	6	2.3
19	11965 San Pablo	EC	Approved	28300	144	221	3.81	8	2.5
21	1201 San Pablo	B	Approved	13000	66	221	3.6	6	0.1
6	10167 San Pablo	EC	Approved	11230	62	240	4.43	6	0.3
26	2198 San Pablo	B	Approved	9800	57	253	3.76	6	1.3

Source: Barry Miller Consulting, 2021

ALBANY PROPERTIES





1

Albany Bowl

Location:	540 San Pablo Avenue, Albany
Status:	Proposed, not yet built
Lot Area:	95,156 SF (2.18 acres)
Floor Area:	262,499 SF (proposed)
FAR:	2.76
Units:	207 (21 affordable to very low)
Density:	95 DU/AC
Stories:	6 stories
Height:	67 feet
Parking:	181 spaces
Former Use:	Bowling Alley, Retail storefronts
Proximity:	In Albany

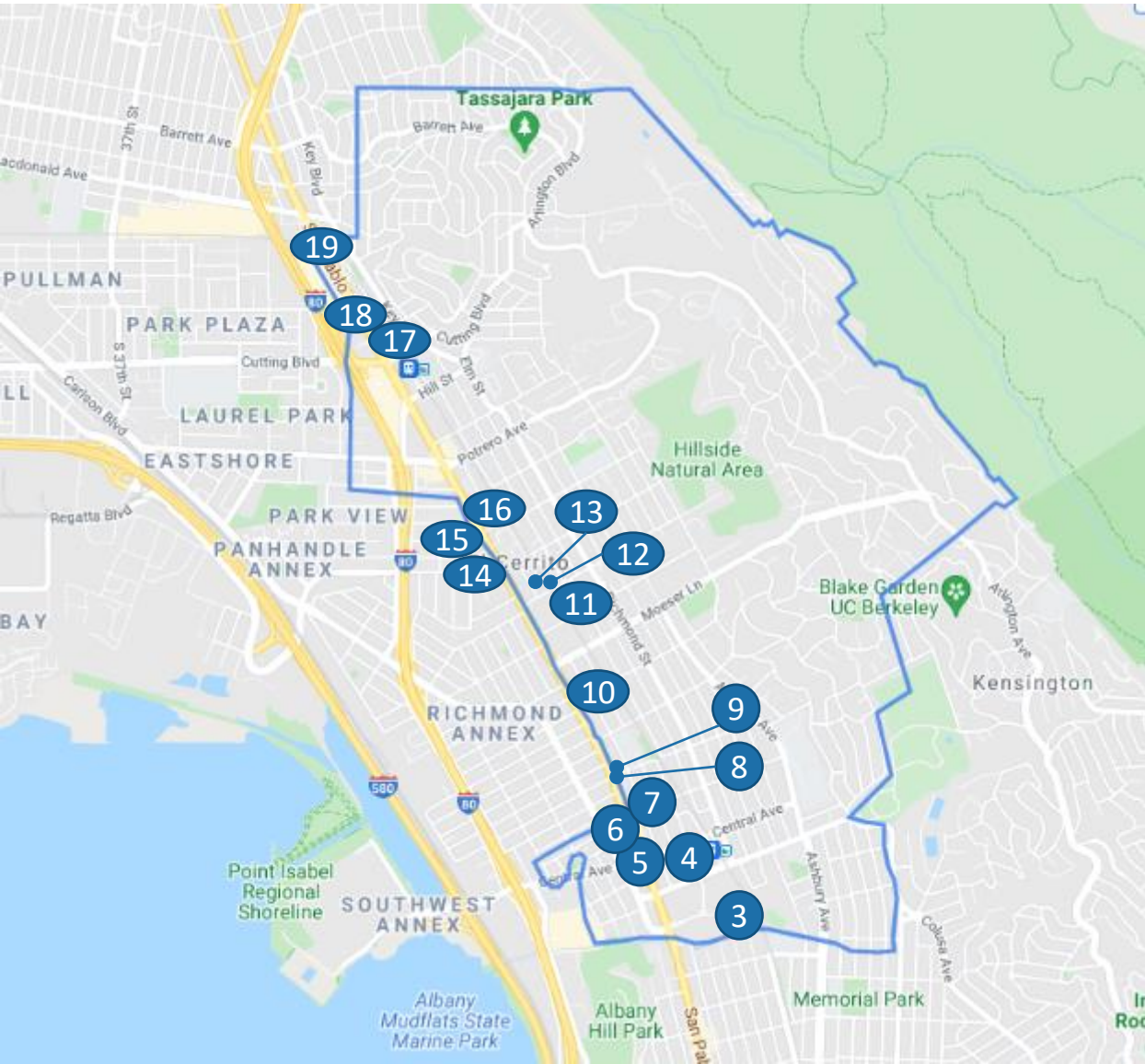


2

Belmont Village

Location:	1100 San Pablo Avenue, Albany
Status:	Completed in 2017
Lot Area:	95,517 SF (2.19 acres)
Floor Area:	189,494 SF
FAR:	1.98
Units:	175 market rate assisted living apartments (independent units)
Density:	79 DU/AC
Stories:	4 stories
Height:	52 feet
Parking:	106 spaces
Former Use:	Vacant, University-Owned land
Proximity:	In Albany

EL CERRITO PROPERTIES





3

Metro 510 (Creekside Walk)

Location:	512 El Cerrito Plaza, El Cerrito
Status:	Completed in 2016
Lot Area:	131,987 SF (3.03 acres)
Floor Area:	211,596 SF
FAR:	1.60
Units:	128
Density:	79 DU/AC
Stories:	4 stories
Height:	59 feet
Parking:	158 spaces
Former Use:	Copelands Sporting Goods
Proximity:	Adjoins Albany city limits at El Cerrito Plaza



4

The Lexington

Location:	6501 Fairmount, El Cerrito
Status:	Approved in 2021, not yet built
Lot Area:	11,611 SF (0.27 acres)
Floor Area:	54,462 SF (proposed)
FAR:	4.69 (4.14 without garage)
Units:	45
Density:	176 DU/AC
Stories:	6 stories
Height:	82.5 feet
Parking:	72 spaces
Former Use:	Gas station/ Auto repair shop
Proximity:	0.3 miles north of Albany city limits (El Cerrito Plaza)



5

McNevin North

Location:	10135 San Pablo Av, El Cerrito
Status:	Approved but not yet built
Lot Area:	21,809 SF (0.50 acres)
Floor Area:	85,067 SF (inc 4,400 SF ground floor retail)
FAR:	3.90
Units:	72
Density:	144 DU/AC
Stories:	6 stories
Height:	65 feet
Parking:	45 spaces
Former Use:	Used car lot
Proximity:	0.3 miles north of Albany city limits on San Pablo



6

Avenue Lofts

Location:	10167 San Pablo Av, El Cerrito
Status:	Approved in 2021, not yet built
Lot Area:	11,230 SF (0.26 acres)
Floor Area:	48,736 SF (proposed)
FAR:	4.43
Units:	62 units
Density:	240 DU/AC
Stories:	6 stories
Height:	65 feet
Parking:	36 spaces
Former Use:	Used car lot (now vacant)
Proximity:	0.3 miles north of Albany city limits on San Pablo



7

10192 San Pablo

Location:	10192 San Pablo Av, El Cerrito
Status:	Approved, not yet built
Lot Area:	18,423 SF (0.42 acres)
Floor Area:	39,052 SF (proposed)
FAR:	2.12
Units:	26 market rate units
Density:	61 DU/AC
Stories:	5 stories
Height:	64.5 feet
Parking:	23 spaces
Former Use:	Auto repair shop
Proximity:	0.4 miles north of Albany city limits on San Pablo



8

The Civic

Location:	10290 San Pablo Av, El Cerrito
Status:	Under Construction
Lot Area:	12,501 SF (0.29 Ac)
Floor Area:	47,140 (incl. 6,787 SF parking)
FAR:	3.77
Units:	54
Density:	188 DU/AC
Stories:	5 stories
Height:	57.5 feet
Parking:	28
Former Use:	Office building
Proximity:	0.5 miles north of Albany city limits on San Pablo



9

Credence

Location:	10300 San Pablo Av, El Cerrito
Status:	Completed in 2021
Lot Area:	24,958 SF (0.57 acres)
Floor Area:	51,630 SF
FAR:	2.07
Units:	32 market rate condos
Density:	56 DU/AC
Stories:	4 stories
Height:	54.5 feet
Parking:	32 spaces
Former Use:	One story 12,000 SF retail store
Proximity:	0.6 miles north of Albany city limits on San Pablo



10

Cinque Terre

Location:	10534 San Pablo Av, El Cerrito
Status:	Completed in 2021
Lot Area:	5,009 SF (0.11 acres)
Floor Area:	NA
FAR:	NA
Units:	4 units + 1 live work
Density:	43 DU/AC
Stories:	3 stories
Height:	NA
Parking:	NA
Former Use:	Vacant (formerly part of plant nursery)
Proximity:	0.9 miles north of Albany city limits on San Pablo



11

Ohlone Gardens

Location:	6431-6495 Portola Dr, El Cerrito
Status:	Completed in 2015
Lot Area:	40,867 SF (0.94 acres)
Floor Area:	90,000 SF
FAR:	2.2
Units:	57 units affordable housing (RCD)
Density:	60 DU/AC
Stories:	4 stories
Height:	51 feet
Parking:	66 spaces
Former Use:	Vacant (plus one SF home)
Proximity:	1.2 miles north of Albany city limits on San Pablo



12

Village at Town Center

Location:	10810 San Pablo Av, El Cerrito
Status:	Approved but not yet built
Lot Area:	60,060 SF (1.38 acres)
Floor Area:	46,939 SF (phase 2 only)
FAR:	1.77
Units:	40 (phase 2 only)
Density:	62 DU/AC
Stories:	4 stories
Height:	45 feet
Parking:	32 spaces
Former Use:	Parking lot
Proximity:	1.2 miles north of Albany city limits on San Pablo



13

Hana Gardens

Location:	10848-10860 San Pablo Av, El Cerrito
Status:	Completed in 2018
Lot Area:	40,000 SF (0.92 acres)
Floor Area:	NA (inc. 2,000 SF ground floor commercial)
FAR:	NA
Units:	63 units affordable senior housing (Eden)
Density:	43 DU/AC
Stories:	4 stories
Height:	65 feet (at highest point)
Parking:	35 spaces
Former Use:	Flower shop
Proximity:	1.3 miles north of Albany city limits on San Pablo



14

10919 San Pablo

Location:	10919 San Pablo Av, El Cerrito
Status:	Under Construction
Lot Area:	22,804 SF (0.52 acres)
Floor Area:	65,836 SF (incl. 11,619 SF parking)
FAR:	2.88
Units:	90
Density:	171 DU/AC
Stories:	5 stories
Height:	58.2 feet
Parking:	68 spaces
Former Use:	Overhead door company/ automotive repair
Proximity:	1.3 miles north of Albany city limits on San Pablo



15

Cerrito Vista

Location:	10963 San Pablo Av, El Cerrito
Status:	Completed in 2021
Lot Area:	21,373 SF (0.49 acres)
Floor Area:	61,566 SF
FAR:	2.88
Units:	50 market rate units
Density:	102 DU/AC
Stories:	5 stories
Height:	55 feet
Parking:	34 spaces
Former Use:	One story 9,000 SF retail store
Proximity:	1.4 miles north of Albany city limits on San Pablo



16

The Griffin

Location:	11060 San Pablo Av, El Cerrito
Status:	Approved, not yet built
Lot Area:	64,446 SF (1.48 acres)
Floor Area:	174,330 SF
FAR:	2.7
Units:	170
Density:	117 DU/AC
Stories:	6 stories
Height:	69 feet
Parking:	171 spaces
Former Use:	Big 5 Sporting Goods
Proximity:	1.5 miles north of Albany city limits on San Pablo



17

Mayfair

Location:	11600-11690 San Pablo Av El Cerrito
Status:	Under construction
Lot Area:	68,489 SF (1.57 acres)
Floor Area:	296,598 SF (incl 10,572 ground floor commercial)
FAR:	4.39
Units:	223 (including 67 affordable by Bridge Housing) 2 buildings
Density:	142 DU/AC
Stories:	6 stories
Height:	75 feet
Parking:	150 spaces
Former Use:	Gas station and grocery store
Proximity:	2.1 miles north of Albany city limits on San Pablo



18

Wall Avenue Apartments

Location:	11795 Pablo Av, El Cerrito
Status:	Approved but not yet built
Lot Area:	26,169 SF (0.60 acres)
Floor Area:	96,563 SF
FAR:	3.69
Units:	130
Density:	216 DU/AC
Stories:	6 stories
Height:	70 feet
Parking:	92 spaces
Former Use:	Sit-down restaurant
Proximity:	2.3 miles north of Albany city limits on San Pablo

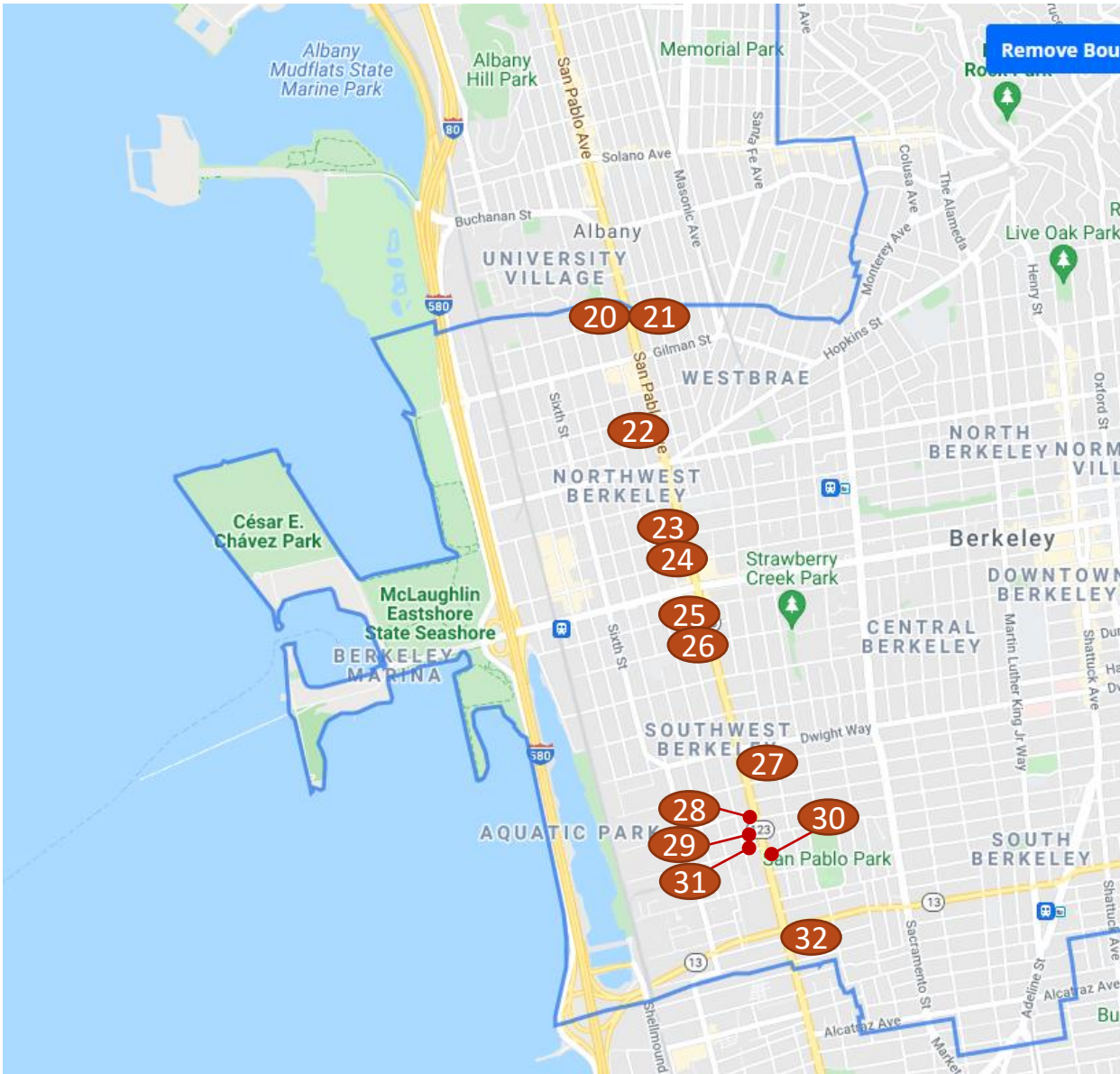


19

Polaris

Location:	11965 San Pablo Av, El Cerrito
Status:	Approved, not yet built
Lot Area:	28,300 SF (0.65 acres)
Floor Area:	108,102 SF (proposed)
FAR:	3.81
Units:	144, including 10 affordable
Density:	221 DU/AC
Stories:	8 stories
Height:	85 feet
Parking:	77 spaces
Former Use:	Taco Bell
Proximity:	2.5 miles north of Albany city limits on San Pablo

BERKELEY PROPERTIES





20

1200 San Pablo

Location:	1200 San Pablo Av (at Harrison), Berkeley
Status:	Approved but not yet built
Lot Area:	12,406 SF (0.31 acres)
Floor Area:	49,843 SF
FAR:	4.02
Units:	57, including 5 affordable to very low
Density:	185 DU/AC
Stories:	6 stories
Height:	66 feet
Parking:	44 spaces
Former Use:	Fast food restaurant
Proximity:	0.1 miles south of Albany city limits on San Pablo



21

1201 San Pablo

Location:	1201 San Pablo Av (at Harrison), Berkeley
Status:	Approved but not yet built
Lot Area:	13,000 SF (0.31 acres)
Floor Area:	47,036 SF
FAR:	3.6
Units:	66
Density:	221 DU/AC
Stories:	6 stories
Height:	68.25 feet
Parking:	28 spaces
Former Use:	Vacant for at least 12 years
Proximity:	0.1 miles south of Albany city limits on San Pablo



22

Jones Berkeley

Location:	1500 San Pablo Av, Berkeley
Status:	Completed, 2020
Lot Area:	74,429 SF (1.71 acres)
Floor Area:	204,673 SF (excludes townhomes, which are a different zoning district)
FAR:	3.89 (multi-family only)
Units:	170 (includes 11 townhomes on west elevation)
Density:	99 DU/AC
Stories:	5 stories
Height:	62 feet
Parking:	172 spaces
Former Use:	Car dealership
Proximity:	0.5 miles south of Albany city limits on San Pablo



23

1740 San Pablo

Location:	1740 San Pablo Av (at Delaware), Berkeley
Status:	Approved, not yet built
Lot Area:	14,204 SF (0.33 acres)
Floor Area:	42,769 SF
FAR:	3.00
Units:	52 (includes 4 live-work)
Density:	159 DU/AC
Stories:	5 stories
Height:	59.5 feet
Parking:	53 spaces
Former Use:	Tax office and auto repair
Proximity:	0.8 miles south of Albany city limits on San Pablo



24

The Delaware

Location:	1800 San Pablo Av (at Delaware), Berkeley
Status:	Completed in 2011
Lot Area:	20,373 SF (0.47 acres)
Floor Area:	58,761 SF
FAR:	2.88
Units:	51
Density:	108 DU/AC
Stories:	4 stories
Height:	N/A
Parking:	N/A
Former Use:	Auto sales and repair
Proximity:	0.9 miles south of Albany city limits on San Pablo



25

Elegance Berkeley

Location:	2100 San Pablo Av (at Allston), Berkeley
Status:	Under Construction
Lot Area:	26,670 (0.61 ac)
Floor Area:	60,428 SF
FAR:	2.7
Units:	91 senior/ assisted living (apartments)
Density:	148 DU/AC
Stories:	4 stories
Height:	52 feet
Parking:	33 spaces
Former Use:	U-Haul (rental)
Proximity:	1.2 miles south of Albany city limits on San Pablo



26

2198 San Pablo

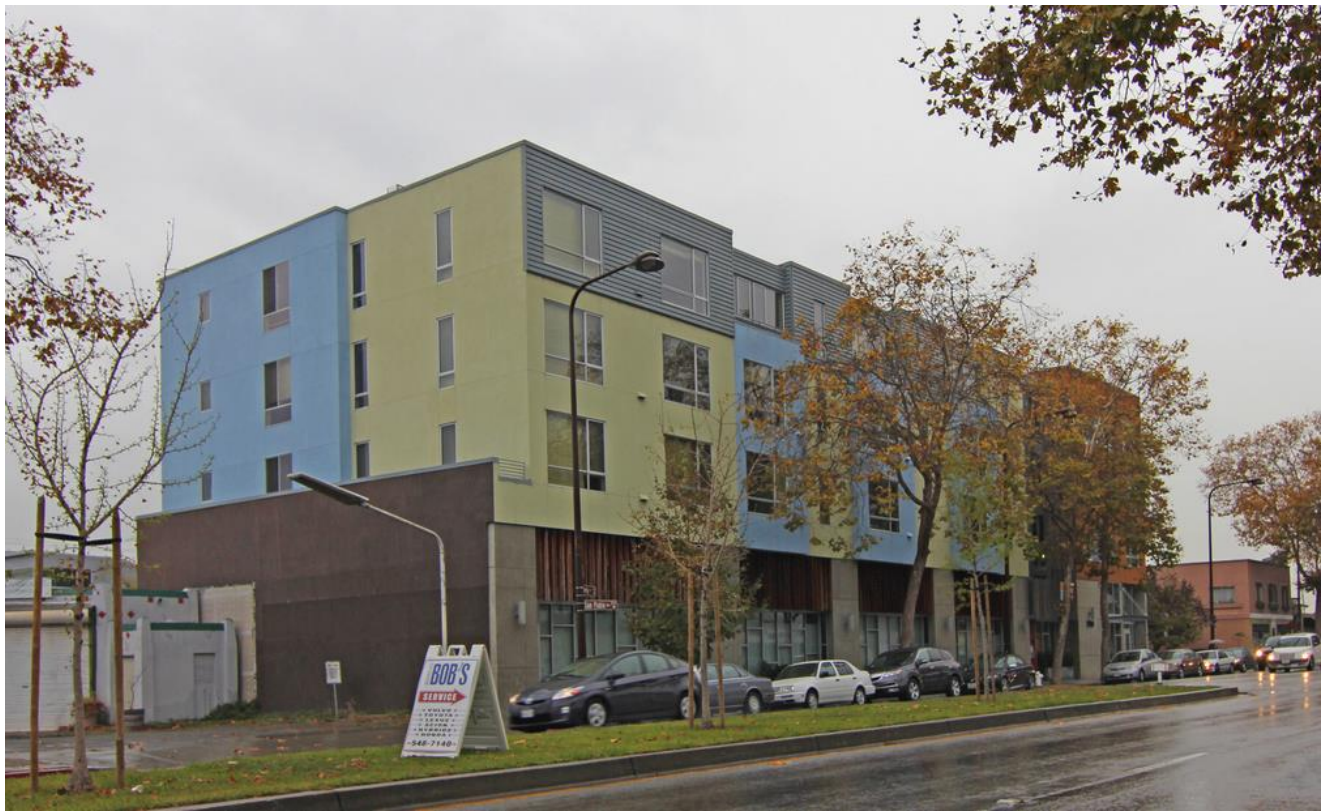
Location:	2198 San Pablo Av (at Addison), Berkeley
Status:	Approved, not yet built
Lot Area:	9,800 SF (0.22 acres)
Floor Area:	36,816 SF
FAR:	3.76
Units:	57 (including 5 affordable to very low income)
Density:	253 DU/AC
Stories:	6 stories
Height:	68 feet
Parking:	20 spaces
Former Use:	Former convenience store
Proximity:	1.3 miles south of Albany city limits on San Pablo



27

The Blake

Location:	2527 San Pablo Av (at Blake), Berkeley
Status:	Approved, not yet built
Lot Area:	13,330 (0.31 ac)
Floor Area:	52,675
FAR:	3.99
Units:	63 units, all affordable to 30%-60% AMI/ special needs (to be developed by SAHA)
Density:	205 DU/AC
Stories:	6 stories
Height:	67 feet
Parking:	56 spaces
Former Use:	Auto repair
Proximity:	1.6 miles south of Albany city limits on San Pablo



28

Avenue West

Location:	2700 San Pablo Av (at Carleton), Berkeley
Status:	Completed in 2008
Lot Area:	16,800 SF (0.39 acres)
Floor Area:	N/A
FAR:	N/A
Units:	35, mapped as condominium
Density:	90 DU/AC
Stories:	4 stories
Height:	N/A
Parking:	N/A
Former Use:	N/A
Proximity:	1.9 miles south of Albany city limits on San Pablo



29

2720 San Pablo

Location:	2720 San Pablo Av (at Pardee), Berkeley
Status:	Approved in 2020, not yet built
Lot Area:	9,576 SF (0.22 acres)
Floor Area:	37,800
FAR:	3.9
Units:	25, including two affordable to very low
Density:	113 DU/AC
Stories:	6 stories
Height:	63 feet
Parking:	15 spaces
Former Use:	Auto repair garage
Proximity:	1.9 miles south of Albany city limits on San Pablo



30

Bloom Condos

Location:	2747 San Pablo Av (at Grayson), Berkeley
Status:	Completed in 2020
Lot Area:	17,386 SF (0.40 acres)
Floor Area:	45,112
FAR:	2.6
Units:	41, including two affordable to very low
Density:	102 DU/AC
Stories:	5 stories
Height:	52 feet
Parking:	49 spaces
Former Use:	Auto sales (converted to real estate office)
Proximity:	2 miles south of Albany city limits on San Pablo



31

Grayson Apartments

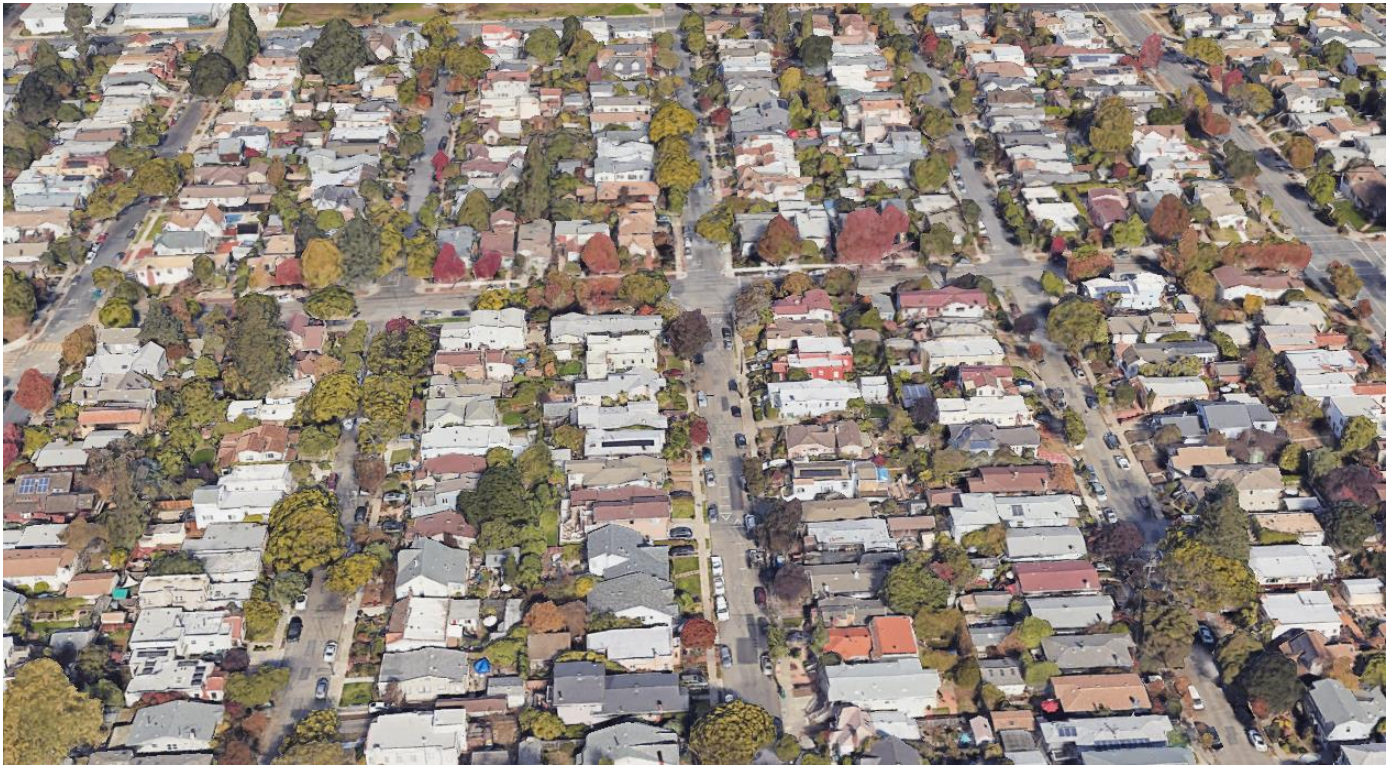
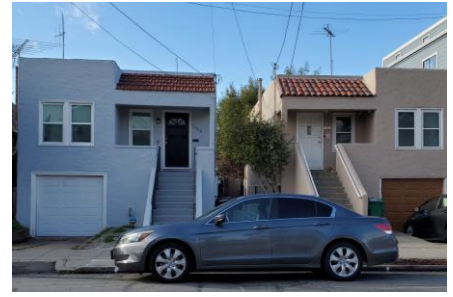
Location:	2748 San Pablo Av (at Grayson), Berkeley
Status:	Completed in 2019
Lot Area:	9,966 SF (0.23 ac)
Floor Area:	20,891
FAR:	2.10
Units:	23, all affordable to 20-60% AMI (SAHA project)
Density:	100 DU/AC
Stories:	4 stories
Height:	48 feet
Parking:	13 spaces
Former Use:	Landscaping and garden supplies
Proximity:	2 miles south of Albany city limits on San Pablo



32

The Higby

Location:	3015 San Pablo Av (at Ashby), Berkeley
Status:	Completed in 2016
Lot Area:	33,800 SF (0.78 ac)
Floor Area:	103,545 SF
FAR:	3.06
Units:	98 (15 affordable)
Density:	126 DU/AC
Stories:	5 stories
Height:	N/A
Parking:	98 spaces
Former Use:	Vacant
Proximity:	2.3 miles south of Albany city limits on San Pablo



City of Albany

2023-2031 Housing Element



Working Draft for Public Review

Published for 30-day review on July 29, 2022

Initial edits published on August 29, 2022

Supplemental edits made on September 7, 2022

Submitted to HCD on September 12, 2022

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MESSAGE TO READERS:

This document is a Working Draft for review by the State of California Department of Housing and Community Development (HCD). It was initially published on July 29, 2022. As required by State law, the document was made available for public review for 30 days, ending on August 28, 2022. The City received 50 written comments during this period. As a result of these comments and further direction provided by the Albany City Council during a public hearing on September 6, the July 29 document was revised to produce this draft.

On September 6, the City Council authorized submittal of the edited draft to HCD. This submittal occurred on September 12, ten business days after the close of the 30-day comment period, as required by State law.

The State is required to provide comments back to the City within 90 days. Once State comments are received, a revised version of the Plan will be produced with edits responding to these comments. The revised version will be presented to the Planning Commission for a recommendation, and then to the City Council for adoption in early 2023. Public comment is invited and encouraged throughout this period.

City of Albany

2023-2031 Housing Element



Working Draft for HCD Review

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Land Acknowledgment

The City of Albany recognizes that we occupy the land originally protected by the **Confederated Villages of Lisjan**. We acknowledge the genocide that took place on these lands and must make strides to repay the moral debt that is owed to this indigenous people, specifically the Ohlone Tribe. We thank them for their contributions which have transformed our community and will continue to bring forth growth and unity. The City of Albany commits to sustaining ongoing relationships with the Tribe and together build a better future for all that now make this their home.

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Chapter 1: Introduction

The City of Albany’s 2023-2031 Housing Element provides a policy framework and implementation plan for addressing housing needs in Albany over an eight-year planning period. State law requires that all cities and counties in California have a compliant Housing Element as part of their General Plans. The purpose of the Housing Element is to meet the existing and projected housing needs of all segments of the population, including lower-income households and households and individuals with special housing needs.

To achieve this goal, the Housing Element must analyze housing needs, evaluate factors that could potentially constrain housing production, and identify sites for new residential development. Each city and county in the State must submit their Housing Element to the California Department of Housing and Community Development (HCD) for review and certification to ensure that it meets the minimum requirements under State Housing Element law. Albany’s prior Housing Element Update covered the 2015-2023 period, while this Housing Element Update covers the 2023-2031 period.

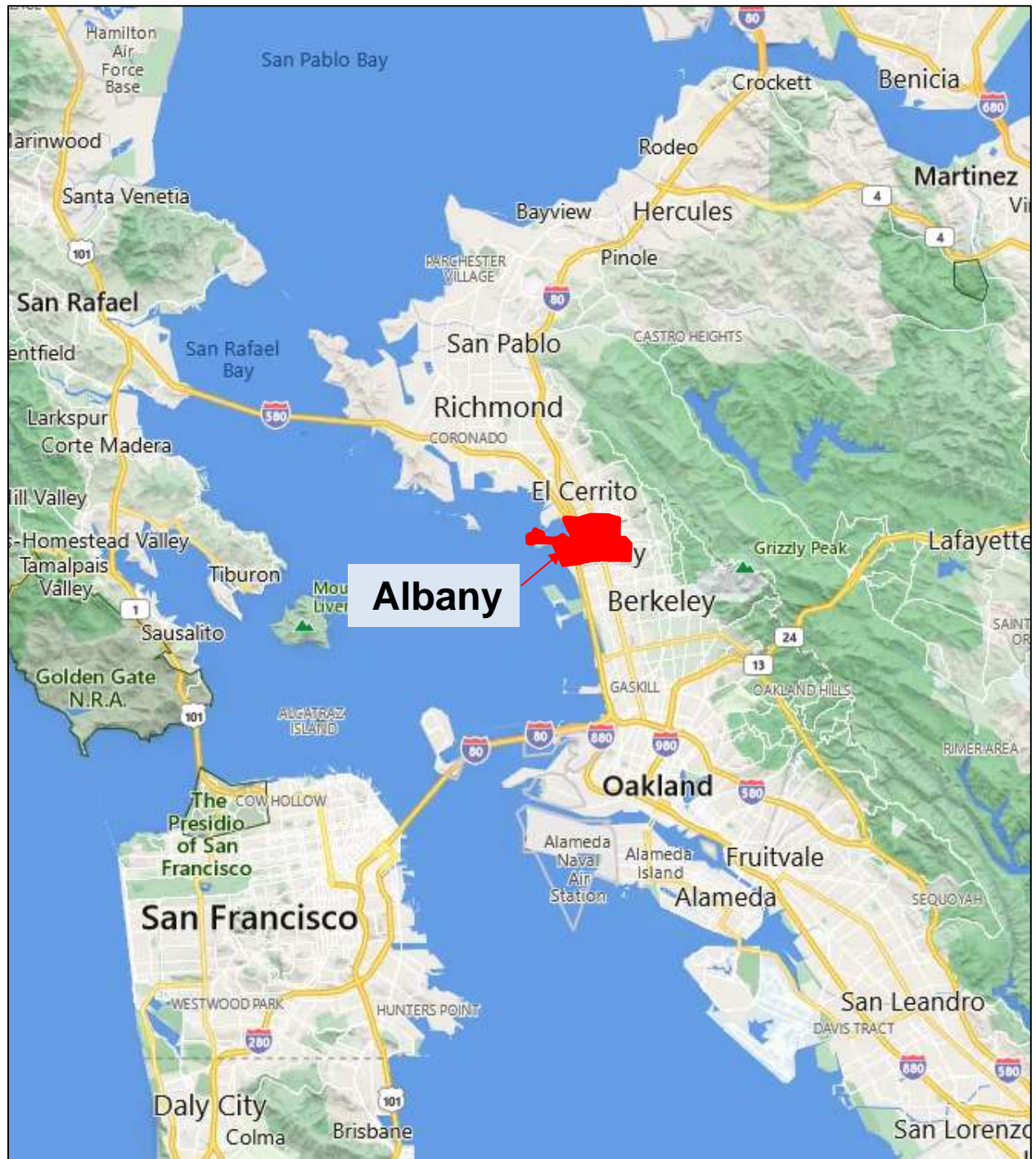
The following five sections are required in the Housing Element:

1. Review of the previous Housing Element
2. Assessment of housing needs
3. Inventory of potential sites for housing development
4. Analysis of governmental and non-governmental constraints to developing housing
5. Goals and policies for housing, coupled with specific action programs to be implemented in the coming years.

The Housing Element is also subject to a State mandate to “affirmatively further fair housing” (AFFH). This mandate affects the data and analysis in the Element, the selection of housing sites, the community process used to create the Element, and the policies and programs in the Element itself. Data and mapping requirements for AFFH are addressed in an Appendix to the Housing Element, but the principle of promoting fair housing and greater access to housing for all residents is an overarching theme throughout the document.

Setting

The City of Albany is located on the eastern shoreline of San Francisco Bay, surrounded by the open water to the west and the Berkeley Hills to the East (see Figure 1-1). It is bordered by Berkeley on the south and east, El Cerrito on the north, and Richmond on



Base Map from Bing Maps, 2022

Figure 1-1: Albany Location Map

the northwest. Albany's land area is 1.79 square miles. With a population of roughly 20,200 residents, it has a density of 11,284 persons per square mile. This makes Albany one of the highest-density cities in the Bay Area. Based on its land area and current population, Albany has the second highest population per square mile in the East Bay, exceeded only by Berkeley.

The community combines small-town ambiance with a central location in a major metropolitan region. In addition, the City is well known for its high quality public schools, waterfront setting, and pedestrian-oriented shopping areas. Together, these factors make Albany a unique and desirable place to live, and contribute to its tagline: "Urban Village by the Bay."

There are two main commercial streets in Albany. San Pablo Avenue runs north-south, and Solano Avenue runs east-west. Aside from these two streets, the city is comprised of a mix of single-family and multi-family housing, with a small industrial area that runs along Interstate 80 and the Union Pacific Railroad. Albany also has a large waterfront area, comprised of the Golden Gate Fields racetrack and regional open space.

Today, Albany has only a few vacant parcels remaining. Most development in the last 50 years has occurred through the "recycling" of underutilized sites with higher-density development. This is consistent with what is occurring throughout the Bay Area's older suburbs. Auto-oriented corridors such as San Pablo Avenue are gradually being redeveloped, with mid-rise mixed use projects replacing drive-through uses, parking lots, and older commercial properties. Such development not only provides diverse housing opportunities in a time of urgent need, it also encourages more sustainable, transit-oriented development.

Regional Housing Needs Allocation (RHNA)

The Housing Element process starts with the State determining the total need for housing in each region of California over an eight-year period. The regional housing need projections are broken down by income categories to account for needs among households at all income levels. Households are categorized as very low-income, low-income, moderate-income, or above moderate income. The income limits defining each of these categories varies based on household size and the Areawide Median Income in each County or region. Income limits are updated annually by HCD.

Regional councils of government across California are responsible for allocating their region's housing needs to individual cities and counties. This process is known as the Regional Housing Needs Allocation (RHNA). In the nine-county San Francisco Bay Area, the Association of Bay Area Governments (ABAG) is responsible the RHNA and is tasked with determining each county and city's "fair share" of the regional total. This

determination is made using a formula that considers population size, employment, proximity to transit, and access to resources such as schools, health care, parks, and services. Communities considered to be “high resource” areas received larger shares of lower income units in their RHNA, in order to increase access to opportunities across the region.

The total 2023-2031 RHNA across all counties and municipalities in the Bay Area is 441,176 units. This represents a 234 percent increase from the allocation for 2015-2023. Changes in state law and methodology, coupled with years of sluggish housing production, led to significantly higher assignments in this RHNA cycle.

Albany received just one-quarter of one percent (0.25%) of the regional allocation, or 1,114 units. This is roughly proportional to the city’s share of the region’s population. However, it is more than three times the number of units that Albany needed to plan for during the 2015-2023 period, which was 335 units. The City’s RHNA includes 308 units for very low-income households, 178 units for low-income households, 175 units for moderate-income households, and 453 units for above moderate-income households. This is shown in Table 1-1 below.

Table 1-1:
Albany’s Share of the Regional Housing Needs Allocation 2023-2031¹

Income Category²	NEW CONSTRUCTION NEED
Very Low (0-50% of AMI*)	308
Low (51-80% of AMI)	178
Moderate (81-120% of AMI)	175
Above Moderate (over 120% of AMI)	453
TOTAL UNITS	1,114

Source: Association of Bay Area Governments, 2021

*AMI=Area Median Income

¹ As specified by State law, the “planning period” for this Housing Element is January 31, 2023 to January 31, 2031. The “projection period” for the Housing Element begins on June 30, 2022. Projects occupied after June 30, 2022 may be counted toward the RHNA.

² The income ranges corresponding to each category are adjusted annually by the State and federal governments. They also vary based on the number of persons per household. As of May 2022, a “Very Low Income” household of four in Alameda County earned less than \$71,400; a “Low Income” household of four earned between \$71,400 and \$109,600, a “Moderate Income” household of four earned between \$109,600 and \$171,350, and an “Above Moderate Income” household earned more than \$171,350.



Rendering of proposed Satellite Affordable Housing Associates development on Cleveland Av

What is “Affordable Housing”?

There are references throughout this Housing Element to “affordable housing.” While the term sounds simple, defining what it actually means is quite complicated.

Officially, affordable housing is defined as housing that requires 30 percent or less of a household’s annual income. If a household earns \$100,000 a year and is spending \$3,000 a month on housing (\$36,000 a year—or 36% of their income), their housing is not affordable to them. Affordable housing is intended to close that gap, using public subsidies, tax credits, or other funding sources that allow each residence to be sold or rented at a rate below what the free market would demand.

To calculate affordability in practical terms, the state and federal governments have developed metrics tied to the median income in each county or region across the country. Affordable rental housing programs are usually targeted to persons considered to be “low” or “very low” income. In Alameda County in 2022, a household of four earning less than \$109,600 is defined as low income. For this household, affordable housing costs less than \$2,740 a month. For a very low-income household of four (income \$71,400), housing should cost less than \$1,785 a month. These amounts vary depending on the number of people in the household.

Affordable housing is typically constructed by non-profit developers with maximum rents or sales prices that may not exceed the affordability thresholds. Occupants of the affordable units must meet specific income criteria. Affordable housing may also be built by private developers.

Identification of Sites for Housing Development

Identification of potential housing sites is one of the most important parts of the Housing Element. The identification of a site does not necessarily mean it will be developed during the planning period, nor does it mean it must be developed with affordable housing. The intent of the Housing Site Inventory is to demonstrate that the city has an adequate number and variety of sites to meet its RHNA. In some cases, these sites are zoned to permit densities that are more likely to support affordable housing construction, but projects that are 100% affordable are not mandated on these properties.

Ultimately, the responsibility for constructing housing falls to the private market and non-profit housing developers. Cities are expected to assist by adopting development standards that support housing at a variety of densities, providing technical assistance and infrastructure, and adopting policies that encourage housing production, conservation, and assistance to persons with special needs.

Because of the significant increase in the RHNA between the last housing cycle and the 2023-2031 cycle, the City identified the need to rezone properties to meet the new housing allocation. The rezoning is being completed in stages. The first and most substantial phase was completed in July 2022 with the adoption of the San Pablo Avenue Specific Plan. This Plan encompasses 81 acres on both sides of San Pablo Avenue extending from the Berkeley city limits on the south to the El Cerrito city limits on the north. Adoption of the Plan raised height limits from 38 feet to 68 feet, with up to 85 feet allowed in some locations. Other development standards have been updated to support additional housing and make projects more financially viable on underutilized properties along the corridor.

Additional zoning actions are identified in this Housing Element. This includes changes to development standards along Solano Avenue, on Albany Hill, and in the city's residential zoning districts. Collectively, the intent of these zoning changes is to distribute housing opportunities across the city and avoid concentrating new housing in a single location. At the same time, the designation of housing sites follows sound city planning and sustainability principles, consistent with the Albany General Plan. This includes clustering higher densities along transit routes, avoiding hazardous areas, conserving the Albany waterfront, and respecting the historic character of Albany's neighborhoods.

HCD Review

The Housing Element is unique among the mandatory elements of the General Plan in several ways. First, the Element is subject to review by the State Department of Housing and Community Development (HCD). California Government Code Section

65585(b) requires the City to submit a draft of its Housing Element to HCD at least 90 days prior to adopting the Element. HCD may consult with any public agency, group, or person in its review and must consider any third party comments regarding the draft as they review it. A formal “findings” letter is issued by HCD to the City with the results of its review, including revisions that HCD determines are required to meet the standards of State law. If the City does not modify its Element to reflect HCD’s findings, it must include written findings in its adopting resolution explaining why the changes were not included.

Once the Housing Element is adopted, it is resubmitted to HCD to determine whether, in HCD’s view, the Housing Element “substantially complies” with State Housing Element Law. The City is eligible for certain grants and other funding only if HCD has found that the City’s Housing Element is in substantial compliance with State law. Cities determined to be out of compliance are vulnerable to adverse consequences such as fines and penalties.

HCD’s compliance determination is based in part on a detailed checklist corresponding to specific requirements set forth by the Government Code. The data and analysis requirements for the Housing Element are more substantial than those required for other elements of the General Plan. Thus, this element is typically longer and more detailed than the other elements.

Consistency with the General Plan

State law requires that general plans are internally consistent documents. The Government Code (Sec 65583(c)(7)) further requires that when any element of the plan is amended, the jurisdiction must demonstrate that it is consistent, or identify the means by which consistency will be achieved. As such, amendments to the Albany Housing Element require an evaluation of consistency with the land use, transportation, and other elements of the Albany General Plan. Policies in other elements must not conflict with those in the housing element, and the designations on the land use map must support the density assumptions and realistic capacity estimates in the housing element.

The City of Albany is processing two sets of General Plan Amendments in association with this Housing Element. The first set of amendments were approved in July 2022 as part of the San Pablo Avenue Specific Plan project. These amendments modified the density ranges and raised the floor area ratio limits for the San Pablo Mixed Use land use designation for consistency with the Specific Plan. The amendments also included minor map changes along the San Pablo Avenue corridor to increase residential development potential, updated narrative text about the corridor, and updated text on daylight planes.

A second set of text changes will be made as part of the Housing Element adoption. These will include further amendments to land use category definitions to reflect Housing Element programs as well as updates to the Safety Element. General Plan Map changes are not envisioned at this time.

Housing Element Update Process and Public Participation

State law requires that each jurisdiction make a diligent effort to obtain input from all economic segments of the community when preparing a Housing Element, with a particular focus on lower income households and groups that have not historically been engaged. While Albany has always been committed to transparent and robust public engagement, the State mandate requires that the Housing Element go a step further than traditional outreach programs. New strategies and initiatives were included in this process to engage a broader spectrum of the community. This included coordinating the Housing Element Update with the San Pablo Avenue Specific Plan outreach efforts, since both projects shared the goal of promoting housing opportunities in Albany.

The Specific Plan process started in Summer 2020, about nine months ahead of the Housing Element. It included a virtual open house (Winter 2021 Community Forum) using the Neighborland on-line platform. Notification of the open house was sent through postcards, flyers, emails, Nextdoor, e-News, on social media, and on the City's website. Feedback was received from at least 70 separate participants. While the focus was on San Pablo Avenue, much of the discussion was on the need for housing, the impacts of housing, and the design of housing in the planning area. Multiple meetings with the Planning and Zoning Commission and City Council followed the Community Forum. The Planning and Zoning Commission convened eight virtual study sessions on the Specific Plan.

The San Pablo Avenue Community Forum provided the starting point for an initial community discussion of the Housing Element, which was hosted by the Planning and Zoning Commission on February 24, 2021. This was primarily an orientation session, explaining the purpose of the Housing Element, the schedule for the update, the contents of the document, and key issues to be addressed.

The Albany City Council identified the Planning and Zoning Commission as the key vetting body for the Housing Element. Following the initial study session and discussion in early 2021, the Commission convened seven more public meetings. These are summarized below:

- May 13, 2021: Evaluating the Effectiveness of the 2015-2023 Housing Element.
- September 1, 2021: Housing Needs in Albany
- January 11, 2022: Housing Opportunity Sites

- February 23, 2022: Housing Opportunity Sites (continued)
- March 22, 2022: Constraints to Housing in Albany
- May 11, 2022: Affirmatively Furthering Fair Housing
- July 19, 2022: Housing Goals, Policies, and Programs

Each of these meetings included a staff presentation, Commissioner questions, public comments and questions, and a discussion of the topic presented. Meetings were publicly noticed, advertised, and announced on social media, with the webcast placed on the City's website after each meeting.

The City convened a "community conversation" (workshop) on the Housing Element in December 2021, including a presentation followed by a roughly one-hour town hall discussion. This meeting, like all others conducted during the project, was done virtually on Zoom in response to COVID-19 pandemic health and safety protocols. Live translation in Chinese and Spanish was provided.

The project team also provided several updates on the project to the Albany City Council in 2021 and 2022, and convened a study session on the Element with the Social and Economic Justice Commission in April 2022. Direct outreach was also provided to civic organizations such as the Albany Rotary. A small group discussion focused on tenant protection and the needs of lower income renters was convened in May 2022. Participants included Albany Thrives Together, a local housing advocacy group, and representatives from other housing advocacy organizations.

Input from the community has shaped the policy and program recommendations in this Element. Specifically, feedback from the Planning and Zoning Commission was directly applied to the policies and programs addressing Solano Avenue zoning and allowances for multi-unit buildings in the R-1 zoning district, as well as recommendations on inclusionary zoning and parking standards. Input from the Social and Economic Justice Commission helped inform the discussion of AFFH, including historic "redlining" maps and information on past discriminatory lending practices. Input from Albany Thrives Together was used to draft policies and programs on renter protection and anti-displacement. These policies and programs were subsequently edited based on feedback from Albany property owners and housing providers, and additional feedback from tenant groups. Direct comments from residents participating in workshops and Commission meetings informed the strategy to distribute housing sites more equitably across the city, including zoning changes on Albany Hill and Solano Avenue.

A "working draft" of the Housing Element was presented to the Planning and Zoning Commission on July 19, 2022 and to the City Council on July 26, 2022. This document was officially published on July 29, 2022 and circulated for 30 days prior to submittal to HCD. There were 50 comment letters on the Draft received and edits were made

accordingly. The Council approved a request to submit the Draft Housing Element to HCD at its September 6 meeting, nine days following the close of the 30-day review period. The Element was submitted to the State on September 12, more than 10 business days after the close of the comment period, as required by State law.

Additional community engagement will occur through the Plan adoption process, including adoption hearings once the Plan is revised and brought forward.

Organization of this Element

Following this introduction, the Housing Element includes the following chapters:

Chapter 2: Evaluation of the 5th Cycle Housing Element. An evaluation of the City's 2015-2023 Housing Element, including progress toward achieving the 2015-2023 RHNA objectives and an assessment of progress toward implementing the programs from the 2015-2023 Housing Element.

Chapter 3: Housing Needs Assessment. An analysis of demographic and socio-economic conditions, housing conditions, market trends, and other factors to evaluate current and future housing needs in Albany, including housing needs among lower-income households and populations with special housing needs.

Chapter 4: Housing Sites and Resources Analysis. An evaluation of the sites that can accommodate the City's RHNA, including an analysis of site suitability and availability. This also includes the State-mandated discussion of energy conservation programs.

Chapter 5: Constraints to Housing Conservation and Production. The constraints analysis addresses governmental constraints to housing development such as zoning, development fees, development standards, and development review processes, as well as non-governmental constraints, such as high land and construction costs and public opposition to housing construction.

Chapter 6: Housing Plan. A set of goals, policies, and programs to address the City's housing needs as well as quantified objectives for housing development and preservation during the planning period.

Appendices: A series of appendices containing background details and technical analysis are included at the end of this document. These include:

- A. Assessment of Fair Housing
- B. Housing Opportunity Site Inventory
- C. "Substantial Evidence" Case Studies of housing density on the San Pablo Av corridor

2 – Review of Previous Housing Element

Government Code Section 65588 requires each local government to periodically review its housing element to:

- (1) Evaluate the appropriateness of the housing goals, objectives, and policies in contributing to the attainment of the state housing goal, which is to provide decent housing and a suitable living environment for every Californian.
- (2) Evaluate the effectiveness of the housing element in attainment of the community's housing goals and objectives.
- (3) Discuss the progress of the city or county in implementation of the housing element.

2015-2023 RHNA and Actual Housing Production

The City's Regional Housing Needs Allocation (RHNA) for the prior (2015-2023) period was 335 units. The City provided adequate sites to accommodate this assignment, which included 80 units of very low-income housing, 53 units of low-income housing, 57 units of moderate-income housing, and 145 units of above moderate-income housing. The actual number of units permitted during the first seven years of this eight-year period, based on the City's Annual Housing Progress reports, was 286 units.

Table 2-1 shows the actual amount of housing permitted over the first seven years of the eight-year period. Permits were issued for 286 units, or 85 percent of the RHNA total. However, the units were not evenly distributed across income categories. The City exceeded its moderate- and above-moderate assignments. Although the City had adequate high-density sites available throughout the planning period, it fell short of its low- and very low-income assignments. Between the start of 2015 and the end of 2021, permits were issued for zero very low-income units, one low-income unit, 74 moderate-income units and 211 above moderate-income units.

The single low-income unit permitted was an inclusionary housing unit. The moderate-income units were almost entirely accessory dwelling units (ADUs). The above moderate-income units were mostly associated with a single project – Belmont Village – which is a market rate senior housing development. Outside of Belmont Village and ADUs, building permits were issued for just 36 other market-rate housing units.

The number of units entitled (in other words, approved) was substantially higher, but many of these units were not approved until the last few years of the planning period and they have not been built yet. Construction is anticipated during the 2023-2031 period. These projects include a 62-unit lower income housing development as well as several market-rate developments with inclusionary (lower income) housing units.

Table 2-1: New Housing Units Permitted by Year, 2015-2021

Year	Income Level				Total
	Very Low	Low	Moderate	Above Moderate	
2015			7		7
2016				186	186
2017			4	8	12
2018			17	7	17
2019			12	10	19
2020		1	15	1	26
2021			19		19
TOTAL	0	1	74	211	286

Source: City of Albany Annual Housing Progress Reports, 2015-2021

Review of Prior Housing Element Policies

The next section of this chapter evaluates the policies and actions of the previous Housing Element and reports on the progress that has been made in implementation. The policy and program numbers correspond with the numbering in the adopted 2015-2023 Housing Element. A series of tables is presented listing each program action and indicating whether it should be “advanced” (carried forward) or “revised”, or whether the action has been “achieved” or is “pending” (in progress).

The 2015-2023 Element included five goals, each of which included specific policies and action programs. The first goal addressed preservation of the existing housing stock, the second goal addressed the production of new housing, the third goal addressed special needs housing, the fourth goal addressed housing constraints, and the fifth goal addressed fair housing and equal opportunities.

Progress on Goal 1: Housing Conservation

Goal 1 in the 2015-2023 Housing Element focuses on the preservation and maintenance of Albany’s existing housing stock. The goal remains valid. It should be carried forward, but reframed to acknowledge that neighborhoods are dynamic, evolving places that can still provide housing opportunities.

Nine policies and seven action programs were provided. Progress on the action programs is summarized in Table 2-2.

Policy 1.1 calls for the City to maintain zoning, permitting, and code enforcement practices that encourage reinvestment in the housing stock. This continues to be a relevant policy. It is implemented through the Municipal Code and the development review, plan checking, building permitting, and building inspection processes. Policy 1.2 calls for participation in programs to rehabilitate older housing units. This includes programs funded through the Alameda County Housing and Community Development Department (Minor Home Repair grants) and federal Community Development Block Grants. It also includes support for housing rehabilitation by the private and non-profit sectors. The policy remains relevant and should be carried forward.

Policy 1.3 calls for limits on the conversion of rental apartments to condominiums. This is implemented through the Condo Conversion Ordinance. Although the annual cap on conversions (3% of the multi-family rental housing stock) has never been reached, this remains an appropriate policy. The policy should be retained and expanded to recognize the importance of including naturally occurring affordable rental units. Policy 1.4 calls for conserving “newly constructed” student family housing at UC Village. Although the reference to “newly constructed” should be deleted, retention of student housing remains an important objective.

Policy 1.5 calls for zoning regulations which limit the size of single family homes. The intent is to discourage “teardowns” and maintain an inventory of moderately-priced owner-occupied housing. While this is still a valid objective, the passage of SB9 and need to affirmatively further fair housing across the city suggest that this policy be reframed. Protecting neighborhood character should not preclude allowing for new sensitively-designed dwelling units in single family areas. Policy 1.6 allows the restoration of non-conforming multi-family units in single family zones if they are destroyed by fire or natural disasters. This is an existing Municipal Code standard and does not need to be stated here. Policy 1.7 promotes weatherization and energy conservation to reduce home energy costs. This remains a relevant policy. Energy conservation can reduce housing costs and is also a sustainability and climate action goal.

Policies 1.8 and 1.9 were added to the Housing Element in the 2015 update. Policy 1.8 recommends limiting the conversion of apartments to short-term rentals in order to protect the rental housing stock. It remains relevant. Policy 1.9 supports co-housing and shared housing to adapt to changing household types and make housing more affordable. This policy also remains relevant and should be continued.

Table 2-2: Implementation Status of Programs Under Housing Goal 1

Prog.	Description	Status
1A	Maintain building and housing code enforcement programs.	<i>REVISE. The City does not have sufficient resources for a full-time code enforcement officer. The Community Development Director, Planning Director, and Building Inspector respond to complaints as needed. Because the housing stock is in excellent condition, complaints are rare. Nonetheless, Code Enforcement provisions in the Municipal Code may be outdated and should be reviewed and updated if appropriate. The City could consider a more proactive Code Enforcement program in the future.</i>
1B	Continue to work with Alameda Community HCD in the implementation of neighborhood preservation programs, including housing rehabilitation grants, low interest loans, the minor home repair program, accessibility grants, and the major rehabilitation loan program.	<i>ADVANCE. This program should be carried forward. The number of qualifying Albany homeowners is limited due to the City's relatively high income. However, housing and construction costs have increased significantly in recent years and there continues to be a need for minor home repair grants for low-income homeowners.</i>
1C	Monitor housing units with affordability restrictions to ensure that prices are maintained at affordable levels and that occupants meet approved affordability criteria.	<i>ADVANCE. This continues to be applicable, but there are only seven units with resale restrictions in the City at this time. The City periodically requests income information and mortgage information from these owners to demonstrate affordability compliance. This may need to be done on a more regular basis. The only renter-occupied units subject to affordability restrictions are at Creekside Apartments. These are managed by RCD, a non-profit housing developer. RCD ensures that occupants meet eligibility criteria.</i>
1D	Use the Albany website and other means to encourage the participation of local residents in programs aimed at reducing home energy bills.	<i>REVISE. The City of Albany website has a dedicated "Energy Efficiency and Electrification" page with information on rebate programs, energy saving measures, and home electrification. It also has developed a website (www.carbonfreealbany.com) with information on how to reduce monthly energy bills, including financial assistance for lower income households. With the growing move to electrify home energy systems, it may be helpful to identify additional resources for lower income households.</i>

1E	Continue the partnership with the cities of Berkeley and Emeryville to provide weatherization assistance to low income Albany households.	<i>REVISE. This program was implemented through the Berkeley Office of Energy and Sustainability – however, it appears to have been replaced with County and regional programs and State Initiatives (Energy Upgrade California) providing similar services, as well as building emission savings programs. It should be updated. See also prior note on electrification.</i>
1F	Evaluate Albany Municipal Code provisions for rentals of 30 days or less and determine if changes are needed to avoid the loss of potential affordable units, particularly second units. In the event the City determines that such units are being used as short-term rentals or could be used as short-term rentals in the future, pursue appropriate Code amendments or enforcement actions to prevent such use.	<i>REVISE. At the time this program was written, the City was assessing the best way to handle Short Term Rentals (STRs), which were still a relatively new phenomenon. Since that time, the City has maintained a data base of short-term rentals and monitors the total number to determine if further action is needed. The City amended its ADU regulations on January 1 2020 to require a deed restriction prohibiting the rental of new ADUs for terms of less than 30 days. It also contracts with Host Compliance (a private service) to monitor short-term transient occupancy tax collection. The impact of STRs on the City's housing supply continues to be an issue, but the program as worded should be updated.</i>
1G	On a case by case basis, allow well designed remodels to single family homes which make it easier for multiple households to share the home. Such remodels should be consistent with applicable Building Code and Zoning Regulations.	<i>POTENTIALLY DELETE OR REVISE. The City has no restrictions that limit shared housing or preclude multiple households from sharing a home. The program could be reworded to make it clearer that this is addressing the conversion of single family homes into independent living units (with multiple kitchens, etc.) with shared common spaces.</i>

Progress on Goal 2: Housing Production

While Goal 1 in the 2015-2023 Housing Element focuses on conservation, Goal 2 emphasizes the production of new housing. The intent is not just to facilitate construction, but also to encourage construction at a variety of price ranges, so that all residents are served. This continues to be one of the most important goals of the Housing Element and it should be carried forward. Thirteen policies and 12 action programs are provided in the existing Element. Progress on the action programs is summarized in Table 2-3.

Policy 2.1 supports housing diversity. This continues to be a challenge and a priority in Albany. There are very few sites for single family home development, and most multi-family development has consisted of market rate apartments, townhomes, and ADUs. Additional opportunities for ADUs, affordable multi-family and mixed use housing,

live-work, and non-traditional housing (co-housing, manufactured homes, etc.) should continue to be pursued in the future. Policy 2.2 encourages a balance between owner and renter occupancy. This continues to be a valid policy, and it is consistent with the General Plan vision of Albany as an economically diverse community. It could be reworded to avoid listing specific housing types, thus creating more flexibility. Policy 2.3 specifically calls for more *affordable* housing. The policy remains relevant and could potentially be supplemented by other policies which address the growing affordability gap in the city.

Policy 2.4 supports home ownership, which has historically been an important community value in Albany. The policy should be refocused on affordable ownership alternatives for moderate income buyers, who have been priced out of the for-sale market due to the lack of options under \$1 million. Policies 2.5, 2.6, 2.7, 2.9, and 2.11 promote particular housing types, including accessory dwelling units (ADUs) (2.5), manufactured housing (2.6), mixed use (2.7), live-work (2.9), cooperatives, and co-housing (2.11). All of these policies remain relevant and should be carried forward. Some of these policies (such as 2.5) should be moved to Goal 1, as they are intended to apply to established neighborhoods.

In response to State laws passed since 2015, the City has revised its Municipal Code to make it easier to build ADUs in the City and to incentivize ADU production. Manufactured housing continues to be permitted in all residential zoning districts, and live-work is permitted or conditionally permitted in the SC, SPC, and CMX zones. The City continues to explore zoning changes to facilitate mixed use development, including changes to parking requirements and the recently adopted Specific Plan for the San Pablo Avenue corridor. No specific actions have been taken to encourage cooperatives or co-housing, but both housing types are permitted and encouraged in the residential and mixed use zoning districts.

Policy 2.8 supports context-sensitive design and calls for affordable units to be built to the same design standards as market-rate housing. This policy is important to ensure that affordable housing has community acceptance and makes a positive contribution to the city's character. The policy should be retained. Policy 2.10 supports planned unit developments. This enables flexibility in the design of new development and can enable projects that preserve open space and are more responsive to site conditions. Allowing a PUD also can provide a mechanism for creating public benefits in a development (such as affordable housing). This policy also should be retained.

Policies 2.12, 2.13, and 2.14 were added to the Housing Element in the 2015 update. Policy 2.12 supports "scattered site" small (2-4 unit) affordable housing development, in addition to more conventional affordable housing projects. This supports the concept of affirmatively furthering fair housing by distributing affordable units in multiple locations, including single family neighborhoods. It should be moved to Goal 1.

Policy 2.13 encourages the City to consider housing opportunities beyond the sites listed in the Housing Element. This has been done in practice and is an important part of the 2023-2031 Housing Element Update. Probably the best example is the SAHA affordable housing project, which is located on a site that was not identified in the 2015 Element. Policy 2.14 encourages the use of low-income housing tax credits, which continues to be applicable. In fact, limited access to financing has delayed the start of recently proposed affordable housing in the City. The City should consider a new goal and related policies (including this one) focused on increase financing and funding resources.

Table 2-3: Implementation Status of Programs Under Housing Goal 2

Prog.	Description	Status
2A	Continue implementation of an inclusionary housing program which requires 15% of proposed units in for-sale projects with seven units or more to be made affordable to low-income households, and which requires payment of an in-lieu fee for 5-6 unit projects. Explore revisions to the program to ensure that it is achieving desired outcomes, is compliant with inclusionary zoning case law and statutes, and is responsive to changes in the housing market.	<i>ADVANCE/REVISE. This continues to be a relevant program, but only a few units have been created under this program since 2015. Changes to State law in 2017 allow the City to apply the Ordinance to rental housing now, which suggest it may generate more affordable units in the future. The City could explore changes to the 15% set-aside requirement and adjustments to the required allocations by income group. Albany should continue to encourage the affordable units to be provided on-site rather than payment of an in-lieu fee.</i>
2B	Complete a nexus study, either independently or collaboratively with one or more other jurisdictions in the East Bay, to determine the cost and feasibility of an affordable housing impact fee	<i>COMPLETED/DELETE. The nexus fee study was completed in early 2017, considered by the City Council in April 2017, and forwarded to the Planning Commission for discussion. Potential fees were evaluated both for non-residential development (per square foot of space) and market rate development not subject to the inclusionary ordinance. The City has not adopted new fees at this time due to the potential for adverse financial and economic impacts. A replacement program related to potential new funding sources could be considered.</i>

Prog.	Description	Status
2C	Maintain a density bonus ordinance consistent with state requirements. Encourage applicants to apply for density bonuses as a tool to produce affordable housing and promote new housing subject to the parking standards defined by state law rather than the requirements set by Albany Measure D.	<p>REVISE. This is an ongoing program that is implemented as applications are received. Several recently proposed projects have requested density bonuses. Municipal Code density bonus provisions were updated in 2018 and 2019 in response to changes in State law. New State requirements (AB 2345) became effective January 1, 2021. Future changes to density bonus law are likely and the City will update its Codes as necessary.</p> <p>The reference to Measure D should be updated based on recent changes to parking standards. The City's parking requirements are compliant with State requirements.</p>
2D	Evaluate, and if feasible implement, an Affordable Housing Incentive Program (AHIP) focused on the SC and SPC zoning districts.	<p>REPLACE. The emerging San Pablo Avenue Specific Plan will effectively serve as an Affordable Housing Incentive Program by allowing taller buildings in areas with higher percentages of affordable units. Updated programs will be needed to permit "by right" approval of projects with 20 percent or more affordable units and to consider height bonuses for affordability in other parts of Albany (particularly along Solano Avenue).</p>
2E	Develop a Housing Opportunities Public Information Campaign to disseminate information to Albany residents and business and commercial property owners about housing programs and the need for affordable housing, special needs housing, and emergency shelter. Typical actions would include publication and distribution of flyers, workshops, town meetings, and information on the City's website and Albany Newsletter.	<p>ADVANCE/EXPAND. Replace the word "develop" with "continue" and pursue ways to expand this program. The City continues to promote and support affordable housing and events and activities that raise awareness. More robust activities are possible and should be explored.</p>
2F	Continue to participate in the Alameda County HCD Mortgage Credit Certificate Program, which provides home ownership opportunities for moderate income first time home buyers.	<p>ADVANCE. Ongoing program, administered by Alameda County. Carry forward. Move to new goal about financing/financial resources.</p>

Prog.	Description	Status
2G	Work with local non-profit developers to identify potential housing sites, and to pursue available funding, including CDBG and HOME funds, for the construction of affordable housing.	<i>ADVANCE. The City has engaged non-profit developers such as Satellite Affordable Housing (SAHA) and BRIDGE Housing in implementing its Housing Element and encouraged them to pursue development on housing opportunity sites. The City is currently in an exclusive negotiation agreement with SAHA regarding a development on City-owned property and is assisting the developer with securing other sources of financing.</i>
2H	Continue to work with interested property owners to encourage the assembly of underutilized parcels and their consolidation into single parcels in order to create larger, more marketable potential housing sites, especially along the San Pablo Avenue corridor.	<i>ADVANCE/REVISE. The City does this in practice and is currently working with the owners of Albany Bowl to consolidate parcels. However, it has not adopted specific incentives to encourage lot mergers (such as allowing higher FARs on larger parcels). This issue remains important in the 6th RHNA Cycle as sites smaller than 0.5 acres are generally more difficult to develop with high density multi-family and mixed use housing.</i>
2I	Continue implementation of the recently approved second unit amnesty program. The intent of the program is to formally register second units which may have been illegally constructed in the past or which are otherwise exempt from zoning requirements, and to ensure that such units meet health and safety standards.	<i>ACHIEVED/REPLACE. The City adopted an amnesty program in 2014 and continues to work with owners to legalize ADUs created without permits. It may be possible to delete this program and replace it with new actions addressing ADUs, or to address specific issues associated with legalizing unpermitted ADUs.</i>
2J	Conduct a survey of second unit rents every three years to determine the extent to which they may be counted as affordable to lower- and moderate-income households for the purposes of the Regional Housing Needs Allocation.	<i>ACHIEVED/ADVANCE. The City maintains a data base of ADUs and conducted owner surveys in 2015 and 2018. It should continue conducting surveys every three to four years in the future, including requesting information about rents (to determine affordability). Staff tracks rental listings on Craigslist and other on-line sources.</i>
2K	Create a City of Albany Affordable Housing Fund which becomes a repository for funds that will be used to help support affordable housing development in the City.	<i>ADVANCE. The City directs affordable housing-related revenues to the Human Services Budget. To date, funds have been insufficient to justify a dedicated "Affordable Housing Fund" and are primarily used for rental assistance rather than to support housing development. The City has not collected in-lieu fees through its inclusionary housing program, as the required affordable units have been provided on-site.</i>

Prog.	Description	Status
2L	Monitor development activity on the Housing Opportunity Sites to ensure that the City maintains sufficient land to accommodate the Regional Housing Needs Allocation (RHNA) during the planning period.	<i>ADVANCE. This program remains relevant. There was no net loss of capacity on the housing opportunity sites identified in the 2015-2023 Element. This program will become more important in the 2023-2031 Element since the RHNA is much higher and there will be a larger number of sites listed.</i>

Progress on Goal 3: Special Needs Housing

Goal 3 focuses on the special housing needs of seniors, persons with disabilities, persons experiencing homelessness, extremely low-income households, and others who cannot easily find housing in the private market. One of the major purposes of the Housing Element is to outline provisions to meet special housing needs; thus, this goal should be retained and carried forward. There are nine policies and nine actions in the 2015-2023 Element. Table 2-4 summarizes progress on the action programs.

Policies 3.1 and 3.2 address the needs of seniors, with Policy 3.1 supporting new senior housing development and 3.2 supporting “age in place” retrofits of existing housing. Both of these policies remain relevant and should be carried forward. A 175-unit market rate senior housing development was developed during the early part of the 2015-2023 planning period on San Pablo Avenue. However, the project serves above moderate income seniors, which represents only one economic segment of the senior population. Additional housing continues to be needed for lower income seniors.

Policy 3.3 supports group homes and residential care facilities. Policies 3.4 and 3.5 cover the housing needs of persons with disabilities. All three of these policies continue to be relevant. Policy 3.3 is implemented through Municipal Code provisions which express state law on the siting of group homes. Policies 3.4 and 3.5 are implemented through the Albany Building Code. Additional resources are needed to meet the housing needs of persons with disabilities, including those with developmental disabilities.

Policy 3.6 addresses the needs of extremely low income (ELI) households, while Policy 3.7 is focused on solutions to homelessness. Both of these policies remain relevant and should be carried forward. The City continues to have limited funds to assist ELI households. The City contracts with Berkeley Food and Housing to provide limited daytime services for residents experiencing homelessness. It has no emergency shelter, and no permanent housing units specifically set aside for ELI households. Policy 3.8 supports transitional and supportive housing, while Policy 3.9 supports programs to connect those in need of housing assistance with residents with resources. Additional action programs to meet the needs of homeless and other ELI households are needed for the next planning period.

Table 2-4: Implementation Status of Programs Under Housing Goal 3

Prog.	Description	Status
3A	Encourage the inclusion of units for persons with disabilities within new development, and require the inclusion of such units when necessary to meet state and federal requirements.	<i>MOVE TO POLICIES. This is more of a policy than an action program and should probably be merged with Policy 3.5. The City could consider a new program to increase the percentage of units that are adaptable or accessible for persons with disabilities.</i>
3B	Support the construction and rehabilitation of housing to meet the needs of Albany residents with developmental disabilities, including group homes and units within affordable housing developments designed for developmentally disabled residents, consistent with fair housing law.	<i>ADVANCE. The City does not have any units specifically reserved for persons with developmental disabilities. As a member of the Alameda County CDBG County Consortium, Albany supported the development of affordable housing for persons with developmental disabilities in Alameda. The program should be carried forward in the event opportunities for such housing arise in the future. This program is also consistent with SB 812, which requires local government support for housing for persons with developmental disabilities.</i>
3C	Continue to allow the renting of rooms in private homes to provide affordable housing opportunities for students, seniors, and other extremely low-income households. Support the use of home-sharing services to pair those seeking housing with those with available space.	<i>ADVANCE/REVISE. The City has continued to allow and support the renting of rooms in private homes. More specific home sharing partnerships and programs could be considered (such as partnerships with Roomily and other on-line services).</i>
3D	Continue to participate in the Section 8 voucher program, which provides assistance to very low-income tenants through rent subsidies paid directly to landlords. Provide outreach and informational materials to residents eligible to participate in the program and encourage the Alameda County Housing Authority to expand the availability of vouchers for Albany residents.	<i>ADVANCE. In 2022, there were only 12 households in Albany using Section 8 vouchers. In 2015, there were 31 households in the City using vouchers. At the Countywide level, the number of vouchers has been declining. Programs to increase the use of vouchers may be considered, along with landlord education or incentives. The number of vouchers available is beyond the City's control but the City can advocate for increased funding.</i>
3E	Continue to prioritize programs which benefit extremely low-income households in the disbursement of funds through the annual CDBG program.	<i>ADVANCE. This is an ongoing program and has been especially relevant due to loss of employment and financial hardship during the COVID-19 pandemic. remains relevant. This program should remain.</i>

Prog.	Description	Status
3F	Allow emergency shelter by right (e.g., without a Conditional Use Permit) in the Commercial Mixed Use (CMX) zoning district and the San Pablo Commercial (SPC) zoning district. Seek additional public input on allowing emergency shelter with a conditional use permit in the Solano Commercial (SC) and R-3 zoning districts, and amend the zoning if there is broad support.	<i>ADVANCE. The City continues to allow shelters by right in the CMX and SPC districts. It has not yet considered zoning amendments to allow shelters as a conditional use in the SC and R-3 zones. This is a valid program that could be achieved in 2023-2031.</i>
3G	Continue to work with Alameda County to address the housing and supportive service needs of Albany's population experiencing homelessness, taking a "Housing First" approach.	<i>ADVANCE. The City continues to participate in EveryOne Home, the primary non-profit agency working to end homelessness in Alameda County. New programs to address the needs of unsheltered and at-risk residents should be considered in the 2023-2031 Element.</i>
3H	Continue outreach and engagement efforts to assist homeless Albany residents in securing safe affordable shelter and associated supportive services. Explore alternatives to continue outreach and engagement in future.	<i>ADVANCE/UPDATE. This program was initially developed in response to encampments on the Albany Bulb in 2013-14. While Bulb residents were relocated, the City continues to have an unsheltered population in need of affordable shelter, financial assistance, and supportive services. Albany CARES, Berkeley Food and Housing, and community partners continue to provide limited services to help people find housing, secure rental agreements, and obtain rental assistance. Additional programs should be considered based on more recent State and County initiatives and funding sources. The City should continue to consider development of a drop-in center during the 2023-2031 period.</i>
3I	Continue to explore the use of former tax increment affordable housing set-aside funds distributed to the City of Albany and ensure that any future funds are used to support affordable housing initiatives. High priority for the use of such funds should be given to programs benefiting extremely low income households.	<i>ACHIEVED/ DELETE. This program was developed specifically for "boomerang funds" that were returned to the City following the dissolution of redevelopment agencies in California in 2012. These funds have been expended and are no longer available, and this policy can be deleted. Other programs to tap available financial resources should be developed.</i>

Progress on Goal 4: Housing Constraints

Goal 4 is to reduce constraints to housing production. This continues to be a valid goal that should be included in the 2023-2031 Housing Element. Nine policies and 10 actions were included. Progress on the actions is outlined in Table 2-5 and progress on the policies is addressed below.

Policy 4.1 called for zoning to accommodate a diverse mix of housing types. This is still relevant, and it should be carried forward. The City's high density residential zoning districts allow up to 87 units per acre, and collectively all four residential districts allow a diverse range of housing types. Policy 4.2 calls for commercial zoning which provides incentives for mixed use projects which include housing over commercial uses. This continues to be a relevant policy.

Policy 4.3 called for parking regulations that reflect the context of each site and housing type, rather than using a blanket citywide standard. This policy preceded the approval of Measure N1 (2016), which changed the way that parking standards are set and allowed reduced parking for multi-family units. The policy continues to be relevant and should be retained.

Policy 4.4 called for fees which conform to state and federal laws. This remains applicable, though perhaps does not need to be stated since it is self-evident. Policy 4.5 recommended maintaining sufficient infrastructure and service capacity to serve anticipated growth, and working with other service providers (water, schools, etc.) to do the same. This policy should be carried forward. The City regularly communicates with the School District, EBMUD, Caltrans, EBRPD, and other agencies to coordinate service delivery and to plan for growth.

Policy 4.6 called for additional public education and outreach on planning and building requirements. This policy provides the basis for web-based information on zoning regulations and permitting procedures. The policy remains relevant. Additional policy direction promoting "non-traditional" housing types would be helpful, given Albany's limited land supply, commitment to sustainability and green building, and the public's interest in alternative housing arrangements and household structures.

Policy 4.7 encourages innovative housing types. If this policy remains, Policy 2.11 could potentially be deleted or the two policies could be merged. Policy 4.8 encourages car-free living, as this reduces transportation expenses and provides more disposable income for housing. This continues to be relevant and supports the City's climate action and GHG reduction goals. Policy 4.9 supports maintaining adequate staffing levels for program implementation. While the intent is valid the need for a Housing Coordinator would be better expressed as a program than a policy. That could elevate this position as a budget priority.

Table 2-5: Implementation Status of Programs Under Housing Goal 4

Prog.	Description	Status
4A	<p>(1) Consider an amendment to the R-1 zone to allow applications for FARs between 0.55 and 0.60 to be approved by staff, rather than by the Planning and Zoning Commission, when they affect lots smaller than 3,000 square feet.</p> <p>(2) Consider giving the Commission the authority to approve FARs between 0.60 and 0.65, subject to the same findings now required for projects between 0.55 and 0.60.</p> <p>(3) Consider amendment to the setback standards for R-3 lots. Currently, R-3 requires 15-foot front and 15-foot rear setbacks. While these setbacks may be reasonable on larger lots, they make it difficult to achieve the maximum allowable densities on smaller parcels.</p>	<p><i>ADVANCE. The issues raised in this action have not been implemented – but also do not appear to have been a constraint during the 2015-2023 planning period. They should still be carried forward but presented more generally without tying setting the specific FARs to be used.</i></p> <p><i>In 2019, the City eliminated Code requirements for “minimum lot area per dwelling unit.” Although this had not been identified as a constraint in the 2015 element, it was a potential internal inconsistency in the Code. Its elimination makes density requirements less ambiguous and provides clearer direction to applicants.</i></p>
4B	Explore, and if feasible adopt, additional changes to the City’s second unit regulations and permitting policies to facilitate the construction of both attached and detached units, including manufactured, modular, and pre-fabricated dwellings. In addition, consider provisions for reduced fees, fee waivers, and other concessions for owners who agree to rent-restrict their units to a very low income household for a period of at least 10 years.	<p><i>ACHIEVED/REPLACE. The most recent amendments to the ADU regulations were in 2020, in response to State legislative requirements. Additional State legislation is possible – and there may be future opportunities to facilitate ADU construction. A replacement policy should be included.</i></p> <p><i>The City did not pursue deed-restricted ADUs for very low income households. Providing suitable incentives for a deed restriction would require attractive financial benefits to the homeowner, which are not feasible at this time. This could change in the future.</i></p>
4C	Maintain a zoning overlay for selected commercial properties along San Pablo Avenue in University Village on which residential uses must be included as a complement to commercial uses in any future development application.	<p><i>ACHIEVED /DELETE. This action was specifically directed at the San Pablo frontage of University Village and guided what is now Belmont Village and the Sprouts Shopping Center. The action has been completed and can be deleted. Similar actions could be considered for other parcels in the City, and additional actions should be considered to facilitate affordable housing development on the remaining opportunity sites with UC Village.</i></p>

Prog.	Description	Status
4D	Consider, and if appropriate adopt, additional modifications to the development standards for mixed use development (e.g., residential over commercial) to further incentivize the development of housing, including housing affordable to low, very low, and extremely low income households, on commercially zoned sites.	<i>REVISE. This program provided a framework for the San Pablo Avenue Specific Plan and facilitated the City's receipt of an SB 2 grant to modernize its mixed use zoning standards. The program should be revised to identify additional actions that come out of the Specific Plan – or complemented by similar measures for Solano Avenue or other parts of Albany with residential/mixed use development potential.</i>
4E	Complete a citywide parking study, including recommendations for managing parking supply and demand and reducing residential parking requirements. The recommendations will help inform a future ballot measure (See Program 4.F).	<i>ACHIEVED/ DELETE. The ballot measure (N1) was approved by voters in November 2016. The City completed the parking study in 2017 and implementing ordinances were approved in Fall 2017. Parking needs remain fluid and could change by 2031 with the advent of new technology, living and working patterns, and vehicle ownership trends. The City should continue to monitor best practices.</i>
4F	Pursue a 2016 ballot measure to revise the two space per unit residential parking standard required by Measure D (1978). This revision would recommend more proportional ways to calculate parking requirements (e.g., based upon unit size, number of bedrooms, unit type, and the population served, with special exemptions for senior housing, proximity to transit, or available land for parking in the immediate neighborhood).	<i>ACHIEVED/ DELETE. See description above. Measure N1 was approved by 64.7% of Albany voters in 2016. The City adopted new parking standards in October 2017, including provisions for reduced parking requirements for projects with specified Transportation Demand Management (TDM measures).</i>
4G	Continue to provide reduced fees and expedited processing procedures for affordable housing. Review the impact of these incentives every four years and revise them as necessary.	<i>ADVANCE. This is an ongoing activity. Fee waivers and fee reductions are ongoing activities that are prescribed in the Master Fee Schedule. Most recently, fee waivers were applied to 62-unit SAHA affordable housing project. The City has not specifically reviewed the impacts of the incentives or revised them in response to developer feedback. Other incentives need to be added to the 2023-2031 Housing Element to close the financing gap that delays approved projects from actually being constructed.</i>
4H	Prepare and periodically update a Capital Improvement Plan to define upcoming projects and funding needs.	<i>ADVANCE. This is an ongoing function of the Public Works Department. It remains relevant and should be carried forward.</i>

Prog.	Description	Status
4I	Ensure that future amendments to the General Plan consider potential impacts on the Housing Element, particularly the viability of development on the Housing Opportunity Sites. Conversely, ensure that any future amendments to the Housing Element include amendments to other elements of the Plan as necessary to maintain internal consistency.	<i>ADVANCE. This is now required under SB 330 (The Housing Crisis Act of 2019) – it should be maintained. The City has not had any General Plan Amendment requests since the Plan was adopted in 2016, though it has proactively amended the Plan to accommodate the San Pablo Avenue Specific Plan.</i>
4J	Evaluate Planning and Building Code provisions for non-traditional housing types such as tiny homes, micro units, container homes, straw bale homes, and other homes constructed of sustainable building materials. As appropriate, develop Code provisions which accommodate such housing types and support their construction in Albany.	<i>REVISE. No specific Code constraints have been identified, in part because the City has not seen any applications for the housing types listed here. With rising interest in “3-D printed” ADUs and other new construction methods, this could be an issue in the future.</i>

Progress on Goal 5: Fair Housing

Goal 5 addresses equal access to housing and enforcement of state and federal laws regarding housing discrimination and opportunity. The goal remains relevant and should be carried forward. There are seven policies and five actions listed. Table 2-6 indicates the status of the actions. It is expected that the policies and programs in the 2023-2031 Element will need to be expanded to address recent State requirements to affirmatively further fair housing.

Policy 5.1 states the City’s commitment to ending housing discrimination and providing recourse for residents who are being denied fair housing rights. This is an important statement of the City’s values and it should be retained. Policy 5.2 supports landlord-tenant dispute resolution and housing counseling. This policy continues to be implemented through the City’s agreement with ECHO Housing, a non-profit housing rights group. It remains relevant. Feedback during the 2023-2031 Housing Element Update suggested additional, stronger policies and programs to protect tenants and stabilize rents. Policy 5.3 supports reasonable accommodation for persons with disabilities. Such provisions have been codified through the Municipal Code and should be carried forward.

Policy 5.4 supports partnerships with nearby cities to address housing issues that extend beyond the Albany city limits. The policy recognizes the limitations of administering housing programs in a small, revenue-constrained city, and the potential

for “economies of scale” through multi-city efforts. The policy should be retained. Policy 5.5 calls for multi-lingual outreach and language access for all Albany residents. As the City has become more linguistically diverse, this policy has become more important. It should be retained.

Policy 5.6 calls for community engagement on housing issues. During the 2015-2023 planning period, the City worked collaboratively with a number of local groups, including the resident-led Diverse Housing Working Group and Albany Housing Advocates, and regional groups, such as the San Francisco Housing Action Coalition. The City is committed to a productive, transparent, inclusive civic dialogue on housing issues. This policy should be retained, and additional outreach should be supported. Policy 5.7 supports measures to reduce displacement, including indirect displacement of lower income tenants due to rising rents. This has been a particularly high and relevant priority during the COVID-19 pandemic. Tenant protection measures will continue to be a priority and this policy should be retained and potentially expanded.

Table 2-6: Implementation Status of Programs Under Housing Goal 5

Prog.	Description	Status
5A	Continue to work with Eden Council for Hope and Opportunity (ECHO) in the administration of fair housing services to Albany residents. Publicize these services in the quarterly Albany newsletter, on the website, and through other media at City Hall, the Albany Library, the Albany Community Center, and other important social centers in the city. Make fair housing materials available to local organizations for distribution to their members and those who they serve.	<i>ADVANCE. This is an ongoing program that should be carried forward. Between 2015 and 2021, ECHO has continued to provide fair housing services and administers the City’s rent review program. Training for interested members of the public were held in 2017 and 2020. Training has also been incorporated in community outreach on the rent review program.</i>
5B	Continue to work with ECHO in the administration of landlord-tenant mediation services to Albany residents.	<i>REVISE. The City continues to work with ECHO, but in 2018 the arrangement was formalized through a Rent Review Program and Mandatory Mediation Program. Updated renter protection actions should be included.</i>
5C	Implement appropriate recommendations from the 2010 Alameda County Analysis of Impediments to Fair Housing Choice report.	<i>UPDATE. The most recent Impediments report should be referenced. The report identifies new actions to affirmatively further fair housing that should be incorporated in the 2023-2031 Element.</i>

Prog.	Description	Status
5D	Engage a local housing advocacy group or non-profit housing rights organization to conduct at least one free training and educational program on fair housing laws, including laws for reasonable accommodation. If feasible, the training should be done annually.	<i>REVISE. This could potentially be merged with Program 5A as the training programs are led by ECHO Housing. The most recent programs incorporated fair housing training into the orientation sessions for the rent review program.</i>
5E	Evaluate the feasibility of creating a rent review board to mediate instances of rapid rent increases.	<i>REPLACE. The City did not create an official rent board but instead created a mandatory mediation program in 2018. There is interest among tenant advocates and tenants on replacing this program with new provisions for rent control and just cause for eviction. The cost and feasibility should be addressed during the next planning period.</i>

Chapter 3 – Assessment of Housing Needs

Introduction

This chapter of the Housing Element presents an assessment of housing needs in Albany. It has been prepared in compliance with Government Code Section 65583(a), which requires:

“An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs”

The Government Code specifically requires an analysis of population and employment trends and an estimate of the locality's existing and projected housing needs for all income levels. It also requires an analysis of household characteristics, including the level of payment compared to ability to pay, housing characteristics, overcrowding, and housing stock condition. There are also statutory requirements to evaluate the special housing needs of older adults, persons with disabilities, large families, families with female headed households, and persons experiencing homelessness or at risk of homelessness. Cities are further required to evaluate the status of any subsidized housing units that are eligible to change from low-income housing to market-rate housing due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use.

By evaluating these factors, cities can ensure that their policies and action programs are responsive to local demographics and housing stock characteristics.

The data cited in this chapter comes from a number of sources, including the US Census, the 2020 American Community Survey (ACS), the State Department of Finance, and the City of Albany, among others. The ACS represents a five-year average of conditions from the beginning of 2015 to the end of 2019 based on surveys that are administered to approximately three percent of the city's residents each year (or about 15 percent over five years). ACS data for 2015-2019 was released on December 10, 2020. While the data has a margin of error since it represents a sample and not the entire population, it provides useful benchmarks indicating how the city has changed since the 2010 Census. At the time the 2023-2031 Housing Element was prepared, most of the 2020 Census was not yet available. Basic Census-tract level data on population, race and ethnicity, and housing units was released in August 2021 and is cited in this report.

Population Characteristics

Albany is a mature, compact city and was mostly urbanized before 1960. Development since 1960 has consisted primarily of multi-family infill housing, and the replacement of older homes and commercial uses with new housing. The city grew slowly between 1960 and 2000, increasing by about 1,600 residents over 40 years (see Table 3-1). Growth accelerated occurred during 2000-2010, as the city's population increased by over 2,000 residents during that decade. Much of this growth was attributable to the reconstruction of UC Village, a housing development serving student families at the University of California. Growth was also attributable to an increase in average household size between 2000 and 2010.

The city's population has continued to grow since 2010. Data from the 2020 US Census released in August 2021 indicated a population of 20,271 on April 1, 2020. This represents a 9.4 percent increase since 2010 and a 23.3 percent increase since 2000. The 2020 Census marks the first time that Albany's population has exceeded 20,000 residents. The growth between 2010 and 2020 is almost entirely the result of increased household sizes, as there was relatively little net new construction over the decade.

Population growth between 2010 and 2020 was somewhat greater than expected based on the annual American Community Survey (ACS) data compiled by the Census. The 2020 ACS indicates a population of 19,804, while the April 1, 2020 Census count was 467 residents higher. Moreover, the California Department of Finance estimated that Albany's population had declined by 1,800 residents between January 2020 and January 2021, presumably as a result of the departure of families from University of California (UC) Village during the COVID-19 pandemic. While there may well have been a decline at UC Village, it was temporary in nature.

Table 3-1
Population Growth Trends

Year	Population	Numerical Change	Percent Change
1960	14,804		
1970	14,674	-130	-0.9%
1980	15,130	456	3.1%
1990	16,327	1,197	7.9%
2000	16,444	117	0.7%
2010	18,539	2,095	12.7%
2020	20,271	1,732	9.3%

Source: US Census, 1960-2020

Based on US Census and California Department of Finance data, Albany grew more rapidly than its neighbors during 2000-2010 and more slowly than its neighbors during 2010-2020. Growth between 2010 and 2020 was just over 10 percent in Berkeley, El Cerrito, and Richmond. Albany's growth rate was 9.3 percent, which was still above the regional average. The Bay Area as a whole grew by 8.6 percent between 2010 and 2020, while the State of California grew by 6.1 percent.

Table 3-2
Population Trends - Neighboring Jurisdictions

	2000	2010	2020	% Annual Change	
				2000-2010	2010-2020
Albany	16,444	18,539	20,271	12.7%	9.3%
Berkeley	102,743	112,580	124,321	9.6%	10.4%
El Cerrito	23,171	23,549	25,962	1.6%	10.2%
Richmond	99,216	103,701	116,448	4.5%	12.3%

Source: US Census, 2000-2020

Age Distribution

Table 3-3 shows a breakdown of population by age in 2000, 2010, and 2020. Chart 3-1 shows age distribution graphically, using slightly different cohorts. The data source for 2020 in this instance is the ACS, which is based on conditions in 2015-2019.

The past decade has seen a continued upward trend in the number of children and youth, stability in the young adult (25-44) population, an increase in the 45-54 age cohort, a sizeable decrease in the 55-64 cohort, and an increase in the 65-74 cohort. On a percentage basis, the changes between 2010 and 2020 were less dramatic than those between 2000 and 2010. The first decade of the century saw more substantial increases in the percentage of children and a near doubling of the 55-64 population. That decade was also influenced by the reconstruction of UC Village, which was completed in 2008.

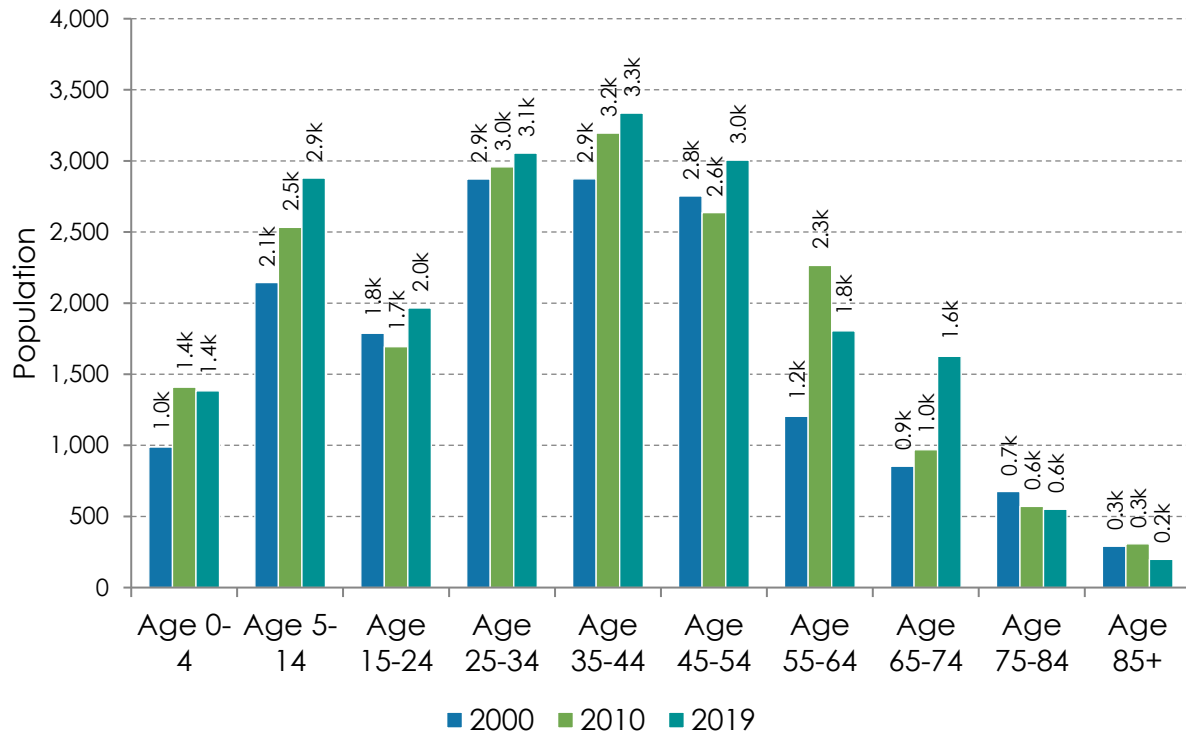
There are anomalies in the 2015-2019 data, likely attributable to the ACS sampling methodologies. Specifically, the number of residents over 75 is reported as declining by 130 residents between 2010 and 2020. An increase would be expected due to the aging of the overall population and the opening of a 175-unit assisted living facility (Belmont Village). In addition, median age in the city went down from 37.0 to 36.5, and the 55-64 age cohort declined by 460 residents, both unexpected trends given the age distribution in 2010 and overall citywide growth. Some of these anomalies may be reconciled upon the full release of Census 2020 age data.

Table 3-3
Population by Age, 2000 to 2020

Age Group	2000		2010		2020	
	Number	Percent	Number	Percent	Number	Percent
0-9 years	2,013	12.2%	2,735	14.8%	2,762	13.9%
10-19 years	2,044	12.4%	2,165	11.7%	2,614	13.2%
20-24 years	864	5.3%	736	4.0%	852	4.3%
25-34 years	2,873	17.5%	2,958	16.0%	3,055	15.4%
35-44 years	2,874	17.5%	3,196	17.2%	3,336	16.8%
45-54 years	2,753	16.7%	2,637	14.2%	3,006	15.2%
55-59 years	756	4.6%	1,178	6.3%	902	4.6%
60-64 years	448	2.7%	1,087	5.9%	903	4.6%
65-74 years	853	5.2%	969	5.2%	1,626	8.2%
75-84 years	675	4.1%	571	3.1%	550	2.8%
85+ years	291	1.8%	307	1.6%	198	1.0%
Median Age	36.3		37.0		36.5	

Source: US Census, 2000-2010, December 2020 American Community Survey [ACS], 2015-2019

Chart 3-1: Age Distribution, 2000-2020

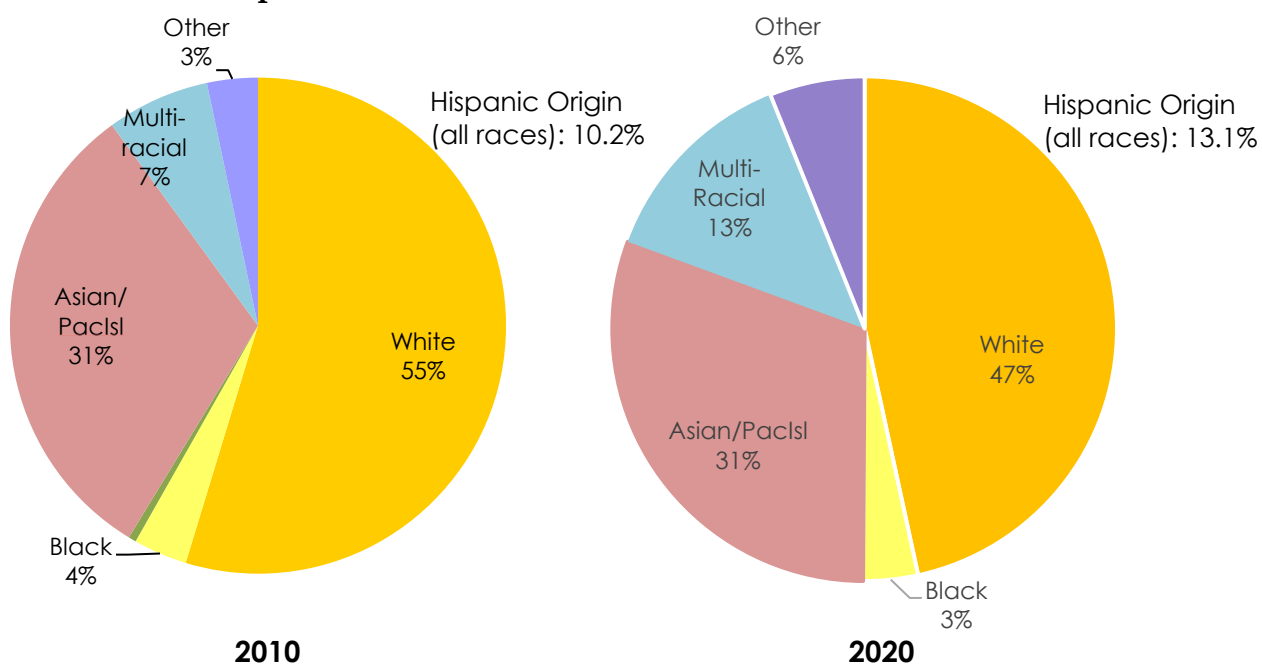


Source: US Census, ACS 2015-2019, ABAG 2021

Racial and Ethnic Composition

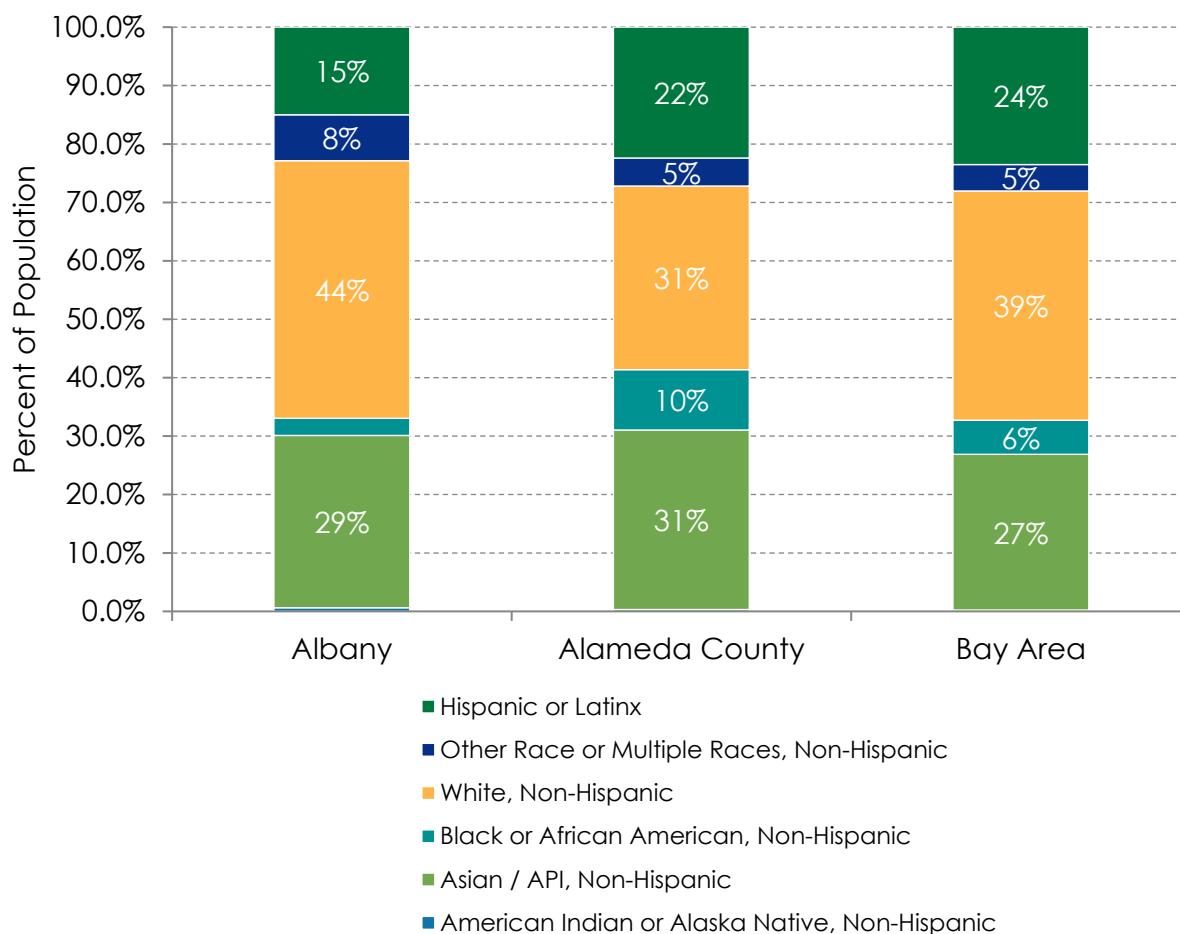
Albany has become more diverse in the past two decades. As indicated in Chart 3-2, newly released data from the 2020 Census indicated the city was 47 percent White, 31 percent Asian, 3 percent Black, 13 percent multi-racial, and six percent other races. The percentage of White residents declined between 2010 and 2020, from 55 percent of the population to 47 percent. This continues a trend occurring since 2000, when White residents represented 61 percent of the population. The percentage of Asian residents remained constant during the 2010-20 period. The percentage of residents identifying as multi-racial or “other” was the fastest growing segment of the population. These two categories represented 10 percent of the population in 2010 and 20 percent in 2020.

Chart 3-2: Racial Composition, 2010 and 2020



Source: US Census, 2010, 2020

The Census Bureau defines Hispanic ethnicity separate from racial categories. For the purposes of Chart 3-2, those who identify as “Hispanic” may be members of any racial group, including “Other.” Chart 3-3 breaks out the population that identifies as Hispanic as well as those in other ethnic groups that identify as “non-Hispanic.” The data is from the 2015-2019 ACS so it does not fully align with Chart 3-2, but it does allow a comparison of Albany’s demographics with Alameda County and the Bay Area as a whole.

Chart 3-3: Population of Hispanic Origin in Albany, Alameda County, and Bay Area

Source: ABAG, 2021; ACS, 2015-2019

Relative to Alameda County and the region, Albany has a smaller percentage of Hispanic and Black residents and a larger percentage of White residents. The percentage of Asian residents is comparable to the countywide and regional figures. Based on 2020 Census data, Alameda County continues to be one of the most diverse counties in the Bay Area and the Bay Area is one of the most diverse regions in the United States.

Language

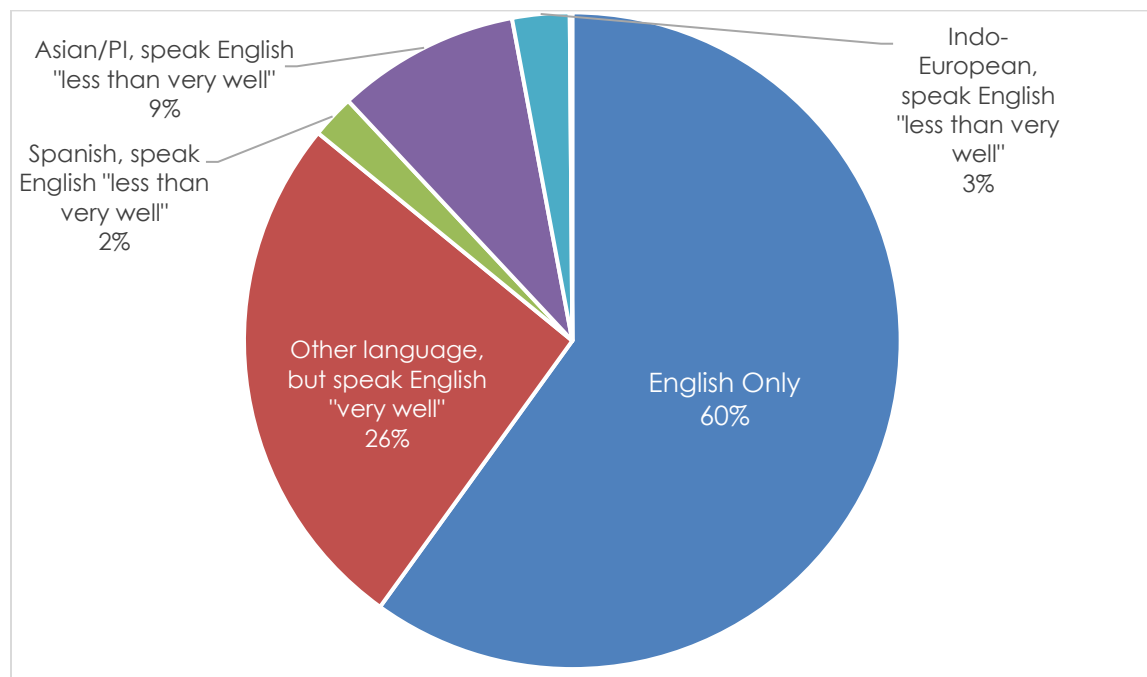
The growth in the foreign-born population has been accompanied by a growing number of multi-lingual and non-English speaking residents in the city. However, the percentages have not changed significantly since 2010. As Chart 3-4 indicates, 40 percent of Albany's residents speak a language other than English at home (compared to 39 percent in 2010).

Roughly 14 percent of the city's residents speak English "less than very well" – about two thirds of those residents spoke an Asian language. About nine percent of the city's residents speak Spanish at home, but nearly 80 percent of these residents are also fluent in English. Among the city's Asian and Pacific Islander residents, only 54 percent indicate they speak English "very well." Among Asian seniors, the figure was just 31 percent.

Among those indicating they spoke English "less than very well," there were 246 residents who did not speak English at all. Another 565 indicated they spoke English "not well," and 1,786 who spoke English "well" but not "very well."

The data suggest an ongoing need for multi-lingual services, including those related to housing. Among Albany's roughly 6,300 foreign-born residents, 24 percent were born in China, nine percent each in India and Korea, six percent in Mexico, four percent each in Brazil and Japan, and 44 percent in other countries around the world. Among the city's foreign-born residents, 32.2 percent entered the United States after 2010, compared to 21.6 percent in Alameda County as a whole. More than half (55.9 percent) are not US citizens, compared to 45.9 percent countywide. This may be at least partially attributable to the student presence at UC Village.

Chart 3-4: Language Spoken at Home by Persons Over 5



Source: ACS, 2015-2019

Household Characteristics

The April 1, 2020 US Census reported that there were 7,493 households in Albany. This is an increase of 92 households over the 2010 Census, representing a 1.2 percent growth rate over the decade. This is a much slower rate of household growth than was experienced between 2000 and 2010, when the city gained 400 households. However, the net gain during that decade was skewed by the reconstruction of UC Village, which was demolished starting in 1998 and reconstructed by 2008.

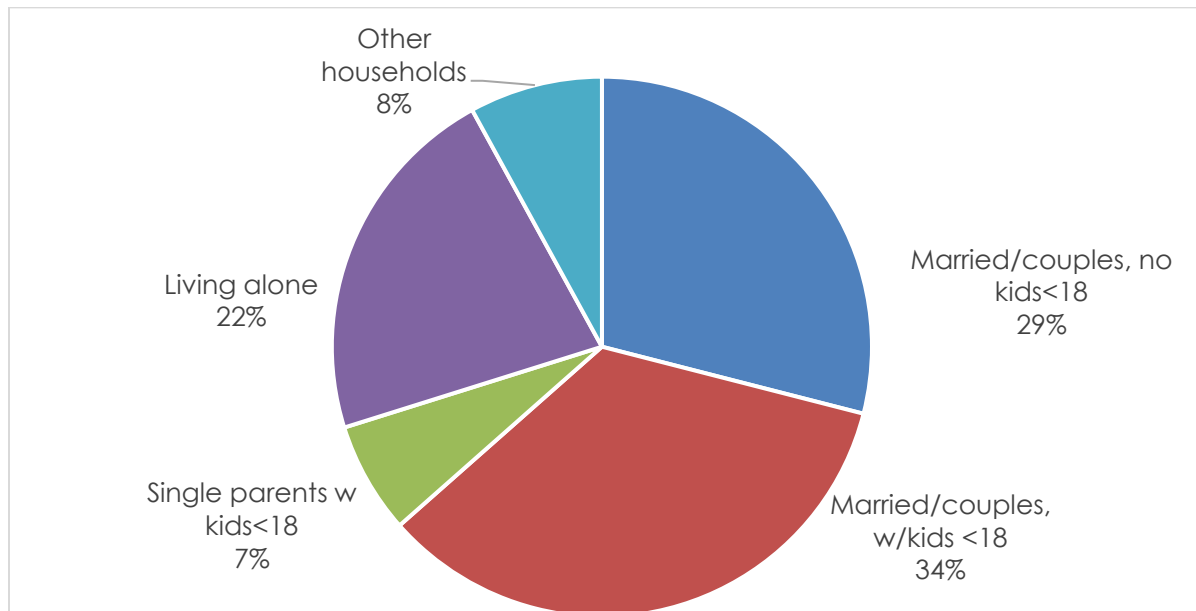
According to the ACS data for 2015-2019, the city's population included 62 residents in group quarters and 19,742 residents in households. Group quarters population include unrelated individuals living in nursing homes, dormitories, and other congregate housing types, typically without private kitchens and bathrooms in the unit. Historically, UC Village residents have been counted as being in households rather than group quarters, as the housing units are designed for occupancy by families. Recent data releases from Census 2020 show potentially conflicting data relative to the 2015-2019 ACS, with 1,395 residents at UC Village counted as living in group quarters and 2,425 counted as living in households. The ACS data is used in the discussion below.

ACS data for 2015-2019 indicates an average household size of 2.62 persons. Household size has been increasing for the last 20 years; it was 2.34 in 2000 and 2.49 in 2010. However, Albany is still below the countywide average of 2.82 persons per household.

Chart 3-5 indicates the composition of Albany's households by type. Table 3-4 compares data for the city with data for Alameda County as a whole, breaking the data in Chart 3-5 into finer categories. Approximately 29 percent of all households in Albany consisted of married or partnered couples with no children under 18 living at home. This percentage has not changed since 2010. Approximately 34 percent of the city's households consisted of married or partnered couples with children under 18 at home. This figure has increased from 29 percent in 2010 and is substantially higher than the countywide figure of 25.1 percent.

There were approximately 500 single parent households with children in the city, representing 6.7 percent of all households. This included 410 single mothers and 87 single fathers with children at home. As a percentage of the total population, these figures are slightly higher than the countywide average of 5.2 percent. However, they have declined from 2010, when single parent households comprised nine percent of Albany's total.

In total, 43 percent of all Albany households have children under 18. This compares to 34 percent in Alameda County and 32 percent in the nine-county Bay Area.

Chart 3-5: Household Composition in Albany

Source: ACS, 2015-2019

Table 3-4
Household Type in Albany and Alameda County

Type Household	Albany		Alameda County	
	Number	Percent	Number	Percent
Married, with no children under 18 at home	1,708	22.9%	157,144	27.2%
Cohabiting couple, with no children under 18 at home	450	6.0%	27,567	4.8%
Married, with children under 18	2,407	32.3%	134,935	23.4%
Cohabiting couple, with children under 18	161	2.2%	9,778	1.7%
Single dad with kids under 18	87	1.2%	6,081	1.1%
Single mom with kids under 18	410	5.5%	23,572	4.1%
Living alone	1,627	21.9%	141,077	24.4%
Other households	594	8.0%	77,023	13.3%
TOTAL	7,444	100.0%	577,177	100.0%

Source: ACS, 2015-2019

About 22 percent of the city's households are single people living alone, down from 25 percent in 2010. This is close to the countywide figure of 24 percent. Approximately eight percent of the households in the city are shown in Chart 3-5 and Table 3-4 as "Other." These households primarily consist of unrelated individuals sharing a home or apartment. They are generally, but not exclusively, non-family households.

Tenure

Just over half of Albany's households are renters. There has been fluctuation in the renter/owner proportions over the last two decades, influenced by the reconstruction program at UC Village and by market trends and housing costs.

As Table 3-5 indicates, 54 percent of the city's households were renters in 1990. With the demolition of 356 units at UC Village in 1998, the percentage of renters declined to 49 percent by the 2000 Census. As the units were reconstructed in 2000-2008, the percentage increased and by 2010, renters once again comprised a majority of the city's households. Between 2010 and 2020, the percentage of renter households continued to grow, reaching 53 percent of the total. Relative to the *population*, 48.3 percent of Albany's residents live in owner-occupied units and 51.7 percent live in rental units.

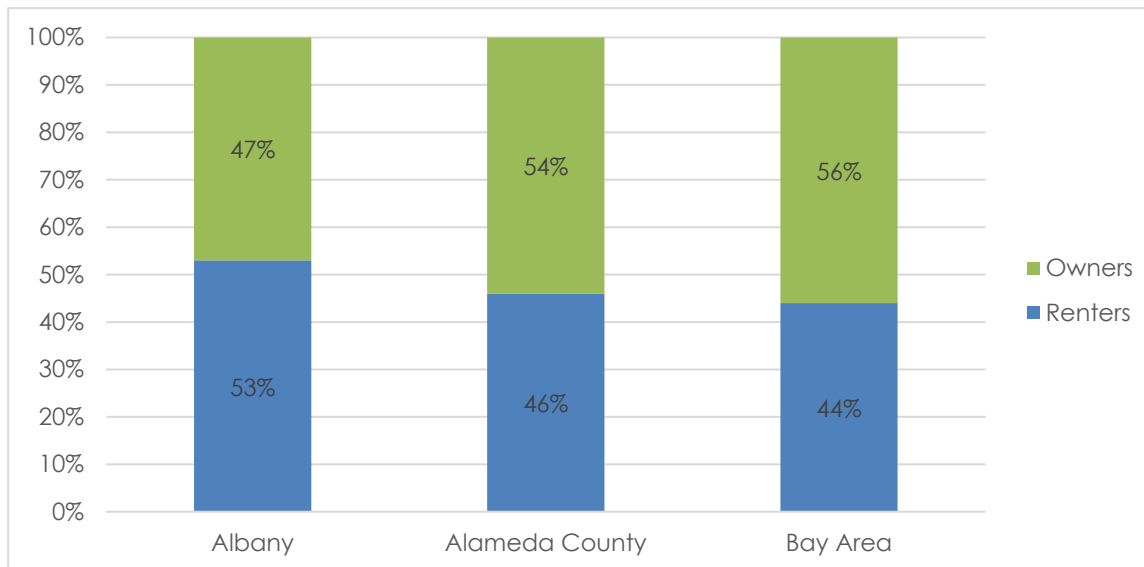
The percentage of owner-occupied units is lower in Albany than in Alameda County and the Bay Area as a whole. As shown in Chart 3-6, both the county and the region are majority owner-occupied.

The ACS also provides information on the types of housing units occupied by renters. The data indicates that 1,041 of the city's renter households live in single family homes (including townhomes) and 2,899 live in apartments. By contrast, only 523 of the city's owner households live in apartments (e.g., condominiums), with the majority residing in single family detached homes and townhomes. Looked at another way, 20 percent of the city's single family detached homes are renter-occupied. The figure rises to 69 percent for townhomes and 85 percent for multi-family units.

Table 3-5
Households by Tenure, 1990-2020

	1990		2000		2010		2020	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Owner	3,299	45.9%	3,550	50.6%	3,574	48.3%	3,496	47.0%
Renter	3,895	54.1%	3,461	49.4%	3,827	51.7%	3,948	53.0%
TOTAL	7,194		7,011		7,401		7,444	

Source: US Census, 1990-2010, ACS 2015-2019

Chart 3-6: Household Tenure in Albany, Alameda County, and Bay Area

Source: ACS, 2015-2019

Employment Trends

Employment affects the demand for housing and the dynamics of the housing market in a community. The types of jobs that are present affect the wages paid, and the ability of local workers to pay for housing. At the same time, the skills and employment characteristics of local residents (e.g., the “workforce”) affect the affordability of housing and the ability of residents to find work nearby.

Albany residents are generally well educated and the city’s unemployment rates have historically been below the regional average. Among residents 25 and older, 72.9 percent were college graduates as of 2020, compared to a countywide rate of 47.4 percent. According to the California Employment Development Department (EDD), there are 9,300 Albany residents in the labor force and 8,800 are employed.¹ In July 2021, the EDD indicated that Albany had a 5.0 percent unemployment rate. The countywide rate was 6.5 percent. Unemployment was higher in 2021 than it was in 2019, with the market continuing to be impacted by the COVID-19 pandemic. In April 2020, the unemployment rate was 11.4 percent in Albany and 14.5 percent in Alameda County.

¹ California Employment Development Department. July 2021. The ACS (2015-2019) indicates that Albany’s labor force includes 10,476 residents but is based on sample data rather than the more recent EDD count. Tables 3-6 and 3-7 use ACS data and result in different local labor force totals than the EDD.

Table 3-6
Employment of Albany, Alameda County, and Bay Area Residents by Industry

Sector	Albany		Alameda County		Bay Area	
	Number	% of total	Number	% of total	Number	% of total
Agricultural and Natural Resources	18	0.2%	3,129	0.4%	30,159	0.7%
Construction	327	3.2%	45,984	5.3%	226,029	5.6%
Financial and Professional Services	2,645	26.2%	223,957	26.0%	1,039,526	25.8%
Health and Educational Services	4,125	40.8%	259,953	30.1%	1,195,343	29.7%
Information	275	2.7%	30,599	3.5%	160,226	4.0%
Manufacturing, Wholesale, and Transportation	1,041	10.3%	150,214	17.4%	670,251	16.7%
Retail	562	5.6%	76,483	8.9%	373,083	9.3%
Other	1,120	11.1%	72,130	8.4%	329,480	8.2%
TOTAL	10,113	100.0%	862,449	100.0%	4,024,097	100.0%

Source: ACS, 2015-2019

Table 3-7
Employment of Albany, Alameda County, and Bay Area Residents by Occupation

Sector	Albany		Alameda County		Bay Area	
	Number	% of total	Number	% of total	Number	% of total
Management, Business, Science, and Arts	6,977	69.0%	433,362	50.3%	1,993,583	49.5%
Natural Resources, Construction, and Maintenance	167	1.7%	53,392	6.2%	261,724	6.5%
Production, Transportation, and Material Moving	414	4.1%	85,231	9.9%	351,745	8.7%
Sales and Office	1,079	10.7%	157,602	18.3%	759,735	18.9%
Service Occupations	1,476	14.6%	132,862	15.4%	657,310	16.3%
TOTAL		100.0%	862,449	100.0%	4,024,097	100.0%

Source: ACS, 2015-2019

Table 3-6 provides information on the economic sectors in which Albany residents work. Table 3-7 highlights the occupations of Albany residents. In both case, local data is compared to countywide and regional data.

About 41 percent of the city's residents are employed in the health and educational service sectors. This is a larger share than either the county or region. About 26 percent are employed in financial and professional services, which is comparable to the county and regional averages. Only about 10 percent of the city's residents are employed in manufacturing, wholesale, and transportation (e.g., "industrial jobs") compared to 17 percent regionally. Albany also has fewer residents employed in the retail sector – about five percent compared to eight percent regionally.

The principal occupational sector for Albany residents is "Management, Business, Science, and Arts" – this includes a broad range of career positions in professional sectors. More than two-thirds of local residents have such jobs, compared to one-half at the county and regional levels. Fewer than 15 percent of the city's residents are employed in service occupations, which is the second largest category. The city also has a smaller number of residents in sales than the county or region. ACS data also indicates that Albany has a larger share of self-employed workers than the county as a whole (15 percent vs 10 percent), and a significantly larger share of government workers than the county as a whole (25 percent vs 13 percent).

The ACS 2015-2019 data indicates that 15.8 percent of Albany's employed residents worked within the city--- 46.1 percent commuted to another city in Alameda County and 38 percent commuted to another county. Outside of Alameda County, the primary commute destinations were Contra Costa County and San Francisco. Commute patterns were disrupted in March 2020 as a result of the pandemic, so the data does not reflect current conditions. Prior to COVID-19, ACS data indicates that 8.3 percent of the city's employed residents worked from home, which was already above the countywide average. That percentage was likely much higher in 2022.

The number of jobs in the city has been relatively stable for the past 20 years and is not expected to change dramatically in the future. There are two commercial streets in the city – San Pablo Avenue and Solano Avenue, and there is a commercial-industrial district in the western part of the city along the railroad. A majority of the city's businesses are small, locally owned establishments. Employers include:

- Local government, including the City of Albany and Albany Unified School District
- Other government facilities such as U.S. Department of Agriculture Western Regional Research Laboratory and the State of California's Orientation Center for the Blind

- Two major retailers, Target and Safeway
- Community institutions, such as St. Mary's High School
- Small professional offices such as medical, dental, and legal services
- Small businesses such as food service and personal services

Employment data from the Association of Bay Area Governments (ABAG) is included in Table 3-8. According to ABAG, the number of jobs in the city increased by 30 percent between 2002 and 2018. Most of this increase occurred between 2011 and 2018 as the city and region recovered from the 2008-10 recession. The ABAG data, which is based on the US Census Longitudinal Employer Household Dynamics (LEHD) survey, indicates that there are roughly 4,500 jobs in the city. The largest sectors of the local economy are health and education, and arts, recreation, and services. These sectors have become more prominent in the last two decades, representing 61 percent of all jobs in the city in 2018 (compared to 49 percent in 2002).

Table 3-8
Jobs Located in Albany, 2002, 2010 and 2018

Sector	2002		2010		2018	
	Number	% of total	Number	% of total	Number	% of total
Agricultural/ Natural Resources	0	0%	2	0.1%	2	0.0%
Arts, Recreation, and Other Services	824	23.9%	939	25.3%	1,270	28.3%
Construction	159	4.6%	66	1.8%	143	3.2%
Financial and Leasing	208	6.0%	180	4.8%	198	4.4%
Government	149	4.3%	120	3.2%	198	4.4%
Health and Education Services	858	24.8%	984	26.5%	1,483	33.0%
Information	48	1.4%	92	2.5%	70	1.6%
Manufacturing and Wholesaling	373	10.8%	94	2.5%	63	1.4%
Professional / Management Services	402	11.6%	559	15.0%	369	8.2%
Retail	402	11.6%	608	16.4%	664	14.8%
Transportation and Utilities	30	0.9%	34	0.9%	38	0.8%
TOTAL	3,453	100.0%	3,718	100.0%	4,489	100.0%

Source: ABAG 2021, based on LEHD data from the US Census

The ratio of jobs to employed residents is one indicator of local housing needs. Communities with a high ratio of jobs to employed residents may experience more market pressure to produce housing. Communities with a high ratio of employed residents to jobs may face economic development pressures to attract more employment, so that revenues for community services can be generated.

With 4,500 jobs and roughly 8,800 employed residents, Albany's ratio is 0.51 or less than half the regional average. Regionally, there were 1.41 jobs for every household in the Bay Area in 2020; in Albany, there were 0.58. In some respects, Albany is a housing "reservoir" for surrounding communities. Nearby cities, such as Berkeley and Emeryville, have more jobs than households, and rely on Albany to some extent to meet their housing needs.

Income and Overpayment

Income is the single most important factor in determining housing affordability. While upper income households have more discretionary income to spend on housing, lower income households are more constrained in what they can afford. The State and federal government have developed metrics for classifying households into income categories. These metrics are used to quantify what is considered an "affordable" housing unit and to determine eligibility for housing subsidies and assistance programs. All metrics are benchmarked against the areawide median income, or AMI.

State-Defined Income Categories

The commonly used income categories are:

- Extremely low income 0-30% of AMI
- Very low income 30% to 50% of AMI
- Low income 50% to 80% of AMI
- Moderate income 80% to 120% of AMI
- Above Moderate income More than 120% of AMI

"Affordable housing cost" is defined by State law as being not more than 30 percent of gross household income. "Severe" overpayment occurs when households pay 50 percent or more of their gross income for housing. "Housing cost" in this context includes rent or mortgage payments, utilities, property taxes, and homeowners (or renters) insurance. The income limits for each category are updated annually by the California Department of Housing and Community Development.

For each income category, a sliding scale is used based on the number of persons per household. This recognizes that larger households must dedicate greater shares of their incomes for food, health care, transportation, and other expenses. The income categories are calculated by county, resulting in different median incomes from place to place within California.

Table 3-9 shows income categories for Alameda County that became effective in April 2022. A two-person household earning less than \$87,700 a year would be considered low income. The same household would be considered *very low* income if it earned less than \$57,150 a year. For a household of four people, the threshold is \$109,600 for low income and \$71,400 for very low income.

Table 3-9
Income Limits for Alameda County, 2022

Income Category	Household Size							
	1	2	3	4	5	6	7	8
Extremely Low Income	\$30,000	\$34,300	\$38,600	\$42,850	\$46,300	\$49,750	\$53,150	\$56,600
Very Low Income	\$50,000	\$57,150	\$64,300	\$ 71,400	\$77,150	\$82,850	\$88,550	\$94,250
Low Income	\$76,750	\$87,700	\$98,650	\$109,600	\$118,400	\$127,150	\$135,950	\$144,700
Moderate Income	\$119,950	\$137,100	\$154,200	\$171,350	\$185,050	\$198,750	\$212,450	\$226,200

Source: California Department of Housing and Community Development, 2022

Table 3-10
Affordable Monthly Housing Costs Based on 2022 Income Limits

Income Category	Household Size							
	1	2	3	4	5	6	7	8
Extremely Low Income	\$750	\$858	\$965	\$1,071	\$1,158	\$1,244	\$1,329	\$1,415
Very Low Income	\$1,250	\$1,429	\$1,608	\$1,785	\$1,929	\$2,071	\$2,214	\$2,356
Low Income	\$1,919	\$2,193	\$2,466	\$2,740	\$2,960	\$3,179	\$3,399	\$3,618
Moderate Income	\$2,999	\$3,428	\$3,855	\$4,284	\$4,626	\$4,969	\$5,311	\$5,655

Source: Barry Miller Consulting, 2022. Based on 30% of monthly income for each household

Table 3-10 indicates the monthly housing cost that would be considered “affordable” for households of different sizes in each income category. Using the state’s definition of affordability, a low-income household of four would be able to afford a monthly housing cost of \$2,740. A very low income household of four could afford a monthly housing cost of \$1,785. If these households are pay in excess of this amount, they are considered to be “overpaying” or “cost-burdened.” In the Bay Area, most lower income households pay significantly more than 30 percent of their incomes on rent or mortgages. Many lower-income wage earners commute long distances to areas with more affordable housing.

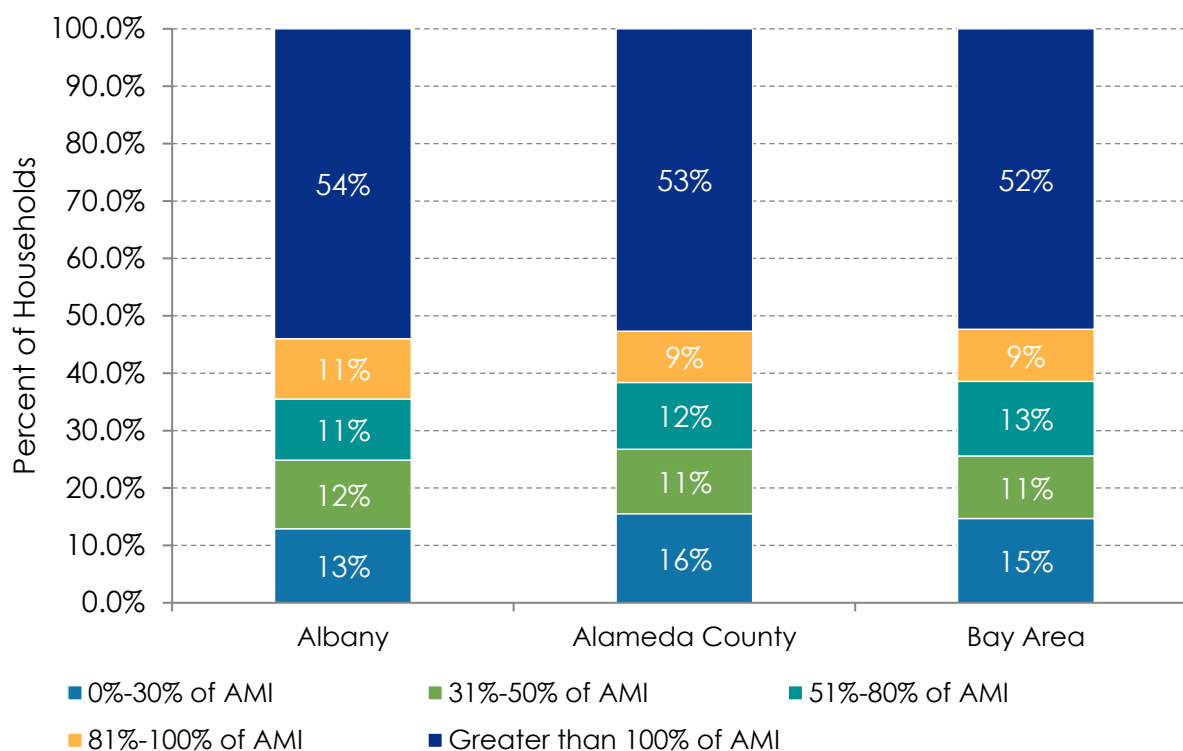
Market-rate *ownership* housing in Albany is generally not affordable to low or very low income households. This became even more apparent during the year in which this Housing Element was prepared due to rising home prices and rising interest rates. With an income of \$109,600, a household of four could potentially spend \$2,740 a month on housing without experiencing a cost-burden. Assuming a 10 percent downpayment, a 3.2 percent interest rate, and \$500 monthly HOA dues, an “affordable” home would be about \$380,000. At an interest rate of 5.8 percent, the affordable price drops to about \$320,000. There are no condominiums at this price point in Albany, particularly suitable for a household of four.

There are more options for “moderate income” households, primarily in the condominium market. One of Albany’s strengths is that many of its condominiums are affordable by design to moderate-income households. For example, a moderate income household of two (\$137,500) with a 10 percent downpayment could potentially afford a \$450,000 one-bedroom condominium. There are several units at this price point on the market.

Similarly, market-rate rental apartments in the city generally meet affordability guidelines for moderate income households. Some market-rate rental apartments and accessory dwelling units in Albany also meet affordability criteria for low-income households; however, these units are often too small for larger households. Market-rate rental apartments in the city are generally above the affordability price point for *very low* income households, with some exceptions.

Household Income in Albany

The federal Department of Housing and Urban Development (HUD) receives custom tabulations of Census data each year to evaluate housing needs for lower income households. The data is referred to as “CHAS” (Comprehensive Housing Affordability Strategy) data and includes documentation of the current number of households in each HUD income category for each jurisdiction. At the time the 2023-2031 Housing Element was prepared the CHAS data set was based on 2013-2017 conditions. Chart 3-7 provides CHAS data for the City of Albany, the County of Alameda, and the Bay Area.

Chart 3-7: Distribution of Existing Households by Income in City, County, and Region

Source: HUD User Portal CHAS data, based on 2013-2017. Accessed July 2021

The Chart indicates a local household income distribution that is very similar to the county and region. Albany is much more economically integrated than communities of comparable size around the region, which tend to include higher concentrations of either upper or lower income households. About 54 percent of the city's households have incomes in excess of the areawide median (AMI). Roughly 13 percent – or 951 households – are extremely low income (30% or below AMI), compared to 15 percent at the regional level. Another 12 percent – or 883 households – are considered very low income (30-50 percent of AMI). The data may be skewed somewhat by the large concentration of student families residing at UC Village (see page 3-50).

Table 3-11 provides additional data on income in Albany, using 2015-2019 American Community Survey data rather than CHAS data. The city's median income is close to the countywide average and the distribution of households across income categories confirms the city's economic diversity. Relative to the county as a whole, Albany has a slightly higher percentage of households earning over \$150,000 and a slightly lower percentage of households earning under \$35,000.

Table 3-11
Household Income Distribution in Albany and Alameda County

Income Category	Percent of Households in Income Category	
	Albany	Alameda County
Less than \$10,000	4.9%	4.1%
\$10,000-\$14,999	1.4%	3.5%
\$15,000-\$24,999	5.0%	5.5%
\$25,000-\$34,999	4.9%	5.5%
\$35,000-\$49,999	9.5%	7.7%
\$50,000-\$74,999	12.7%	12.5%
\$75,000-\$99,999	13.4%	11.5%
\$100,000-\$149,999	13.8%	18.1%
\$150,000-\$199,999	12.8%	12.3%
\$200,000 or more	21.7%	19.4%
Median Income	\$95,400	\$99,406
Mean Income	\$131,054	\$130,710

Source: ACS, 2015-2019

The Census also disaggregates household income data by family households, married couples, and non-family households. Non-family households include persons living alone and unrelated individuals in shared homes. Family and married couple household incomes in Albany are higher than non-family households. The median income for married couples in the city is \$145,380, compared to \$95,400 for all households and \$66,583 for non-family households. About 27 percent of the non-family households in the city have annual incomes below \$35,000, compared to 10 percent for married couples.

Many of the city's lower income households are students, seniors, and single persons living alone. However, lower income households also include families with children, and persons on fixed incomes or supplemental security income with no wages. Approximately 8.9 percent of the city's population lives below the federal poverty line, Roughly 37 percent of this population is comprised of 18-34 year olds, including students at University Village.

Overpayment and Cost-Burdened Households

Households are considered to be “overpaying” or cost-burdened when they are spending more than 30 percent of their incomes on housing. Overpayment occurs in all income categories but is more challenging for lower income households given the limited resources to pay for other household expenses.

ACS data indicates that 39 percent of all Albany households are considered cost-burdened. Moreover, 16 percent of the city’s households were “severely” cost-burdened (paying more than 50 percent of their incomes on housing). An analysis of the ACS data provides the following additional findings:

- The percent of cost-burdened households in Albany has declined since the last Housing Element. The 2015-2023 Element indicated that 48 percent of all households were cost-burdened in 2014 compared to 39 percent today.
- Renters continue to be significantly more cost-burdened than owners. As shown in Table 3-12, 52 percent of the city’s renters were cost-burdened compared to 24 percent of owners. About 25 percent of the city’s renters were severely cost-burdened, compared to six percent of homeowners. In the prior Housing Element, 55.7 percent of renters were cost-burdened.
- Among homeowners, cost burdens were significantly higher for households with mortgages than for those without. Roughly 28 percent of all owners with mortgages were cost-burdened, compared to 17 percent for owners without mortgages. There are 769 households with no mortgages that still pay more than 30 percent of their incomes on housing, presumably on taxes, utilities, HOA dues, and similar costs.
- Lower income households are more cost-burdened than higher income households (see Table 3-13). This is intuitive, but the magnitude of the difference is exponential. Among extremely low-income households, 80 percent were severely cost-burdened. For low-income households, it was 10 percent. For households with incomes above the areawide median, only 1.7 percent were severely cost-burdened.
- Chart 3-8 compares cost-burdened households in Albany with cost-burdened households in Alameda County and the nine-county Bay Area. Households in Albany were only slightly more likely to be cost-burdened, probably due to the higher percentage of renters in the city. However, the figures were comparable at all three levels. On the other hand, the rate of “severe” cost-burden was slightly lower in Albany (16 percent of all households) than in the county and region (17 percent of all households in both cases)

- Non-Hispanic White households in Albany were less likely to face a housing cost-burden than other households. Only 33 percent were paying more than 30 percent of their incomes on housing. The comparable figures for other racial/ ethnic groups were 45 percent for Asian households, 50 percent for Hispanic households, and 70 percent for Black households.

Table 3-12
Percent of Income Spent on Housing Among Owners and Renters

Percent of Income Spent on Housing	Owners		Renters		Total	
	Number (*)	% of Total	Number (*)	% of total	Number (*)	% of total
Less than 30 %	2,632	75.6%	1,829	48.3%	4,461	61.4%
30-50%	651	18.7%	1,007	26.6%	1,658	22.8%
More than 50%	197	5.7%	952	25.1%	1,149	15.8%
TOTAL	3,480	100.0%	3,788	100.0%	7,268	100.0%

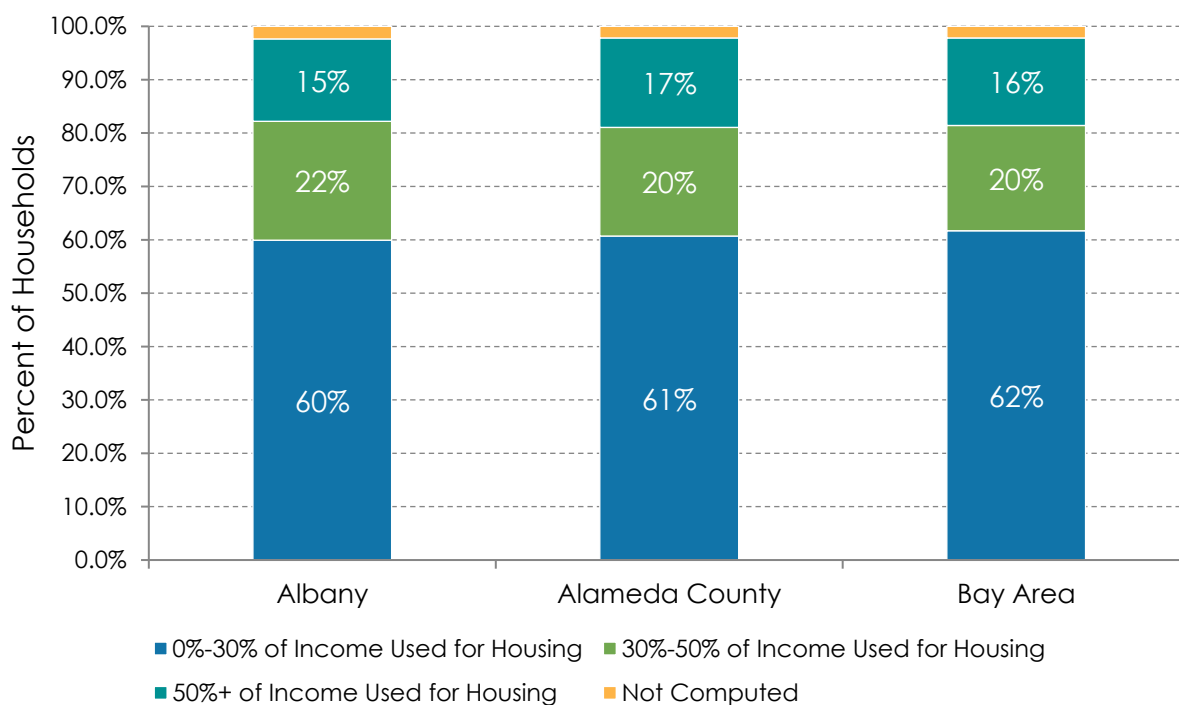
Source: ACS, 2015-2019

(*) Excludes 16 owners and 160 renters that were "not computed"

Table 3-13
Cost Burden by Income Level

Income Group	Not Cost Burdened (less than 30% of income used for housing)		Cost-Burdened (30-50% of income used for housing)		Severely Cost-Burdened (more than 50% of income used for housing)	
	Number (*)	% of Total	Number (*)	% of total	Number (*)	% of total
Extremely Low (less than 30% AMI)	89	10.3%	84	9.8%	688	79.9%
Very Low (30-50% AMI)	144	16.5%	303	34.6%	428	48.9%
Low (50-80% AMI)	228	28.8%	480	60.7%	83	10.5%
Low-Mod (80-100% AMI)	370	48.0%	338	43.8%	63	8.2%
More than 100% AMI	3,524	88.5%	390	9.8%	69	1.7%
TOTAL	4,355	100.0%	1,595	100.0%	1,331	100.0%

Source: HUD Comprehensive Housing Affordability Strategy (for 2013-2017) – the data excludes 80 extremely low income households for which cost-burden data is not available

Chart 3-8: Cost Burdened Households in Albany, Alameda County, and Bay Area

Source: ABAG, 2021. ACS, 2015-2019

Overcrowding

The Census defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens). Units with more than 1.5 persons per room are considered to be severely overcrowded. Overcrowding increases health and safety concerns and stresses the condition of the housing stock.

As indicated in Table 3-14, about 6.7 percent of Albany's households are living in overcrowded conditions based on this definition. The percentage has doubled since 2010, when only 3.3 percent of the households were overcrowded. The percentage of *severely* overcrowded units has quadrupled, rising from just 0.5 percent in 2010 to 2.3 percent in 2020.

Overcrowding is more common in renter households than in owner households. About 9.5 percent of rental households were overcrowded, compared to 3.6 percent of owner households. However, relative to 2010, the greatest changes were in owner-occupied households. Only 0.3 percent of owner-occupied units were overcrowded in 2010, compared to 3.6 percent today.

Table 3-14
Overcrowded Households, 2010 and 2020

	Owner		Renter		Total Overcrowded	
Persons per Room	Households	Percent	Households	Percent	Households	Percent
YEAR 2010						
1.00 or less	3,480	99.7%	3,583	94.0%	7,063	96.7%
1.01 to 1.50	10	0.3%	193	5.1%	203	2.8%
1.51 or more	0	0	35	0.9%	35	0.5%
TOTAL	3,490	100.0%	3,811	100.0%	7,301	100.0%
% Overcrowded by Tenure, 2010	10	0.3%	228	6.0%	238	3.3%
YEAR 2020 (based on 2015-2019 ACS data)						
1.00 or less	3,371	96.4%	3,578	90.6%	6,949	93.4%
1.01 to 1.50	94	2.7%	233	5.9%	327	4.4%
1.51 or more	31	0.9%	137	3.5%	168	2.3%
TOTAL	3,496	100.0%	3,948	100.0%	7,444	100.0%
% Overcrowded by Tenure, 2020	125	3.6%	370	9.4%	495	6.7%

Source: US Census, 2010, ACS 2021 (2015-2019 data)

Overcrowding is also more common among lower-income households than among upper-income households. In fact, 12 percent of all Albany households with incomes below 80 percent AMI met the Census definition of overcrowding. For households with incomes above the areawide median income, only about three percent were overcrowded.

The incidence of overcrowding is much lower in Albany than it is in the state of California as a whole. In 2020, 14.8 percent of California's households were considered to be overcrowded and 9.6 percent were severely overcrowded. In Alameda County, 7.8 percent were overcrowded and 2.8 percent were severely overcrowded.

Persons with Special Housing Needs

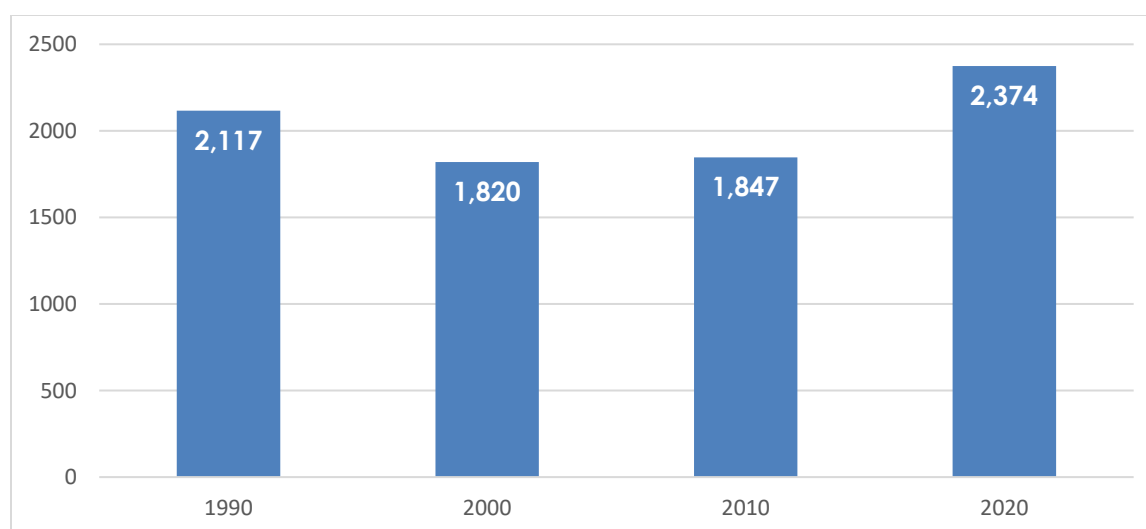
Persons with special housing needs include older adults, persons with disabilities, large families, extremely low-income households and persons living below the poverty line, farmworkers, families with female heads of households, and families and persons in need of emergency shelter. These groups often spend a disproportionate amount of their income to secure safe and decent housing and are sometimes subject to discrimination based on their specific needs or circumstances.

Older Adults

For the purposes of this discussion, older adults are defined as persons over 65. The number of older adults in the city declined in the 1990s but has been rising gradually since 2000. Between 2010 and 2020, it increased by a rate of 28 percent, with most of the growth in the 65 to 74 age cohort.² Presently there are 2,374 older adults in the city, in 1,717 households.

ACS data indicates that persons over 65 represent 12 percent of the population. Although Albany's older adult population has been growing, it is proportionally lower than the county (14.3 percent) and the region (15.3 percent). Albany's population skews younger than the county average due to student families at UC Village, and the desirability of the community to families with school-aged children.

Chart 3-9: Number of Residents Over 65 in Albany, 1990-2020



Source: US Census, ACS, 2015-2019

² As noted earlier in this chapter, the ACS data may be underestimating the "75 and over" population as it does not appear to reflect construction of Belmont Village.

Table 3-15 shows the tenure characteristics of senior households in Albany. About 80 percent of the city's older adult residents are homeowners. In fact, while senior represent just 12 percent of the city's population, they represent 34 percent of the homeowner heads of household. The number of senior homeowners increased by 30 percent between 2010 and 2020, almost entirely due to the aging of the 55-64 cohort during the decade. The percentage of homeowners over 75 declined over the decade. At the same time, the number of senior renters in the city grew by 36 percent.

Table 3-15
Householders by Tenure by Age, 2010 and 2020(*)

Householder Age	2010			2020		
	Owners	Renters	Total	Owners	Renters	Total
65-74 years	511	117	628	831	211	1,042
75 plus years	407	114	521	366	104	470
TOTAL	918	231	1,149	1,197	315	1,512

Source: US Census, 2000, American Community Survey, 2021 (2015-2019 data)

(*) Table shows heads of household. Some of these households have more than one individual over 65

The number of older adults living alone in the city has increased from 593 in 2010 to 711 in 2020 based on ACS data. Of this total, 448 are women and 263 are men. About 71 percent of the city's over 65 population is White, a higher percentage than the population at large. About 21 percent are of Asian or Pacific Islander descent.

Table 3-16 indicates the income characteristics of older adult households in Albany, based on data from the Comprehensive Housing Affordability Strategy (2013-2017). The data indicates that about 28 percent are very low income, 16 percent are low income, and 56 percent are moderate income or above. Older adult households are more likely to be lower income than the population at large, although the data does not consider home equity and accrued wealth.

CHAS data indicates that 42 percent of Albany's senior households are paying more than 30 percent of their incomes on housing, including 17 percent paying more than 50 percent. These are higher percentages than for the population at large. Of particular concern are the 188 households indicated as being extremely low income. Small households in this income bracket can only pay about \$700-800 a month before they are considered "cost-burdened." CHAS data indicate that these householders typically spend more than 50 percent of their income on housing. Programs to assist seniors on fixed incomes with housing can help close the affordability gap. For example, this could involve grants for home maintenance, rent subsidies, and home sharing.

Table 3-16
Cost Burdened Senior Households by Income

Annual Income	Percent of Income Spent on Housing		
	Less than 30%	30-50%	More than 50%
Extremely Low (less than 30% AMI)	25	44	119
Very Low (30-50% AMI)	125	44	69
Low (50-80% AMI)	89	125	28
Low-Mod (80-100% AMI)	75	49	4
More than 100% AMI	574	105	50
TOTAL	888	367	270

Source: ABAG 2021. CHAS 2013-2017 data release

Persons with Disabilities

The number of disabled residents is increasing nationwide due to increased longevity and the aging of the population. Physical and mental disabilities can hinder access to housing as well as the income needed to pay for housing. Those with disabilities often have special housing needs related to their limited earning capacity, higher health care costs, mobility or self-care limitations, and need for supportive services.

Current ACS data (2015-2019) for Albany indicates that 6.4 percent of the city's population has one or more disabilities. This compares to 13.3 percent in the 2000 Census and 7.2 percent in 2010. Albany has a smaller percentage of disabled residents than the county and the region, which reported rates of 9.2 percent and 9.6 percent respectively. According to the ACS, there are 1,256 Albany residents with a disability. The total in 2010 was 1,325.

The Census recognizes six disability types in its data tabulation: hearing, vision, cognitive, ambulatory, self-care, and independent living. These categories are not mutually exclusive and disabled residents may have more than one of these conditions. Table 3-17 indicates the nature of the disability reported, breaking the population down into three age cohorts. The incidence of disability is much higher for older adults than for the population at large. About one in four residents over 65 have a disability, and about half of all residents over 75 have a disability.

Table 3-17
Percent of Albany Residents with a Disability

Disability Type	Under 18	18-64	Over 65	Total
Hearing Difficulty	0.2%	0.6%	11.2%	1.7%
Vision Difficulty	0	1.2%	5.2%	1.4%
Cognitive Difficulty	2.4%	1.7%	7.0%	2.5%
Ambulatory Difficulty	0	2.2%	12.0%	3.0%
Self-care Difficulty	0.6%	0.7%	3.7%	1.1%
Independent Living Difficulty	N/A	1.8%	7.7%	2.8%
Any Disability	1.8%	4.5%	26.0%	6.4%

Source: ACS, 2015-2019

Note: Individuals may report more than one disability on their Census forms, so the same persons may appear in multiple rows.

As Table 3-17 indicates, the most common disability for the population at large is ambulatory (one which prevents or impedes walking). There were 546 residents with such a disability, including 281 over 65. Hearing disabilities were relatively common for persons over 65, affecting 264 residents (11.2 percent of all seniors). There were 402 residents who reported an independent living disability. This may affect their ability to travel outside the home and may require more costly health care and housing, including on-site care. An independent living disability may also affect other family members who may be caregivers and have added expenses related to health care and supervision.

Special housing needs vary depending on the type of disability a person has. For example, those with mobility limitations may require accessibility improvements such as grab bars and lower counter heights, while those with mental health issues may require supportive services and counseling. Senior housing units are typically designed to meet the needs of those with mobility impairments, but design for other disabilities (sight, sound, etc.) is less common.

About half of Albany's working-age disabled residents are employed. ACS data for 2015-2019 indicated there 277 disabled adults in the labor force, including 252 who were employed and 25 who were unemployed. The development of housing serving this population must take other factors into consideration such as transportation to work. There were also 279 adults aged 18-64 who were disabled and not in the labor force.

Persons with Developmental Disabilities

In 2010, the California legislature adopted SB 812, requiring all housing elements to include an evaluation of the needs of persons with developmental disabilities. Developmental disabilities occur before an individual reaches 18 years of age and typically constitute a lifetime handicap. They include mental retardation, cerebral palsy, autism, and epilepsy, among others.

In California, a network of 21 community-based non-profit regional centers has been established to deliver services to those with development disabilities, working under contract with the California Department of Developmental Services (DDS). The center serving Alameda and Contra Costa Counties is known as the Regional Center of the East Bay (RCEB) and is located in San Leandro. RCEB provides a resource to those needing counseling, day care, equipment and supplies, behavior intervention, independent living services, mobility training, nursing, residential care facilities, supportive living services, transportation, vocational training, and other services.

In 2020, the RCEB served 19,947 East Bay residents. Approximately 56% of their clients were under age 21. According to the RCEB, there are 105 residents of ZIP Code 94706 (Albany) who are considered eligible clients for RCEB services.³ This included 66 children 17 or younger and 39 adults 18 or older. The data further indicated that 98 of RCEB's Albany clients lived at home with a parent or guardian, and the other seven lived in an independent or supportive living facility or another type of facility. Supportive housing and group living opportunities for persons with developmental disabilities can be an important resource for those individuals who can transition from the home of a parent or guardian to independent living. As such, this use is permitted by right in the city's residential zoning districts and is subject to the same standards that apply to the other housing types permitted in those zones.

Housing resources for persons with developmental disabilities and other disabilities in Albany are limited. The City does not have dedicated affordable units designed for persons with disabilities and most single family homes are not designed for persons with mobility or sensory limitations. The City has adopted a reasonable accommodation ordinance and works with residents wishing to retrofit their homes to install grab bars, wheelchair ramps, handicapped bathrooms, and other modifications which meet the needs of persons with mobility limitations. Its zoning also supports the development of small group homes which meet the needs of developmentally disabled residents.

³ Source: California DDS Quarterly Consumer Report by age group and residence, accessed on-line August 2021. Data is for ZIP Code 94706. ZIP Code 94706 includes more than 99 percent of the city's population. Albany also includes two blocks in ZIP Code 94707 and an area of 94710 with no population.

Large Families

Large families are defined by the State as those with five or more people. In Albany, such households are more likely to live in overcrowded conditions due to the relatively small size of many Albany homes and the high cost of housing. Large families may also be more likely to be cost-burdened due to the additional costs associated with food, health care, transportation, child care, and similar expenses. The growth of multi-cultural, multi-generational households in Albany suggests that there may be emerging issues related to the needs of larger and extended families.

Table 3-18 provides data on large families in Albany. The number has been increasing for the last decade. The ACS estimated that there were 225 large families in the city in 2010; by 2021, that had more than doubled to 514. Large families were roughly equally divided among owners and renters. In each group, and in the city as a whole, 6.9 percent of all households had five or more members. While the percentage has grown, it is still well below the regional average. ACS data indicates that 10.8 percent of the households in Alameda County, and 10.8 percent of the households in the Bay Area as a whole, have five or more members.

Table 3-18
Number of Households by Size by Tenure, 2000 to 2020

	2000		2010		2020		% of all households considered "large"		
Tenure	1-4	5+	1-4	5+	1-4	5+	2000	2010	2020
Owner	3,287	271	3,584	110	3,255	241	7.6%	3.0%	6.9%
Renter	3,357	96	3,474	115	3,675	273	2.9%	3.2%	6.9%
TOTAL	6,644	367	7,058	225	6,930	514	5.2%	3.1%	6.9%

Source: US Census, 2000; ACS, 2010; ACS, 2015-2019

Table 3-19 indicates that median income in Albany rises with household size up to a "tipping point" at four persons. Households with five or more members have a lower median income than those with four members, and the median drops further for even larger households. In fact, Census data from HUD's Comprehensive Housing Affordability Strategy (2013-2017) indicates that there are 69 extremely low income (ELI) large families in the city, representing 8 percent of the city's ELI households. This is likely a result of student family housing at UC Village or students sharing housing in the city, but at least some of these large households may be severely cost-burdened families in rental apartments.

Table 3-19
Median Income by Household Size

	Median Income
Citywide	\$95,400
1-person households	\$59,116
2-person households	\$93,587
3-person households	\$124,712
4-person households	\$174,464
5-person households	\$108,654
6-person households	--
7-person households	\$79,844

Source: ACS, 2015-2019

Female-Headed Households

Single-parent households require special consideration and assistance because of their greater needs for child care and other expenses for dependent household members. In particular, female-headed households with children tend to have lower incomes, thus limiting housing affordability. In most communities, female-headed households are considered to be at greater risk of displacement, poverty, and housing overpayment. Table 3-20 provides a profile of female-headed households in Albany.

Approximately 5.5 percent of Albany's households consist of single mothers with children under 18. This percentage has dropped since 2010 and includes approximately 410 households. This is more than four times the number of single fathers with children under 18 in the city. Female-headed households are more likely to be below the federal poverty level than male-headed households. About 13 percent met federal poverty criteria in 2020, compared to 6.7 percent for households at large. By contrast, female-headed households without children under 18 had a poverty rate that was lower than the population at large. Affordable housing for single parents may provide greater benefits when paired with supportive services such as on-site affordable child care.

Table 3-20
Female Headed Households, 2010 and 2020

Householder Type	2010		2020	
	Number	Percent	Number	Percent
Total Households	7,401	100.0%	7,444	100.0%
<i>Female Headed Families with children under 18</i>	531	7.1%	410	5.5%
<i>Female Headed Families without children under 18</i>	352	4.8%	423	5.7%
<i>Females living alone</i>	1,124	15.2%	975	13.1%
Total Families Under the Poverty Level	--	7.3%		6.7%
<i>Female Headed Households Under the Poverty Level</i>	--	10.0%	--	13.6%

Source: US Census 2010, ACS, 2007-2011 (for 2010 poverty level) and 2021 (2015-2019 data) – Table DP02

Farmworkers

Albany is a small, highly urbanized city surrounded by other urban cities within a large metropolitan area. The nearest large-scale commercial agricultural operations employing farm workers are over 30 miles away. The city does not have a population of seasonal or permanent farm workers and thus, there is not a significant demand for farm worker housing in the city. The California Department of Education indicates there are no migrant worker students in the Albany public school system (there are 790 in Alameda County as a whole). To the extent that agricultural workers may desire to live in Albany, their need for affordable housing would be similar to that of other lower income persons, and affordable housing in the city would serve farmworkers as well as others employed in low-wage jobs.

Extremely Low Income (ELI) Households

In 2006, the legislature passed Assembly Bill 2634 (AB 2634) requiring housing elements to include an evaluation of the housing needs of extremely low income (ELI) households. ELI households are a subset of “very low income” households and are defined as earning less than 30 percent of the areawide median income. The thresholds for ELI vary based on household size. As noted in Table 3-9, this ranges from \$30,000 for a household of one to \$56,600 for a household of eight. For a household of one, \$30,000 is just below the income one would earn working 40 hours a week at the minimum wage of \$15/hour (\$31,200).

The Comprehensive Housing Affordability Strategy (CHAS) data from HUD estimates that there are 945 ELI households in the city, representing 12.7 percent of all households. As shown in Table 3-21, this total includes 225 homeowners and 720 renters. The percentage of ELI households in Albany is somewhat lower than it is in

Alameda County (15.5 percent) and the Bay Area as a whole (14.7 percent). At the same time, the data on cost-burdened households in Table 3-21 likely understates the true extent of the burden, as it excludes 80 ELI households that were “not calculated.” There are at least 550 renter households in Albany (and likely closer to 600) with extremely low incomes who are paying more than half of their incomes on rent.

Table 3-21
Housing Overpayment for Extremely Low Income Households

	Total Renters	Total Owners	Total Households
Household Income less than 30% of Median	720	225	945(*)
% Cost Burden >30%	80.6%	84.4%	81.0%
% Cost Burden >50%	77.1%	57.8%	72.1%

Source: Comprehensive Housing Affordability Strategy (CHAS) Data, Accessed 2021 for 2013-2017

() 80 ELI households are listed as “Not Computed” but the percentages shown above are based on the full universe of 945 ELI households. As a result, the actual percentages of cost burdened ELI households are likely higher than what is shown.*

The CHAS data provides additional information on the characteristics of the ELI population in each community. This data indicates that 83 percent of Albany’s ELI households faced at least one of four problems identified by HUD: overpayment (i.e., more than 30 percent of income spent on housing), overcrowding (i.e., more than 1.0 persons per room), lack of a complete kitchen, or lack of plumbing. In Albany, there were 785 ELI households identified as facing at least one of these issues. Since almost all housing units in the city have kitchens and plumbing, the key issues of concern are overpayment and overcrowding.

CHAS data indicates that the incidence of overcrowding is actually a little lower for ELI households than it is for very low- and low-income households; however, the incidence of severe overcrowding (1.5+ persons per room) is higher. About 5.7 percent of all ELI households are considered to be severely overcrowded (roughly 50 households), compared to about 2.2 percent for low- and very low-income households.

Certain racial and ethnic groups in the city had higher percentages of ELI households. In particular, 37 percent of all Black households and 21 percent of all Hispanic households in Albany were ELI. Only eight percent of White Non-Hispanic and 14 percent of Asian households were ELI.

Table 3-22
Households Earning \$25,000 or less, by Age Cohort

	Household Income Under \$25,000	All Households in Age Group	% of all households in age group earning under \$25,000
Under 25	48	164	29.3%
25-44	364	2,913	12.5%
45-64	232	2,855	8.1%
65+	194	1,512	12.8%
TOTAL	838	7,444	11.3%

Source: ACS, 2015-2019

Table 3-22 indicates the number of households in Albany earning less than \$25,000 a year by age group. By definition, all of these households are considered ELI. The largest number of ELI residents are in the 25-44 age cohort, although the percentage of ELI households relative to all households is highest in the 18-24 age group and the over 65 age group. Persons aged 45-64 are the least likely to be ELI.

Some of the city's senior residents who are ELI are on fixed incomes and have lived in Albany for many years. Some of these households may not have mortgages, but still face high costs relating to housing maintenance, taxes, and insurance.

ELI *renters* face different housing challenges than ELI *owners*, and often struggle to find – and keep – a safe, decent place to live. Housing solutions for ELI renters may include rent subsidies and vouchers, income-restricted housing units, and housing with supportive services. The demand for vouchers and for vacancies in affordable housing developments is very long, and ELI renters need interim solutions or alternatives to such housing. Certain housing types, such as shared housing, junior accessory dwellings, room rentals, and supportive/ transitional housing are critical to meeting ELI rental housing needs.

Families and Persons In Need Of Emergency Shelter

Homelessness is a pervasive regional, state, and national issue. A HUD report published in 2021 estimated that 161,548 Californians were experiencing homeless on any given day in 2020.⁴ Although the state is home to 12 percent of the nation's total population, it is home to 28 percent of the nation's homeless individuals and families.

⁴ *State of Homelessness in America*, National Alliance to End Homeless, 2021

These statistics typically count those living on the street, in parks and open space encampments, in cars, in public buildings, and in emergency shelters. There is also a significant population of sheltered individuals who are *at risk* of becoming homeless or are living temporarily with friends, families, and others.

Various factors contribute to homelessness, including reductions in social service and mental health programs, unemployment and lack of income, eviction, chronic illness and a lack of affordable health care, domestic violence and family break-ups, substance abuse, and most obviously, a lack of affordable housing. Transitioning from homelessness to a permanent residence often requires intensive supportive services as well as shelter. Emergency shelter is an essential resource, but transitional and supportive housing are also necessary.

Transitional housing provides extended shelter for individuals experiencing homelessness with the goal of helping them live independently and transition into permanent housing. The length of stay typically ranges from two weeks to 60 days or more. Such housing is generally provided in apartment type facilities and may be configured for specialized groups such as persons with substance abuse problems, domestic violence victims, veterans, and persons with HIV/AIDS.

The nature of homelessness and the method of data reporting make it difficult to estimate the number of residents in Albany experiencing homelessness. Alameda County maintains and updates a census through its bi-annual Homeless Count Survey, a data base system mandated by HUD. At the time this report was prepared, the most recent published information is based on a “point in time” survey conducted on January 30, 2019. A survey was not performed on January 30, 2021 due to the COVID-19 pandemic. By the time this report was published, a subsequent survey had been completed (on February 23, 2022). Data from this survey is referenced as available.

Chart 3-10 shows the homeless census population for Alameda County from 2009 to 2022. The past seven five years have seen a sharp increase, with the number of unhoused residents doubling from 4,040 in 2015 to 8,022 in 2019 and continuing to increase to 9,747 in 2022. The countywide total for 2022 included 7,135 persons who were unsheltered and 2,612 persons who were sheltered.

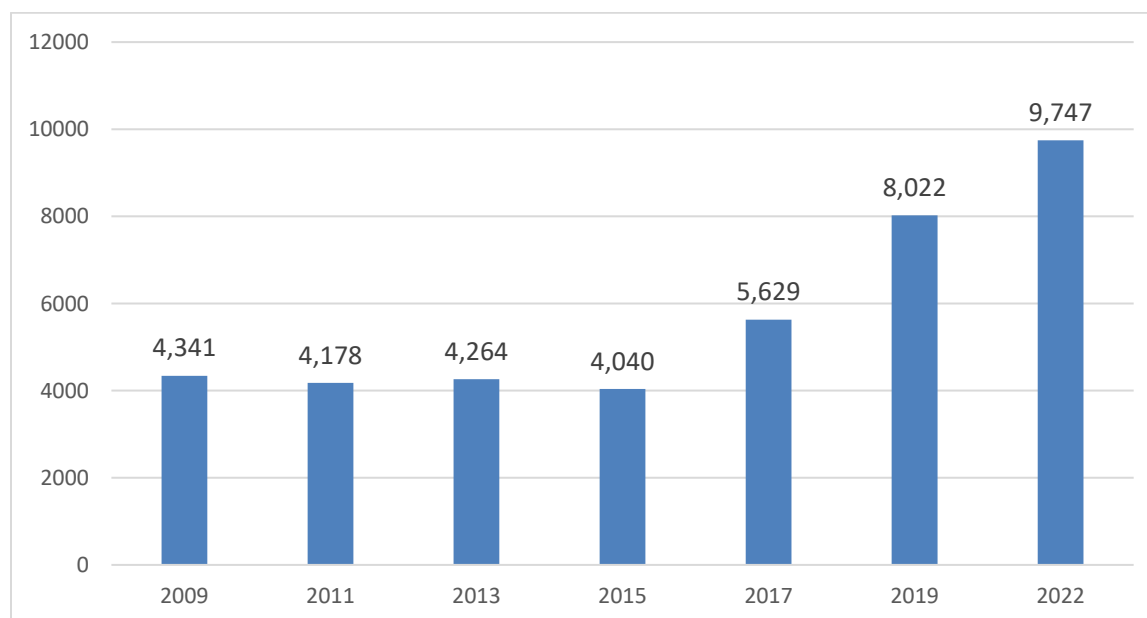
The 2019 point-in-time count indicated there were 35 unhoused persons in Albany, all of whom were unsheltered. This is a reduction from the 2017 count of 66 unsheltered persons in Albany, despite the countywide increase. The 2022 point-in-time count showed a further reduction to 23 people.

The 2019 countywide survey report includes a profile of persons experiencing homelessness in Alameda County. While the data covers all 14 cities and the

unincorporated area, it provides insights into issues that can help inform local programs and solutions. Some of the findings included:

- 63 percent of those counted had been homeless for one year or more
- 34 percent were living in tents, 23 percent in a car or van, 22 percent in an RV, and 20 percent on the street or outside. The largest increase since 2017 has been in the number living in tents, which went up by 162 percent.
- The primary causes of homelessness listed were job loss (13%), mental health issues (12%), substance abuse (10%), eviction/ foreclosure (9%), rent increases (9%), and incarceration (8%)
- 93 percent were single adults and 7 percent were families. Most of the single adults were unsheltered, while most families were in shelters
- About 9 percent were veterans
- About 14 percent identified as LGBTQ+
- 61 percent were male, 35 percent were female, 4 percent were transgender
- 47 percent were Black/ African-American, although Black residents represented just 11 percent of the countywide population
- 13 percent were under 25, 73 percent were 25-59, and 14 percent were 60 or older
- At least 42 percent had one or more disabling conditions. 39 percent had psychiatric conditions, 30 percent had substance abuse challenges, 30 percent had post-traumatic stress disorder, 26 percent had chronic health problems
- 78 percent indicated they lived in Alameda County at the time they lost their housing. 57 percent had been in Alameda County for 10 years or more

Chart 3-10: Homeless Census Population in Alameda County, 2009-2022



Source: Alameda County Homeless County & Survey Comprehensive Report, 2019, 2022

Albany is a member of a consortium of “Urban County” cities in Alameda County which provides funding to organizations serving persons experiencing homelessness in the county. The consortium is staffed by the Alameda County Housing and Community Development Department. The City provides financial support toward such initiatives and programs, including the development of transitional and supportive housing. Albany is also a participant in the Alameda County EveryOne Home Program, which seeks to end chronic homelessness in the county. EveryOne Home also seeks to improve the “safety net” for those at risk of homelessness and establish support for homeless prevention programs. In 2020-21, the City participated in development of “Home Together” a 5-year countywide Strategic Plan to improve the homeless response system and reduce racial disparities in the unhoused population.

Emergency, transitional, and permanent housing options in Albany are very limited. The closest emergency shelter is Harrison House, which is a 50-bed facility for single adults located at 711 Harrison Street in Berkeley, one block from the city line. The City allows emergency shelters as a permitted use in the CMX and SPC zoning districts, and has pursued establishing a daytime “drop in” center providing homeless services such as showers, meals, and counseling.

In the past, the City has taken actions to temporary shelter and relocate unhoused residents at the Albany Bulb as the site transitioned from unimproved open space to McLaughlin Eastshore State Park. In 2013, the City worked with Berkeley Food and Housing Project (BFHP) to provide secure housing for 37 people who had been living in encampments at the Bulb. The City partnered with the non-profit Albany Community Foundation to provide funds for the purchase of necessities for these residents, and Albany residents donated furnishings for their new homes. The City partnered with Operation Dignity to provide showers, toilets, and shelter during the relocation process.

Since 2013, the City has continued its contractual agreement with BFHP to provide food and services to unhoused Albany residents. This is done through Albany Project HOPE (Housing Opportunities Expanded) and includes case management, crisis intervention, and linkage to services in the community. The program emphasizes the principle of “Housing First,” which holds that people’s need for housing is a basic need that should be met as quickly as possible. It provides rapid re-housing along with practical strategies to help residents stay housed. An important part of the program is intensive case management, which is focused reducing the negative consequences of substance abuse, psychiatric issues, and other challenges to a stable living environment. Housing Stability Plans are created for each resident, followed by ongoing visits with people who have been rehoused.

The City has also established the Albany CARES Program (Community Access to Resources and Services) to assist individuals in need of housing, transportation, legal

aid, and information on health care and rental assistance. Albany CARES also provides Meals-on-Wheels delivery, referrals, and groceries to low-income seniors. The City provides basic sanitation facilities at the Community Center parking lot and the Senior Center, while a local community organization operates a community shower program at the Aquatic Center. The City collaborates with Berkeley and Emeryville to address the needs of unhoused adults and youth in all three cities.

Housing Stock Characteristics

Government Code Section 65583(a) requires the Housing Element to describe the characteristics of the local housing stock, including housing condition. This section of the Element provides an overview of Albany's housing stock, addressing the age of structures, the types of structures, the number of bedrooms, and vacancy characteristics. Information on home values, rents, and recent building permit activity is also provided.

Number of Housing Units

Three sources were consulted to determine the number of occupied and vacant housing units in Albany. The results are as shown in Table 3-23 below. The table indicates a discrepancy of more than 900 units between the State and federal data due to the way UC Village is classified by the state. The analysis in this section of Chapter 3 uses the ACS 2015-2019 data, except where otherwise indicated.

Table 3-23
Total Housing Units in Albany, 2021

Data Source	Occupied Units	Vacant Units	Total Units
US Census 2020 (August 2021 data release)	7,493	414	7,907
American Community Survey 2020 (data from 2015-2019)	7,444	406	7,850
California Department of Finance, Table E-5 (January 1, 2021)	6,454	526	6,980

Sources listed in Table, 2021

Age of Housing Stock

As noted in Table 3-24, about half of Albany's housing stock is more than 70 years old. Another quarter of the city's housing stock was built in the 1950s, 60s, and 70s. Approximately 13 percent of the city's housing stock was built after Year 2000 — primarily associated with the replacement of UC Village.

Table 3-25 indicates the year of construction by Census Tract. The city's six census tracts generally correspond to the northwest, central north, northeast, southeast, central south, and southwest parts of the city (see Figure 3-1). The oldest housing stock is located in the eastern half of the city. In the area east of Masonic Avenue, more than 90 percent of the housing stock was built before 1940. Almost all of this housing stock consists of single family homes. In the area between Masonic and San Pablo, about three-quarters of the housing stock was built before 1940. Most of the older units are single family homes, and most of the post-1940 construction consists of small multi-family buildings.

Areas west of San Pablo Avenue tend to have a larger percentage of newer units, although the single family homes on the southern and eastern slopes of Albany Hill generally pre-date 1940. In Tract 4203, which includes Gateview Towers and the newer condominiums along Pierce Street, just 46 percent of the housing units pre-date 1960 and in Tract 4204, virtually all of the housing was built after 2000.⁵

Given the age and value of the housing stock, building permits for structural improvements, remodels and additions are common. Most of the older housing stock in the city consists of single family homes. The City strongly encourages reinvestment in existing homes and maintains zoning regulations which support home maintenance and conservation.

Table 3-24
Year Structure Built

Year Built	Number	Percentage
Built 2010 or later	118	1.6%
Built 2000 to 2009	912	11.6%
Built 1990 to 1999	353	4.5%
Built 1980 to 1989	613	7.8%
Built 1970 to 1979	868	11.1%
Built 1960 to 1969	461	5.9%
Built 1950 to 1959	649	8.3%
Built 1940 to 1949	786	10.0%
Built 1939 or earlier	3,090	39.4%
Total	7,850	100.0%

Source: ACS 2021 (data for 2015-2019, excludes Belmont Village)

⁵ ACS data for Census Tract 4204 appears to be inaccurate, likely to Census sampling methods. The data does not reflect construction of Belmont Village (175 units in 2017) and shows 365 units that pre-date 2000, which were demolished and replaced.

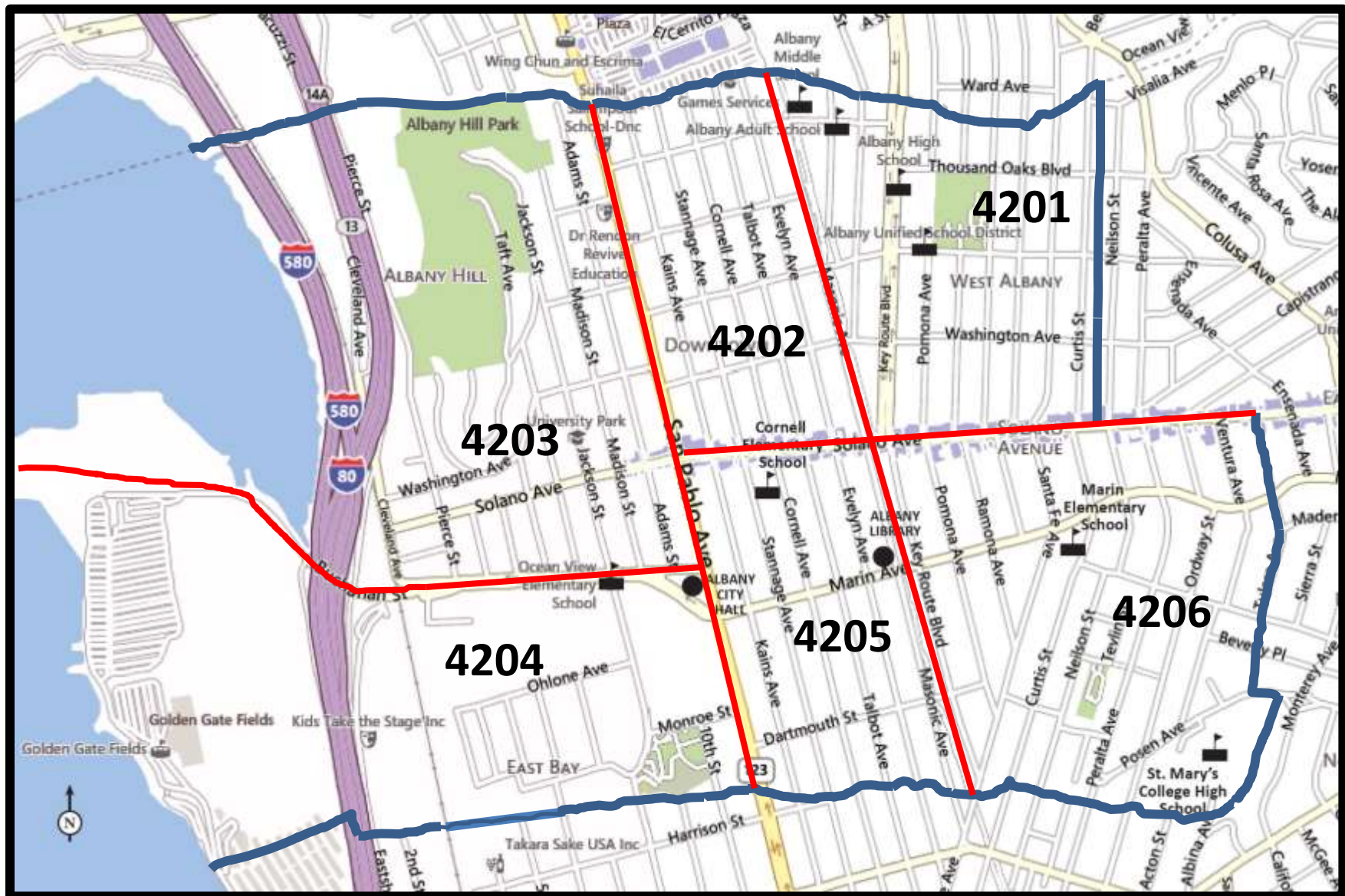


Figure 3-1: Albany Census Tracts*

Note: In Census 2020, Tract 4203 was divided into two tracts and Tract 4204 was divided into three tracts.

Table 3-25
Year Structure Built: Census Tracts

Census Tract #	2010-2019	2000-2009	1990-1999	1980-1989	1970-1979	1960-1969	Pre-1959	Total Housing Units
4201	7	0	22	13	34	24	816	916
4202	34	61	86	99	163	126	753	1,322
4203	0	17	51	356	528	152	969	2,073
4204	66(*)	792	150	86	64	0	65	1,223
4205	0	5	44	25	52	119	756	1,001
4206	11	37	0	34	27	40	1,166	1,315
TOTAL	118(*)	912	353	613	868	461	4,525	7,850

Source: ACS 2021(data for 2015-2019). Based on sample data, with margin of error, resulting in data which does not match actual conditions exactly. Data for Tract 4204 appears to exclude Belmont Village and does not fully reflect UC Village reconstruction.

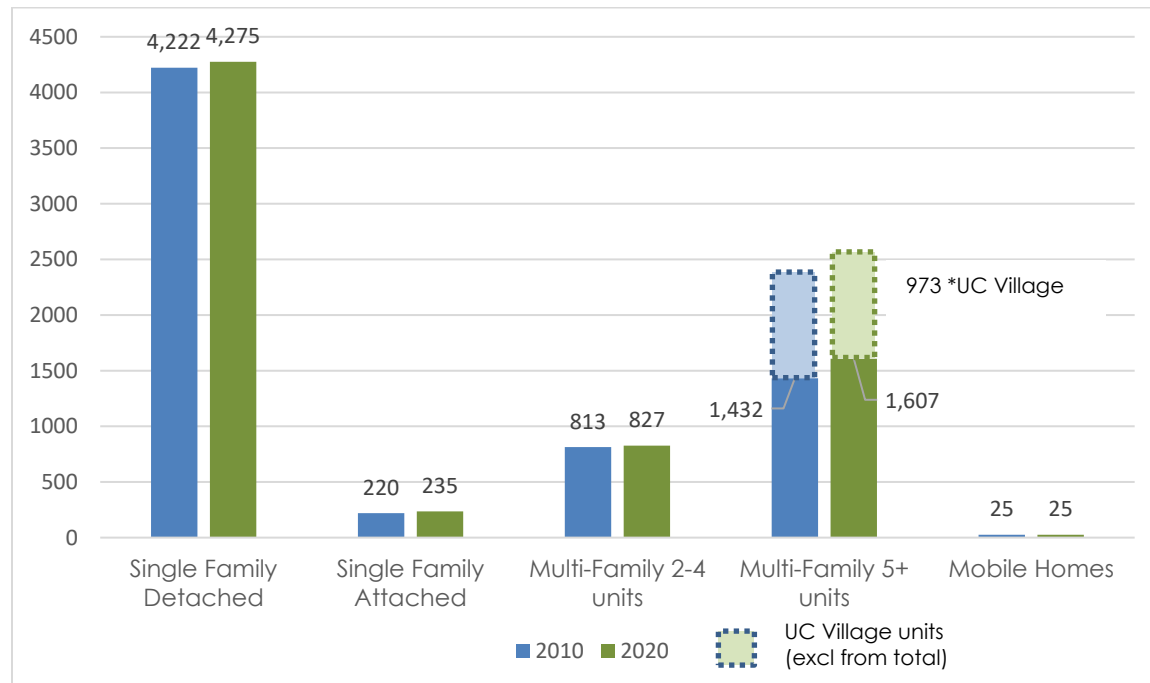
Structure Type

Chart 3-11 indicates the number of housing units by structure type in Albany in 2010 and 2020. In this instance, the data source is the California Department of Finance, as it provides a better source for measuring change over time until Census 2020 data on structure type is available.⁶ The ACS data is based on a 2015-2019 sample and is not consistent with the 2010 Census data released a decade ago. The downside of the DOF data is that it excludes the 973 multi-family units at UC Village. Table 3-26 adds these units in for a comparative profile of housing unit composition in 2010 and 2020.

In 2021, single family homes represent 57 percent of the city's housing stock. This represents a decrease of one percent since 2010. Nearly 95 percent of the single family housing stock consists of detached units; the other five percent primarily consists of townhomes.

Multi-family units comprise 43 percent of the city's housing stock. Of this total, 24 percent are in small buildings of two to four units each and 75 percent are in buildings with five units or more. The 973 units at UC Village have been added to this table, and represent more than one-third of the total. Most of the remaining units are located on the west side of Albany Hill along Pierce Street and along the San Pablo Avenue corridor, including Kains Avenue and Adams Street.

⁶ ACS data for structure type also was reviewed. It indicated that 46.6% of all units were single family detached, 5.9% were single family attached, 10.3% were multi-family 2-4 units, 37.1% were multi-family five units or more; and 0.1% were mobile homes. The ACS data is based on a sample and is a less accurate source than DOF, despite the omission of UC Village apartments from the DOF unit count.

Chart 3-11: Structure Type

Source: California Department of Finance, 2021. Barry Miller Consulting, 2021

Table 3-26
Percent of Units by Structure Type, 2010 and 2020

Structure Type	2010		2020	
	Number	Percent	Number	Percent
Single Family	4,442	57.8%	4,510	56.8%
Single Family Detached	4,222	54.9%	4,275	53.8%
Single Family Attached	220	2.9%	235	3.0%
Multi-Family and Other	3,243	42.2%	3,433	43.2%
Multi-Family 2-4 Unit	813	10.6%	827	10.4%
Multi-Family 5+ Unit	1,432	18.6%	1,608	20.2%
Multi-Family UC Village	973	12.7%	973	12.3%
Mobile Homes	25	0.3%	25	0.3%
TOTAL	7,685	100.0%	7,943	100.0%

Source: California Department of Finance, 2021. Barry Miller Consulting, 2021

Table 3-27 indicates the change in the total number of units each year between 2010 and 2021 by structure type. This is based on California Department of Finance data, which is derived from local annual housing progress reports. The data indicates a net gain of 268 units over the period, 175 of which are the Belmont Village assisted living development, which was completed in 2017. There was substantially more construction during the 2016-2020 period than during 2010-2015. However, the increase represents only a 3 percent growth in the city's housing stock during the decade. Other than Belmont Village, multi-family construction was particularly sluggish with no other projects larger than five units. The table shows a net gain of 73 single family units between 2010 and 2020. However, based on City records most of the units counted were actually accessory dwelling units. Single family homes that replaced existing homes would not be included, since they do not represent a net increase.

Table 3-27
Net New Units Added, 2010- 2020

	SF Detached	SF Attached	2-4 Unit	5+ Unit	TOTAL
2010	0	0	0	0	0
2011	1	0	4	0	5
2012	1	3	0	0	4
2013	1	0	0	0	1
2014	2	3	0	0	5
2015	4	1	0	0	5
2016	8	2	0	0	10
2017	10	2	1	175	188
2018	12	4	1	0	17
2019	14	0	8	0	22
2020	5	0	6	0	11
TOTAL	58	15	20	175	268

Source: California DOF Table E-5, 2021

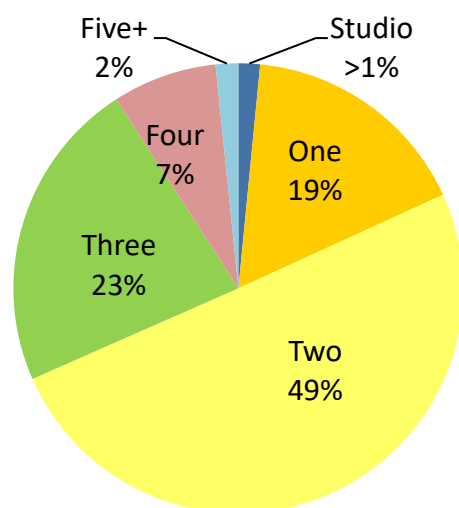
Housing Size

Given the age of the housing stock and the relatively large share of multi-family units, homes in Albany tend to be smaller than homes elsewhere in Alameda County. As indicated in Chart 3-12, nearly 70 percent of the housing units in Albany contain two bedrooms or fewer, compared to 49.2 percent for the county as a whole. Only 8.7 percent of the city's housing units contain four or more bedrooms, compared to 20.3 percent in Alameda County.

ACS data indicates that the median size of a dwelling unit in Albany is 4.5 rooms, compared to 4.8 rooms for the county as a whole. Some 47 percent of the city's homes have four or five rooms, compared to 34 percent in the county as a whole.

Table 3-28 indicates the number of bedrooms in Albany's housing units by tenure using data from the 2015-19 American Community Survey. Homes occupied by renters tend to be smaller than those occupied by owners. More than 87 percent of the city's renters live in units with two or fewer bedrooms. About 47 percent of the city's owners live in units with two or fewer bedrooms.

Chart 3-12: Number of Bedrooms in Albany Housing Units



Source: ACS, 2015-2019

Table 3-28
Existing Housing Stock Number of Bedrooms by Tenure

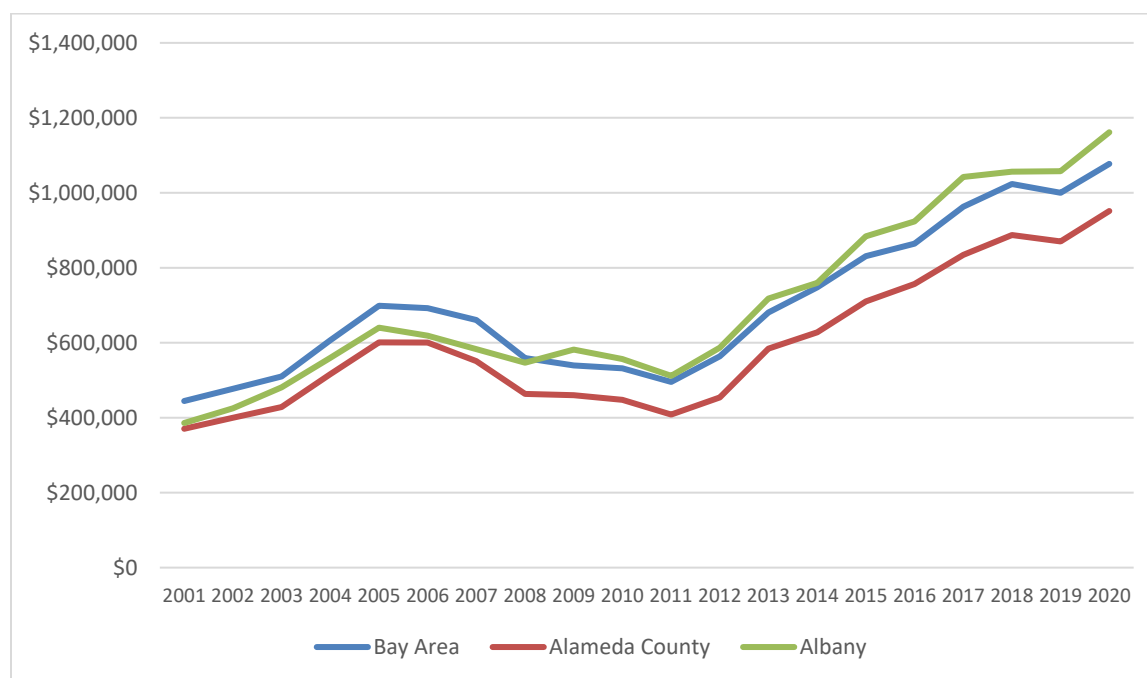
Bedroom Type	Owner Households		Renter Households		All Households	
	Number	Percent	Number	Percent	Number	Percent
0 BR	0	0.0%	115	2.9%	115	1.5%
1 BR	118	3.4%	1,120	28.4%	1,238	16.6%
2 BR	1,524	43.6%	2,215	56.1%	3,739	50.2%
3 BR	1,233	35.3%	439	11.1%	1,672	22.5%
4 BR	519	14.8%	40	1.0%	559	7.5%
5+ BR	102	2.9%	19	0.5%	121	1.6%
TOTAL	3,496	100.0%	3,948	100.0%	7,444	100.0%

Source: ACS 2015-2019

Housing Value

Chart 3-13 tracks home sale data in Albany between 2000 and 2020 using the Zillow.com real estate data base. Sales prices have risen at a faster rate than the regional average since 2011. In 2011, Albany's adjusted median value was reported by Zillow to be \$511,657. By 2020, it had increased 127 percent to \$1,161,528. The Bay Area as a whole saw an increase of 117 percent, from \$495,000 to \$1,077,000. Albany's housing prices were also more resilient than the region's during the 2007-2011 recession. While regional prices fell 28.5 percent during the recession, prices in Albany fell by 17.3 percent. Home prices had completely recovered from the recession by 2013 and have been rising ever since.

Chart 3-13: Median Home Value in Albany, 2001-2020



Source: Zillow Home Value Index (ZHVI), 2021

(*) Zillow describes the ZHVI as a smoothed seasonally adjusted measure of the typical home value. It reflects the typical home value of a home in the 35th to 65th percentile range, filtering out very high priced and low priced units. It includes condominiums as well as single family homes. Figures shown here are for December of each year.

The Zillow data shows substantially higher values than the US Census data, although the Census data is based on 2015-2019, a period when home values in the city increased by 25 percent. The ACS indicates a median value of \$882,000 during 2015-2019. Just 12.5 percent of the city's housing stock had a median value of under \$500,000, compared to 19.7 percent in Alameda County and 22.4 percent in the region as a whole. At the same time, the city had a smaller percentage of luxury homes, with 2.1 percent valued over \$2 million, compared to 9.2 percent regionwide.

Table 3-29 compares home prices in Albany with those of neighboring communities, again using Zillow median price index data. Values are provided for January 2015, the start of the last Housing Element cycle, and January 2021. The rate of appreciation in the city was comparable to Berkeley and El Cerrito, which both saw increases of just over 50 percent during the six-year period. Richmond experienced a faster rate of increase (77 percent) but remained the most affordable of the four cities. Berkeley was the least affordable of the four cities.

Table 3-29
Comparative Regional Median Home Values

City	Median Value		Percent Change
	Jan 2015	Jan 2021	
Albany	\$787,981	\$1,206,985	53%
Berkeley	\$949,778	\$1,425,776	50%
El Cerrito	\$624,293	\$959,129	54%
Richmond	\$368,173	\$650,973	77%

Source: Zillow.com, 2021

Home prices have continued to rise in Albany since this data was initially collected. A review of current (July 2022) listings on Zillow shows ten single family homes for sale, with a median asking price of \$1,320,000, and 14 multi-family units for sale, with a median asking price of \$523,000. There was also a \$362,000 “Below Market Rate” unit for sale to qualifying low income buyers in a new development on Kains Avenue.

Rental Prices

Rents have also risen rapidly over the last decade, although the rate of increase has not been as steep as for ownership housing. According to ACS data, median rent in Albany rose from \$1,366 in 2010 to \$1,798 in 2019, a 32 percent increase. This was lower than the 52 percent increase for Alameda County as a whole, although the Albany median remained higher than the county median the entire time. Regionally, the Bay Area saw a 50 percent increase in median rent between 2010 and 2019, with the 2019 total at \$1,849.

The ACS estimates tend to be lower than market rents, as they include all rental properties and not just those being advertised for rent. A review of on-line rental site Hotpads.com in August 2021 identified 33 Albany properties for rent. These ranged in price from a room in a house for \$999/mo. to a four-bedroom house for \$4,995/ mo. Table 3-30 shows current market listings in Albany based on these 33 properties. The overall median rent for all units was \$2,400. Houses were renting at substantially higher rents than apartments with equivalent bedroom counts, with a differential of \$750 to \$1,000 per month. The average size of the homes for rent was 1,358 square feet.

Table 3-30
Median Advertised Monthly Rents in Albany, 2021

Unit Type	1 bedroom	2 bedroom	3 bedroom	4 bedroom
Single Family	N/A	\$3,475	\$4,450	\$4,495
Multi-Family	\$1,900	\$2,460	\$3,700	N/A

Source: Barry Miller Consulting, 2021. Based on 33 active Hotpads.com listings in August 2021

This data is consistent with the market rents reported by CalRentals, the University of California housing office. Table 3-31 shows their data on median rental costs in Albany and nearby cities. The data for apartments and condos is very close to current market conditions. The data for homes for rent is just slightly below actual market rents being charged for houses in Albany. Based on Table 3-31, rents in Albany are comparable to Berkeley, Oakland, and El Cerrito, with prices higher in some categories and lower in others.

Table 3-31
Cal Rentals “2020 Typical Rent Averages”

Unit Type	Market Rents			
	Albany	Berkeley	Oakland	El Cerrito
Apartments				
<i>Studio</i>	\$1,874	\$1,895	\$1,635	\$2,531
<i>1 Bedroom</i>	\$1,831	\$2,050	\$1,960	\$2,110
<i>2 Bedroom</i>	\$2,480	\$2,800	\$2,555	\$2,450
<i>3 Bedroom</i>	\$3,514	\$2,895	\$3,164	\$3,587
<i>4 Bedroom</i>	\$4,393	\$5,196	\$4,017	\$4,166
Houses				
<i>2 Bedroom</i>	\$2,864	\$3,031	\$3,512	\$2,894
<i>3 Bedroom</i>	\$4,140	\$4,394	\$3,897	\$3,317
<i>4 Bedroom</i>	No data	\$6,609	\$5,460	\$5,500
Room in shared apt./house	\$1,315	\$1,411	\$1,368	\$1,300

Source: Cal Rentals Typical Rent, 2020 ranges <https://calrentals.housing.berkeley.edu>

Rents have continued to rise since the time the data above was collected. In July 2022, a second review of hotpads.com showed 34 listings in Albany. The median rent for all 34 listings was \$2,600, an increase of 8 percent in one year. The median was \$2,180 for a one-bedroom apartment, \$2,975 for a two-bedroom apartment, and \$4,625 for a house.

Housing Condition

Most housing in Albany is in excellent condition. City staff estimates that less than one percent of the city's housing units (e.g, fewer than 75 units) have serious or persistent code enforcement issues related to structural condition. A cursory field survey of the city's oldest neighborhoods and areas of mixed single family and multi-family housing indicated only a few structures in fair to poor condition. Most deficiencies were cosmetic and could be remedied through minor home repair such as painting or new windows. A few housing units in Albany require more substantial work, including foundation repair, new roofs, and reconstructed porches.

At any given time, there may be a small number (less than 10) of "dilapidated units" in the city, defined as units suffering from excessive neglect, where the building appears structurally un-sound and maintenance is non-existent. Such units are considered unfit for human habitation in their current condition and would require major rehabilitation before they can be re-occupied. In some cases, these units may be associated with stalled renovation projects or long-term vacant homes. The City prioritizes code enforcement on immediate life safety and public health considerations and remediates these issues in collaboration with property owners.

Another metric for evaluating housing condition is the absence of a kitchen or complete plumbing facilities in a housing unit. According to the ACS, there are 64 units in the city without kitchens and 124 units without plumbing. Almost all are rental units. It is surmised that these are mostly junior accessory dwellings, studios, and other living quarters where the occupant has access to a kitchen and bath in the primary residence. Staff is not aware of any primary dwelling units in the city without complete plumbing facilities.

Vacancy Characteristics

According to the Census Bureau, Albany had 488 vacant units in 2010 and 414 vacant units in 2020.⁷ As a percentage of total housing stock, the vacancy rate declined from 6.2 percent in 2010 to 5.2 percent in 2020. This is comparable to the vacancy rate in Alameda County (5.1 percent) and the regional average of 5.9 percent. Tract level data indicates that vacant units in Albany were spread throughout the city and not concentrated in a single area.

The city's vacancy rate has been consistently higher for rental units than for for-sale units. Less than one-half of one percent of Albany's owner-occupied units were vacant and for-sale while 2.0 percent of its renter-occupied units were vacant and for-rent.

⁷ The recent (August 2021) census data release is consistent with the ACS data, which indicated that there were 406 vacant units but is lower than the California Department of Finance data, which shows 526 vacant units.

Both of these statistics are indicative of a very tight and competitive housing market. The percentage of vacant units that were for-rent or for-sale was 50 percent higher in the county and in the region than in Albany.

Table 3-32 indicates the characteristics of vacant units in the city in 2010 and 2020. The table illustrates the tight rental market, with the number of units available for rent dropping from 253 to 79 between 2010 and 2020. The number of vacant for-sale units also decreased. The number of vacant units used seasonally/occasionally nearly tripled during this period, possibly an indicator of short-term rentals. The “other” category also increased.

Table 3-32
Vacant Units, 2010 and 2020

	2010	2020
Total:	7,889	7,850
Occupied	7,401	7,444
Vacant	488	406
For rent	253	79
For sale only	37	17
Rented or sold, not occupied	37	24
For seasonal, recreational, or occasional use	43	119
For migrant workers	0	0
Other vacant	118	167
Percent of units that are vacant (all categories)	6.2%	5.2%

Source: US Census 2010, ACS 2021 (data for 2015-2019)

Identification and Analysis of Developments At-Risk of Conversion

The State Government Code requires the Housing Element to include an analysis of existing below market rate housing units that may change to market-rate housing during the planning period due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use. The expiration of subsidies presents a challenge in many California cities due to the termination of various government subsidy programs and/or restrictions on rental rates. Such housing is referred to as being “at risk” due to the potential for displacement of lower income households. Communities with at risk units must provide a detailed analysis and proactive policies and programs to preserve these units.

There are no “at risk” units in Albany. The City does not have its own housing authority and is within the jurisdictional area covered by the Alameda County Housing

Authority. Like other small cities with limited resources, the City relies primarily on the non-profit sector to produce and manage affordable housing. The City has no publicly assisted housing projects, and one development operated by a non-profit with rent-restricted units. This development (Creekside) was built in 2001 and its affordability restrictions will remain in effect until 2057. Likewise, the four inclusionary housing units at Villa de Albany were developed in 2006. The Regulatory Agreement and Declaration of Restrictive Covenants approved for this project indicates the inclusionary units must remain affordable in perpetuity, with no expiration date.

Impact of UC Village on Albany's Demographics

This section of the Housing Element evaluates the impacts of University of California (UC) Village, which comprises 17 percent of Albany's population, on the citywide demographic data. UC Village is a 58-acre complex owned by the University of California that has been operated as family housing for students with children since the 1950s. It was redeveloped in phases between 1998 and 2008, resulting in a net increase of 56 units and a grand total of 973 units. Its population consists of approximately 3,500 residents.⁸

University Village is part of the city; however, in some ways it is an independent entity due to the nature of its student population, geographic separation, and the City's limited jurisdiction over University lands. The student presence is evident in the Housing Element demographic data and should be factored in as housing programs are developed. For example, many student households meet the HUD definition of very low income since they are comprised of full-time students—but these households may be receiving supplemental income in the form of stipends, or they may be paying below market rents at UC Village.

Given the impact of UC Village on local demographics, the City has created a profile of Albany "with" and "without" UC Village for consideration in the Housing Element. The Village is contained entirely within Census Tract 4204 and is thus possible to isolate it as a demographic unit. Table 3-33 presents the findings, using key population and housing variables.

Relative to the city as a whole, UC Village households tend to be larger, with more children and far fewer seniors. The average household size is 2.71 persons, compared to 2.63 in the other Albany census tracts. The median age is 28.3—in the remainder of Albany it is 40.3. Only 1.4 percent residents of UC Village are over 65, compared to about 14 percent in the rest of the city. About 56 percent of UC Village residents speak a language other than English at home, compared to 37 percent for the rest of the city.

⁸ The 2020 Census reports Census Tract 4204, which includes UC Village, Belmont Village Assisted Living, and no other housing units, as having 3,752 residents. About 200-250 are at Belmont Village.

Table 3-33
Demographics of UC Village Relative to Albany as a Whole

Demographic Variable	Albany (all Census Tracts)	Tract 4204 only (UC Village)	Remainder of City (Tracts 4201-3, 4205-6)
Total population	19,804	3,062(*)	16,742
Total households	7,444	1,129	6,315
Average household size	2.65	2.71	2.63
Median age	36.5	28.3	40.3
Number of persons over 65	2,374	43	2,331
% of residents over 65	12.0%	1.4%	13.9%
Persons under 18	5,141	837	4,304
% of residents under 18	26.0%	27.3%	25.7%
% of residents born outside the United States	31.7%	44.5%	29.3%
% of residents speaking a language other than English at home	40.0%	56.3%	37.4%
% of households consisting of single persons living alone	21.9%	9.4%	24.1%
% of residents who are renters	53.0%	100.0%	37.9%
% of residents who are homeowners	47.0%	0.0%	62.1%
Median household income	\$95,400	\$44,844	\$113,583
% of households with incomes below \$35,000	16.2%	33.0%	13.1%
Percent of all of households in Albany with incomes below \$50,000 a year who live in UC Village	31.8%		
Percent of all individuals in Albany classified as being below the poverty line who live in UC Village	49.4%		
% of renter households paying more than 35% of their incomes on rent	40.4%	54.0%	35.0%
Percent of all Albany renters who pay more than 50% of income on rent who live in UC Village	43.1%		
% of renter housing units with more than one person per room	10.0%	13.1%	8.5%

Source: ACS, 2015-2019, US Census 2020, Barry Miller Consulting, 2021

Although Albany as a whole has historically had an even number of renters and owners, the balance shifts toward owners when the Village is factored out. Outside of UC Village, about 62 percent of the city's households are homeowners and 38 percent are renters. UC Village housing units are also more likely to be overcrowded than those in the rest of the city, with 13.4 percent having more than one person per room compared to 8.5 percent for rental units in the rest of the city.

The median household income in UC Village is \$44,844, which is only 39 percent of the median income in the rest of the city and less than half the citywide median. A disproportionately large share of Albany's lower-income residents live in UC Village. While the Village has 15 percent of the city's households, it has 32 percent of the households with annual incomes below \$50,000. Similarly, 43 percent of the Albany's "severely cost burdened" renters (paying 50%+ of income on rent) were UC Village households. Nearly half of all Albany's residents who meet the federal definition of poverty were UC Village residents.

The concentration of lower income households in UC Village may be somewhat misleading, since many of the residents may have supplemental sources of income not reported to the Census. These include scholarships, stipends, student loans, and other subsidies which effectively reduce living expenses. Households are typically living in the Village for only a few years and are then advancing into occupations that presumably generate higher incomes and greater resources for housing. Despite the relatively high overpayment and poverty statistics, the student family housing is considered an important housing resource for the region and a tremendous benefit for those attending UC Berkeley.

Rents at UC Village are significantly lower than Bay Area market rate units but are not subsidized. In 2020-2021, a one-bedroom/one-bath apartment (635 SF) was \$1,505/month. Two-bedroom units ranged from \$1,795 for a two-bedroom/one-bath (785 SF) to \$2,215 for a two-bedroom/two-bath townhouse (1,197 SF). The three-bedroom units range from \$2,045 for an apartment with 1.5 baths (1,002 SF) to \$2,315 for a flat with two baths (1,103 SF). As noted above, UC students do not typically receive rent subsidies but receive other supplemental income to offset household expenses, allowing the UC housing to meet low-income household affordability levels.

Projections

ABAG Forecasts

As the regional planning agency for the nine-county Bay Area, the Association of Bay Area Governments (ABAG) is responsible for preparing long-range regional and sub-regional forecasts of population, households, and employment. The data is used for regional and local planning, including the Regional Housing Needs Allocation (RHNA). ABAG's latest forecasts extend to 2050. ABAG has opted not to publish jurisdiction-level forecasts for use by local governments in these forecasts and is instead only publishing forecasts for the region, the county, and sub-regions in each county. Albany is part of the Northwest Alameda County sub-region, along with Berkeley and Emeryville.

Plan Bay Area (PBA) 2050, the most recent regional plan, indicates that the Bay Area as a whole will experience a 51 percent increase in households and a 35 percent increase in the number of jobs between 2015 and 2050. Alameda County is projected to grow at a slightly faster rate than the regional average, with a 54 percent increase in households and a 36 percent increase in employment. Household growth in the Northwest Alameda County subarea is expected to be higher than the county average, with a 57 percent increase forecast for 2015-2050. Employment growth in the Northwest subarea is expected to be far below the county average, with only a five percent increase.

Based on the prior set of ABAG forecasts – Plan Bay Area (PBA) 2040 – most of this growth is anticipated to be in Berkeley and Emeryville, and not in Albany. PBA 2040 showed Albany adding 285 households between 2015 and 2040, compared to 6,590 in Berkeley and 12,065 in Emeryville. In other words, Albany represents about 1.5 percent of the expected household growth in the Northwest County subarea. For employment, PBA showed Albany adding 310 jobs, compared to 7,005 in Berkeley and 470 in Emeryville. This is equivalent to four percent of the sub-region's job growth.

PBA 2040 showed most of Albany's growth occurring between 2020 and 2030, with almost no growth after 2030. The 2040 forecast shows a net gain of 215 households between 2020 and 2030, or about 22 households a year. This is equivalent to roughly 176 households over the 2023-2031 planning period. The updated PBA 2050 forecasts assumed a faster rate of growth, at least in Albany and Berkeley.

Regional Housing Needs Allocation (RHNA)

As noted in the introduction to this Housing Element, the State determines the total need for housing in each region of California. That amount is then allocated to each city and county by regional councils of governments. For the years 2023-2031, the State has

determined that the total need for housing in the San Francisco Bay Area was 441,176 units. ABAG has distributed that need to the region's 101 cities and nine counties through the RHNA process (see Chapter 1). The housing units are distributed among four income levels to ensure that each jurisdiction is planning for all economic segments of the population.

Table 3-34 indicates Albany's allocation for the 2023-2031 planning period. The City's RHNA is 1,114 units, which is a 233 percent increase over the 2015-2023 allocation. This is a substantially higher rate of increase than the regional average (134 percent) and the Alameda County average (102 percent). It is more than 500 percent higher than the number of households that PBA 2040 projected would be added to Albany between 2020 and 2030. Nonetheless, by creating the capacity for additional housing, the City can help reduce the deficit that has occurred from the lack of construction over the last decade and address the urgent unmet need for affordable housing in the Bay Area. The City's allocation is heavily weighted toward low and very low income units, as that is the area where production has lagged the most and where the needs are greatest.

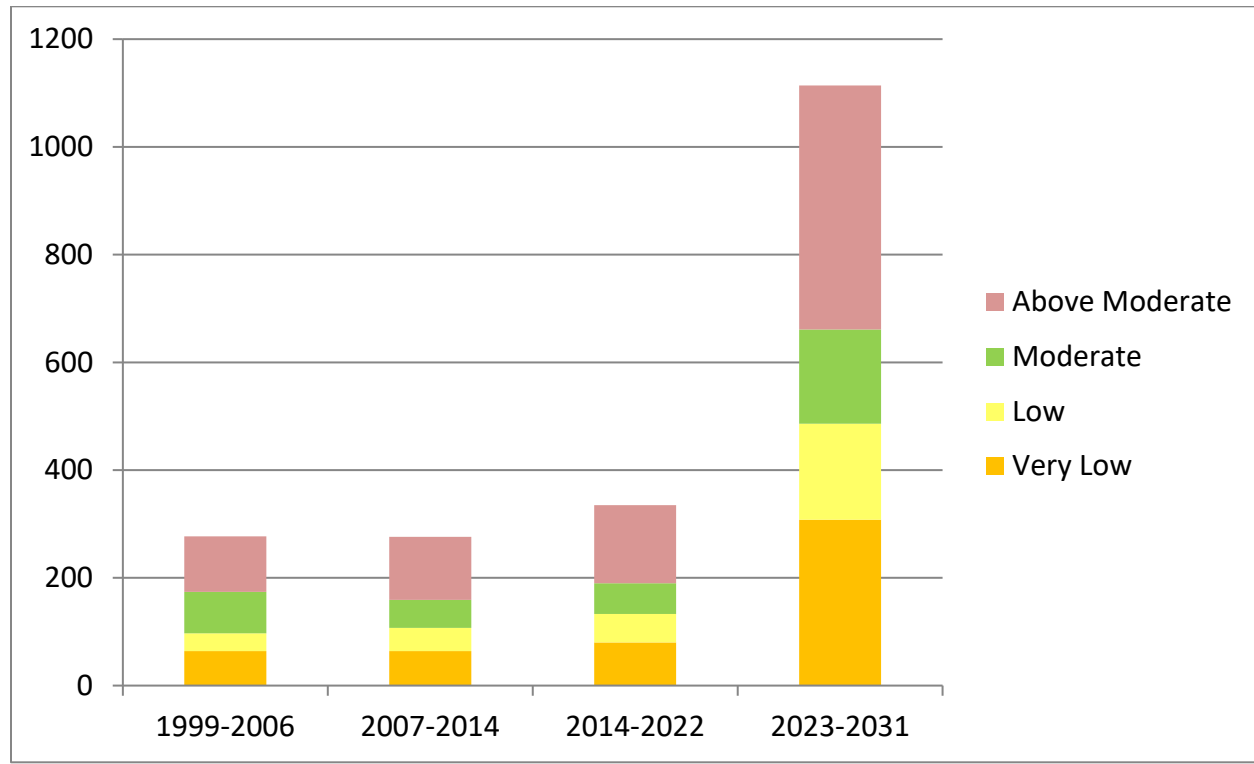
The California Government Code requires that the "very low" income component of the RHNA be further divided into targets for "very low" (30-50% of Areawide Median Income) and "extremely low" (less than 30% of Areawide Median Income) income households. Given that Albany's "very low" allocation is 308 units, 154 units are presumed needed for extremely low-income households and 154 units for very low income households (e.g., 30-50 percent of AMI).

Chart 3-14 compares the 2023-2031 RHNA with the allocations received by the City during the previous three cycles. Historically, the City's RHNA has ranged from 275 to 335 units. Chapter 4 of the Housing Element identifies opportunity sites for meeting the City's assignment.

Table 3-34
Albany's Share of the Regional Housing Needs Allocation 2014-2031

Income Category	2015-2023	2023-2031
Very Low (0-50% of AMI*)	80	308
Low (51-80% of AMI)	53	178
Moderate (81-120% of AMI)	57	175
Above Moderate (over 120% of AMI)	145	453
TOTAL UNITS	335	1,114
*Areawide Median Income		

Source: Association of Bay Area Governments, 2013 and 2021

Chart 3-14: Regional Housing Needs Allocation for Cycles 3, 4, 5, and 6*Source: ABAG, 2009, 2013, 2021**Source: ABAG 2021, 2015 Albany Housing Element***Conclusions**

1. Albany continues to gain population at a much faster rate than housing. The City added more than 1,700 people between 2010 and 2020, but added fewer than 100 housing units, plus a 175-unit assisted living facility. Population is increasing as a result of larger households rather than new construction.
2. During the last decade, the city has seen less new construction than the county, the region, Berkeley, El Cerrito, and other similarly situated mature suburban cities in the region. Housing demand far exceeds housing supply, creating pent-up demand for both owner-occupied and rental units.
3. The fastest growing age cohort in the city between 2010 and 2020 was age 65-74. At the same time, the number of seniors living alone increased by 20 percent between 2010 and 2020. Both of these trends portend an increase in the coming decade for senior housing, home sharing, and “aging in place” home retrofits.

4. While senior households represent 12 percent of the population, they represent 34 percent of the homeowner heads of household. Some of these households are on fixed incomes, with limited resources for home maintenance and repair. Programs to assist lower-income senior homeowners would be beneficial.
5. Albany's population continues to become more diverse, with a growing number of multi-racial residents and residents who speak languages other than English. Multi-lingual capacity and engagement should remain a priority as the City delivers housing and supportive service programs. There will be a continued need for zoning regulations that accommodate extended families and multi-generational households.
6. Albany continues to be an economically diverse community, although this is partially due to the presence of lower-income student families at UC Village. The recent run-up in home prices threatens the city's economic diversity and has made single family homes unaffordable for first-time homebuyers and renter households. There is an urgent need for both market-rate and affordable rental housing in the city, including larger (3 bedroom) units for families.
7. Albany's high-quality schools and family-friendly reputation continue to draw families with children. The number of households with children under 18 is significantly higher than in neighboring communities (43 percent, compared to a regional average of 32 percent). This is fueling the city's population growth and creating the demand for larger homes and additional bedrooms.
8. Rents in Albany have increased at a more moderate rate than for-sale housing. As a result, the Census shows fewer cost-burdened renter households in the city than a decade ago (52 percent vs 56 percent). However, the data does not reflect households impacted by the COVID-19 pandemic and the resulting economic hardship and threat of displacement. Census data indicates that households of color are more likely to be cost-burdened than White, Non-Hispanic households.
9. A decade ago, there were almost no housing units in Albany that met the Census definition of overcrowding. There were also very few "large family" households. This is no longer the case. While the city still has less overcrowding than the county as a whole, the number of overcrowded households increased from 238 in 2010 to 495 in 2020. The number of large families increased from 225 to 514.
10. Approximately 13 percent of Albany's households meet the HUD definition of "Extremely Low Income" (ELI). This statistic is skewed by ELI student families at

UC Village but is still significant. ELI households include persons experiencing homelessness, seniors on fixed incomes, persons with disabilities or receiving SSI or General Assistance, and minimum wage workers. While the City has improved supportive services for ELI households, transitional and supportive housing options are extremely limited. Nearly 80 percent of Albany's ELI households spend more than half their incomes on housing.

11. The balance between renters and owners in the city has tipped slightly toward renters in the last decade (now 53 percent of all households). This is likely due to the rising cost of home ownership in the city. Both the ownership and rental markets are very competitive, with vacancy rates of less than 2 percent.
12. Albany's housing stock is in good condition, but 58 percent of the housing stock is more than 60 years old. Alameda County programs to assist low-income homeowners with repair and home improvements are an important resource.
13. The City is fortunate to have a relatively large number of market-rate condominiums (Gateview, Bayside Commons, etc.) that are "affordable by design" to moderate income households. New market-rate condominium development would provide opportunities for first-time buyers and others seeking home ownership at a more reasonable costs than detached homes.
14. Albany has twice as many employed residents as jobs, which creates fiscal challenges. Creating local housing programs is constrained by the lack of a more robust commercial sector, and a limited sales tax base. The City should continue to pursue revenue-producing land uses, but these opportunities may be competing with the same sites where new housing could be produced.
15. The median price of a home in Albany is now over \$1.2 million. Using conventional assumptions about interest rates, downpayment, insurance, etc., purchasing such a home requires an income of over \$200,000 a year. Accessory dwelling units can help reduce owner costs and increase affordability, while providing a housing resource for lower income renters. Shared housing, duplexes, and other housing types may also help improve affordability.
16. The City's RHNA for 2023-2031 is more than three times higher than it was in 2015-2023. This is partially due to the backlog of unmet need in the Bay Area during the last RHNA cycle and sluggish construction during 2010-2020. Due to land constraints, meeting the RHNA will require a much greater focus on higher densities and multi-family housing than it has in the past.

Chapter 4 – Housing Opportunity Sites and Resources

Introduction

The purpose of the housing sites analysis is to demonstrate that there are sufficient sites with appropriate zoning to meet the City’s Regional Housing Needs Allocation (RHNA) for the eight-year planning period. State Law requires the City to show that the properties it identifies provide realistic opportunities to satisfy the targets for Albany established by the Association of Bay Area Governments (ABAG). Moreover, the City must demonstrate that its sites can meet the needs of all economic segments of the community, including lower income households.

As noted in Chapter 1, ABAG has allocated 1,114 units of the Bay Area’s housing need to Albany. When this assignment was made in 2021, the City’s zoning did not accommodate the densities required to meet this need. The prior (2015-2023) Housing Element identified the capacity for just 448 housing units, including 175 units in a project that has since been completed. This left a remaining capacity for just 273 units while the assignment was to accommodate four times that number of units.

The City has responded to the increased RHNA in a number of ways. Most importantly, it adopted a Specific Plan for the San Pablo Avenue corridor in July 2022, just prior to the start of the eight-year Housing Element planning period. The Specific Plan increased height limits along the corridor, unlocking the potential for hundreds of additional housing units on underutilized properties. These sites alone have the capacity to meet the higher RHNA. However, this Housing Element is also recommending zoning changes in other parts of Albany, to ensure that new housing opportunities are equitably distributed around the city.

The analysis of housing sites is intended to be comprehensive and realistic. It includes properties zoned for residential uses, as well as properties that are zoned to allow both residential and commercial uses. It includes sites that are vacant as well as non-vacant sites that are underutilized. It also includes sites in the development “pipeline” – in other words, sites where projects have been entitled for construction but are not yet developed. Assumptions are also made for accessory dwelling units (ADUs), which are becoming a more important part of the affordable housing supply.

Housing sites in the 2023-2031 Albany Housing Element have been selected using guidelines developed by the California Department of Housing and Community Development (HCD), along with local knowledge and input from the community. Among the factors considered are physical features (slope, hazards, vegetation), transportation access and infrastructure, size, existing use, ownership, zoning,

proximity to services and transit, and the value and extent of improvements on each site. The 2015-2023 site inventory provided the starting point for the analysis, but the inventory has been expanded to reflect the larger RHNA assignment as well as new State requirements.

Consistent with the other elements of the Albany General Plan, the City is directing its housing growth to infill sites and sites in commercial areas that are already urbanized. This allows the Housing Element to advance complementary objectives such as reducing greenhouse gas emissions, supporting transit use, encouraging walking and bicycling, and supporting the vitality of Albany's businesses. The Housing Element proposes no changes to the City's waterfront and industrial areas and preserves the City's parks and public open spaces.

This chapter includes six parts:

- First, an overview of State requirements for the site inventory is provided. This section also documents the methodology used to identify sites in Albany.
- Second, the Element identifies housing that was entitled but not yet completed at the start of the planning period. The City is assuming these units will be built by 2031. As such, it can assign them to each income category and be "credited" for their construction.
- Third, an estimate is made of the potential for Accessory Dwelling Units (ADUs) over the planning period. ADUs are assigned by income category using guidelines provided by ABAG.
- Fourth, housing opportunity sites are identified and mapped. Sites are organized in five categories:
 1. Vacant sites zoned for residential use
 2. Underutilized sites zoned for residential use
 3. Non-vacant (underutilized) sites zoned for mixed use: San Pablo Av
 4. Non-vacant (underutilized) sites zoned for mixed use: Solano Av
 5. Other sites

Appendix B provides a detailed profile of each site. This includes information about zoning, allowable density, General Plan designation, size, realistic capacity, and constraints. It also includes any actions that will be required to create the presumed capacity. An aerial photo is included for each parcel.

- Fifth, the information is summarized to demonstrate the total number of units that could potentially be produced. This is compared to the RHNA. A surplus has been identified in each income category, providing the required buffer in the event sites become unavailable or are used for other purposes.

The sixth and final part of this chapter addresses resources to assist Albany residents in lowering their household energy costs. While this does not relate directly to housing opportunity sites, it does relate to the resources available to meet local housing needs.

State Requirements

The State of California has adopted a number of requirements for identifying housing opportunity sites. These are summarized below.

“Default Densities”

In accordance with AB 2348, sites deemed suitable for lower income households must be zoned at densities of at least 20 units per acre. This is referred to as the “default density.”¹

In Albany, sites meeting the eligibility criteria for lower income housing include properties in the R-2, R-3, and R-4 zoning districts, where densities of 35, 63, and 87 units per acre are permitted, respectively. It also includes land in the SC (Solano Commercial) zone, which allows development densities at 63 units per acre. The San Pablo Avenue corridor likewise is included, although the new San Pablo Avenue Specific Plan uses floor area ratio and height rather than density to regulate development. The Specific Plan includes a minimum density requirement of 30 units per acre for all new construction, so all sites within the boundary meet AB 2348 criteria.

“Realistic Capacity”

Jurisdictions are required to estimate the capacity of housing sites based on “realistic” capacity rather than “theoretical capacity.” A one-acre site may be zoned for 60 units per acre, but that does not mean 60 units will be constructed on the property. A smaller number of units may be built due to topographical and physical features such as steep slopes and creeks. There may also be easements, open space requirements, or limitations on lot coverage, height and other attributes of development that make it difficult to achieve maximum density. Another aspect of realistic capacity is that cities may not count the potential for density bonuses in their estimates, even when such bonus units are routinely included in most projects.

¹ The default density is 20 units per acre in suburban cities with populations of 25,000 or less and 30 units per acre in suburban cities with more than 25,000 residents.

Recent development provides a helpful metric for estimating “realistic capacity” on local housing sites, as well as a benchmark for demonstrating that smaller sites are viable. In Albany’s case, data for recently built and approved multi-family projects along San Pablo Avenue in Berkeley and El Cerrito was collected as part of the Housing Element Update (see Appendix C). The data determined that densities of 80 to 120 units per acre are not only realistic, they are conservative given the zoning standards in the San Pablo Avenue Specific Plan.

“Carry-Over Sites”

AB 1397 (2017) introduced new requirements for re-counting housing sites that were identified in previous Housing Elements. This responded to concerns that cities were simply carrying the same sites forward from cycle to cycle, without creating incentives for their development or providing evidence that these sites were viable. The new requirements are intended to provide further zoning incentives to encourage the development of these sites.

Under State law, “carry over” sites must be zoned no less than three years into the planning period (January 31, 2026) with a designation that allows “by right” approval for projects in which at least 20 percent of the units are affordable to lower income households. “By right” approval means that the City cannot require a Planned Development permit, Conditional Use Permit, or other form of local discretionary review. The City can still require design review (including public hearings) as long as objective standards are applied. Parcels along the San Pablo Avenue corridor meet these criteria under the new San Pablo Avenue Specific Plan, since that Plan includes objective standards and a pathway to right approval.

Special Requirements for Sites Designated to meet “Lower Income” Needs

Changes made through the legislature and HCD since 2015 have established further requirements for sites designated as suitable to meet a community’s lower income needs. More specifically, Government Code 65583.2(h) now requires that each site designated for lower income housing has the capacity for at least 16 units. This is because the economics of affordable housing usually require larger unit counts for such a project to be viable.

The State has also ruled that smaller than 0.5 acres and larger than 10 acres are generally not considered viable for lower income housing. These limitations do not prohibit the designation of such sites in a city’s inventory, but they do require jurisdictions to prove that they can be developed with affordable housing based on past trends and actual

projects. This is the case on San Pablo Avenue, where sites as small as 10,000 square feet (0.23 acres) have been developed with affordable housing.

Non-Vacant Sites and the “Substantial Evidence” Requirement

Cities that rely on non-vacant sites to meet 50% or more of their lower income RHNA are subject to a requirement to provide “substantial evidence” that the sites are realistic and developable. Examples of substantial evidence include expiring leases, buildings in poor condition, uses with extremely low improvement values (such as parking lots), and property owner interest in developing the parcel. Another important aspect of substantial evidence is whether nearby parcels with the same physical characteristics have recently developed (or been approved for development) at the presumed densities. Appendix “C” of this Housing Element serves this purpose.

As a built out, higher-density city with almost no vacant land, Albany is subject to this requirement. Approximately 80 percent of the city’s lower income housing potential is on non-vacant sites. While many of these sites have low value land uses such as parking lots or storage, others have active businesses. State law requires that these uses be considered “constraints.” Cities can mitigate such constraints by providing incentives for residential uses (such as more height and floor area) and working with property owners to make housing more feasible. In Albany’s case, the City has provided more sites than are required in its inventory, recognizing the probability that some may not be developed before 2031.

Reporting of Sites by Income Category

Jurisdictions are required to identify sites by income category. For reporting purposes, low- and very low-income sites may be added together and described as “lower income” sites. Individual sites may be assigned to multiple income categories. For example, Albany’s mixed use sites have been pro-rated between lower, moderate, and above moderate income categories in a manner that is proportional to the RHNA. In other words, 43% of the units on each mixed use site are presumed lower income, 16% are presumed moderate income, and 41% are presumed above moderate income.

The City has an inclusionary zoning requirement, which will ensure that at least 15% of the units built on opportunity sites will be affordable to lower income households. To achieve the 43% RHNA target, the City will also need to accommodate additional projects like the SAHA development on Cleveland Avenue in which 100% of the units are affordable. The City has not explicitly designated which sites will include 100% “affordable” developments, as it is seeking to maximize flexibility and choice for the non-profit affordable housing market. Such projects are strongly encouraged on all of

the housing opportunity sites, including the Albany Hill site, the San Pablo Avenue corridor sites, and the Solano Avenue sites.

Buffer and No Net Loss Requirements

SB 166 requires that cities include a “buffer” of additional sites in case some of the sites listed in this Housing Element become unavailable before 2031. HCD requires the buffer be at least 15 percent, although higher buffers are encouraged. In general, the more a community relies on non-vacant sites to meet its RHNA, the higher the buffer should be. Albany has provided a 35 percent buffer for lower income sites in its inventory.

SB 166 also introduced what is commonly known as the “no net loss” requirement. The legislation requires that cities must be able to demonstrate that they have adequate sites to meet their RHNA *at all times* during the planning period. If a project is proposed on a housing site with a smaller number of lower income units than was presumed in this Housing Element, the City must find that it still has adequate capacity on the remaining opportunity sites to meet the RHNA. If the City is no longer able to meet its RHNA, it must identify a developable “replacement” site to make up the lost capacity. In some cases, this could require rezoning.

Affirmatively Furthering Fair Housing Requirements

Finally, the sites inventory is subject to the Affirmatively Furthering Fair Housing requirements of AB 686. This requires that the lower income sites be geographically distributed in ways that foster integration and create affordable housing opportunities throughout high resource areas. A recurring message heard from the community during this Housing Element update is that the City should not locate all of its affordable housing in the San Pablo Avenue corridor. Accordingly, opportunity sites have also been identified on the southwest side of Albany Hill and along Solano Avenue. The Element also encourages affordable housing opportunities in single family neighborhoods, for example, through Accessory Dwellings and through duplexes and lot splits.

Methodology

An abridged description of the methodology used to identify housing opportunity sites is provided below. The methodology outlines seven specific steps. Please consult Appendix B for a more detailed discussion of the methodology, including tables and detailed site descriptions.

- **Step 1: Adjust RHNA totals based on committed development**
Projects that were under construction as of June 30, 2022 or in the development pipeline are presumed to be completed during the eight-year planning period and are subtracted from the RHNA assignment. These units have been allocated by income category to produce adjusted totals.
- **Step 2: Adjust RHNA totals based on Accessory Dwelling Unit (ADU) projections**
The City estimated the number of ADUs to be developed over the next eight years using a trendline based on actual data for the last four years. It has assigned projected ADUs to the four RHNA income categories based on data provided by ABAG.

An “adjusted RHNA” was developed by subtracting the units calculated in Steps 1 and 2.

- **Step 3: Calculate potential on vacant residential land.** An inventory of vacant residential land was prepared using Alameda County tax assessor data. Existing zoning was used to estimate the projected number of housing units on these sites.
- **Step 4: Calculate potential on underutilized residential land.** The potential for additional units on already developed residential sites was estimated for the R-3 (high density) zoning district. This included field inspections of all R-3 properties and an estimate of additional units on properties that were underutilized.
- **Step 5: Calculate potential on parcels in the San Pablo Avenue Specific Plan Area.** Sites were identified based on a range of metrics, including improvement to land value ratio, floor area ratio, age and condition of structure, size of site, ownership, and landowner interest in development. Each site was field checked. Two capacity estimates were made for each opportunity site – one based on the zoning in effect in January 2022 and another based on the San Pablo Avenue Specific Plan (adopted in July 2022).
- **Step 6: Calculate potential on Solano Avenue parcels.** The same screening criteria used on San Pablo Avenue were also used on Solano Avenue. Each site was field checked. Two capacity estimates were made for each site – one based on current zoning and another based on a prescribed set of zoning changes (to be implemented after the Housing Element is adopted).
- **Step 7: Calculate potential on other sites.** Field surveys and anecdotal information were conducted to identify any other potential housing sites in the city, including public and institutional sites. This included proposed development at UC Village.

The analysis incorporated several foundational assumptions, including:

- The Albany waterfront, including Golden Gate Fields, is considered unavailable as a Housing Opportunity site.
- The University of California Gill Tract Farm is considered unavailable as a Housing Opportunity site.
- The industrial (CMX) zone along the railroad tracks is considered unavailable for Housing Opportunity sites.

Residential uses in these three areas would be inconsistent with the Albany General Plan. General Plan Amendments could change these assumptions at some point in the future, but they are not considered viable housing opportunities at this time.

Figure 4-1 shows the location of the housing opportunity sites, including projects in the development pipeline. More detailed information may be found in Appendix B and Figures 4-2 and 4-3.

Adjustments for Approved but not yet Occupied Units (Step 1)

HCD allows the City to receive “credit” for housing that was approved but not yet occupied at the start of the RHNA “projection” period.² These units are presumed to be completed and occupied between June 30, 2022 and December 2030. This is commonly referred to as the development “pipeline.”

The adjustments for built or approved units are shown in Table 4-1 below. The Table identifies 309 units. A majority are associated with two projects – the SAHA affordable housing development (62 units) and the Albany Bowl redevelopment (207 units). Other recently approved projects include 14 units at 425 Evelyn Street, 12 units at 1600 Solano Avenue, and four units at 904 Masonic. This category also includes nine townhomes at 634 Kains that were approved in 2020 and in their final stages of construction in July 2022.

Collectively, the projects shown in Table 4-1 will add 65 very low-income units, 23 low-income units, 99 moderate-income units, and 122 above moderate-income units. The moderate-income units are market-rate apartments that are expected to rent at rates considered affordable to moderate income households (studios and one-bedrooms). There will likely be additional moderate-income units added as a result of Accessory Dwelling Units approved during the first half of 2022, but these are not quantified here.

² The “RHNA projection period” and the “planning period” are slightly different. While the planning period is January 31, 2023 through January 31, 2023, the RHNA projection period is June 30, 2022 to December 15, 2030.

The development pipeline represents 28 percent of the RHNA. However, the units are not evenly distributed across income categories. Approved projects will meet 18 percent of the lower-income RHNA and 35 percent of the moderate- and above moderate-income RHNA.

**Table 4-1:
Approved Units Expected to be Occupied After June 30, 2022**

<u>Address</u>	Status: Built, Under Construction, Approved	Total Units (net)	Very Low Income Units	Low Income Units	Moderate Income Units	Above Moderate Income Units	Comments
755 Cleveland Av	Approved, not yet built	62	43	19			Albany Family Housing, to be developed by Satellite Affordable Housing Associates (SAHA) on 1.13 acres of City-owned land
423 Evelyn	Approved, not yet built	14	1	1		12	14 rental units, includes 2 inclusionary (1 L, 1 VL). Remainder are market rate
910 Tulare	Under construction	1				1	Convert psychiatrist offices to SF home
1600 Solano	Approved, not yet built	12		2		10	Demolish dental office and add 12-unit mixed use
540 San Pablo	Approved, not yet built	207	21		67*	119	Albany Bowl development. Incl. 21 VL units (for density bonus) plus 186 mkt rate
634 Kains	Under construction	9		1		8	Nine townhomes
904 Masonic	Approved, not yet built	4				4	Includes 3 traditional units and 1 live-work unit
TOTAL		309	65	23	67	154	

Source: Albany Community Development Department, Barry Miller Consulting, 2021, 2022

(*) Market rate studios and 1-bedroom apts presumed to meet moderate income affordability levels

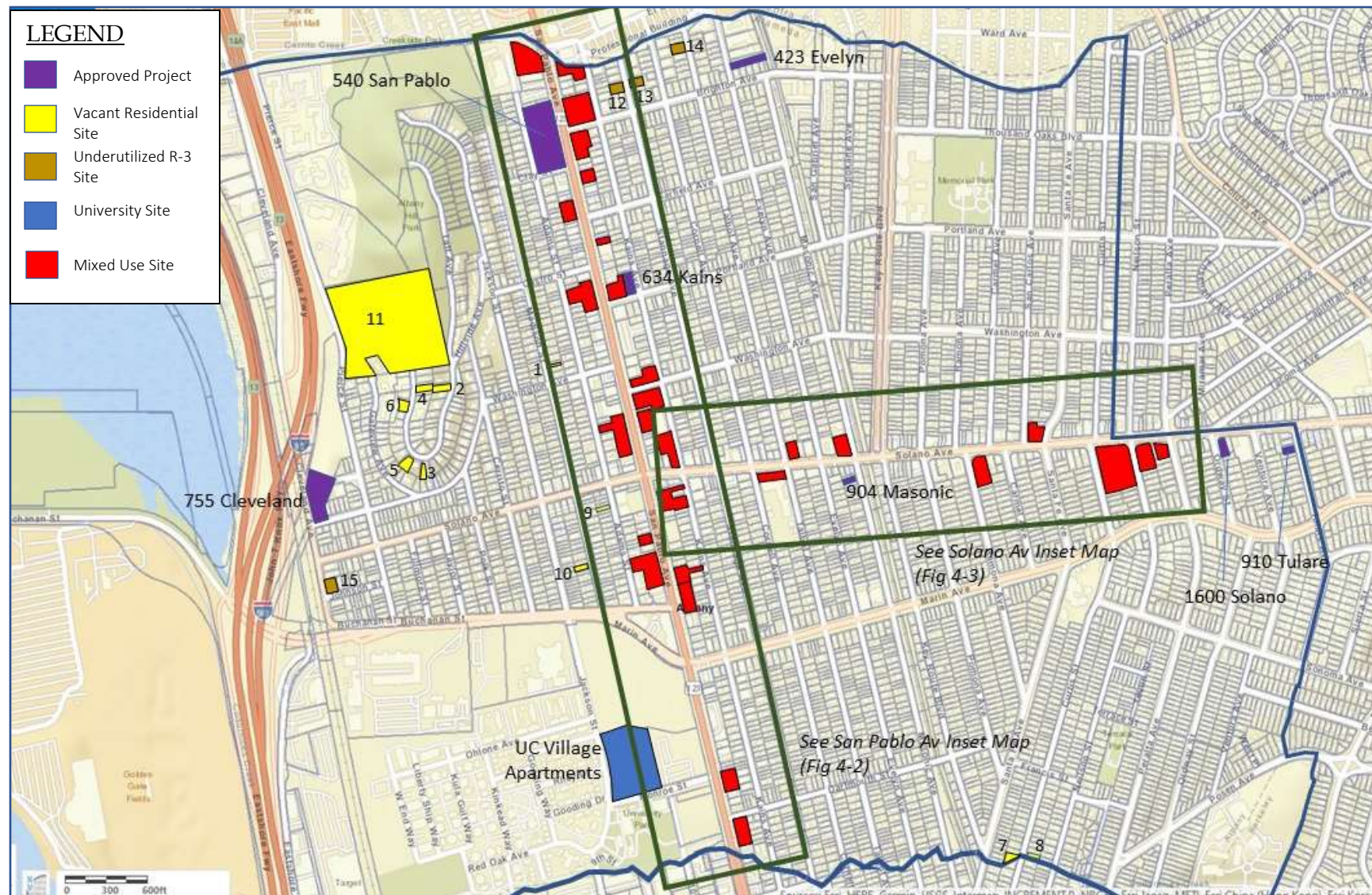


Figure 4-1:
Housing Opportunity Sites (Citywide)

Housing sites are shown with numeric labels. See Appendix B for full list.

Adjustments for Accessory Dwelling Units (ADUs) (Step 2)

Government Code Section 65583.1(a) allows a city or county to account for ADUs in its calculation of housing opportunities. In the four years from the start of 2018 through the end of 2021, Albany issued building permits for 83 ADUs, or an average of 20.75 per year. Approximately half of these units were subsequently completed. Thus, the City is making a conservative estimate that 10 ADUs per year will be completed through 2031, or 80 ADUs in total over the eight year period.

Counting these ADUs toward the RHNA requires assigning them to the four RHNA income categories. In the past, the City has assigned most ADUs to the moderate income category, based on market rate rents for small one-bedroom apartments. However, ABAG has developed an alternative method that is based on actual rent survey data. Their 2021 rent survey report was based on survey returns for 387 ADUs in the Bay Area.³ In jurisdictions that historically have not produced affordable housing, the survey recommended the following distribution:

- Very Low Income: 5%
- Low Income: 30%
- Moderate Income: 50%
- Above Moderate Income: 15%

The ABAG survey found that the percentage of ADUs affordable to very low-income households is likely much higher than 5 percent, as a substantial number of ADUs are rented at discounts or provided at no charge to family members, elder relatives, caregivers, etc. A June 2022 ABAG report indicated that as many as 30 percent may meet very low-income guidelines. In general, ADUs tend to be more affordable than conventional apartments. They are often smaller, and their owners may be more interested in a reliable, stable tenant than maximizing profit. Further, the unit cost of constructing an ADU is typically less than the unit cost of building a multi-family apartment, as the land on which the ADU is built is already owned by the homeowner and in many cases the structure already exists. Thus, the distribution shown above is considered conservative.

Applying the ABAG percentages to the forecasted yield of 80 ADUs results in:

- Very Low Income: 4 units
- Low Income: 24 units
- Moderate Income: 40 units
- Above Moderate Income: 12 units

³ Draft Affordability of Accessory Dwelling Units Report, ABAG Housing Technical Assistance Team, 9/8/21

Table 4-2 shows the adjusted RHNA, taking into consideration the development pipeline and presumed ADUs. The adjusted totals indicate a remaining balance of 370 units for lower income households and 355 units for moderate and above moderate-income households.

Table 4-2
Adjusted RHNA for Opportunity Site Analysis

	Very Low	Low	Moderate	Above Moderate	Total
RHNA	308	178	175	453	1,114
Development Pipeline	(65)	(23)	(67)	(154)	(309)
Accessory Dwelling Units	(4)	(24)	(40)	(12)	(80)
Adjusted RHNA	239	131	68	287	725

Source: Barry Miller Consulting, 2021, 2022

Potential on Vacant Residentially-Zoned Land (Step 3)

The supply of vacant residentially zoned sites in Albany is limited. County assessor data was reviewed to identify all residentially zoned properties given a tax code of “Vacant Land.” Sites smaller than 2,500 square feet were excluded, as they are below the conforming lot size for single family homes.

Out of 5,737 residential parcels in Albany, only 10 are vacant and large enough to support a new home. Nine of these parcels are urban infill lots that are less than 0.15 acres each. The remaining parcel is a 10.79-acre site on Albany Hill.

The following R-1 (single family) properties are vacant lots:

- APN 66-2793-19, between 739 and 745 Madison (2,500 SF)
- APN 66-2753-6-3 between 895 and 889 Hillside Avenue (4,800 SF)
- APN 66-2751-16 between 840 and 846 Hillside Ave (3,600 SF)
- APN 66-2751-12-1 between 830 and 840 Hillside Ave (5,600 SF)
- APN 66-2751-5-13 between 716 and 796 Hillside Ave (5,400 SF)
- APN 66-2753-31 between 705 and 715 Hillside Ave (6,100 SF)
- APN 065-2463-066 1196 Curtis St. (8,176 sq. ft.)

These seven parcels are estimated to have the capacity for seven units. Since these are single family zoned lots, mostly located on hillsides, future homes on these sites would presumably meet above moderate income needs. There is also a developed 8,000 SF lot

at 1197 Curtis (APN 65-2412-39) with the potential to be divided into two 4,000 SF lots. Thus, the potential capacity on single family zoned R-1 lots is estimated to be eight units.

There are two vacant R-2 lots. One is located immediately south of 910 Adams Avenue (APN 66-2722-7). It is 2,500 square feet and is presumed to have the capacity for two above moderate-income units (allowable density in R-2 is one unit per 1,250 SF of lot area). The other is located between 934 and 940 Madison Street (APN 66-2723-013). It is 3,952 square feet and is presumed to have the capacity for three above moderate-income units.

Total capacity for small vacant residentially-zoned sites is 13 above moderate-income units. These sites are shown in Figure 4-1.

As noted above, there is one large vacant site zoned for housing in Albany. It is APN 66-2760-10-7, and is located on Pierce Street immediately south of the Gateview condominiums. The site is 10.79 acres and is owned by Golden Gate Hill Development Co. in San Francisco. The General Plan designation for the site is Hillside Residential, with a maximum density of 6 units per acre. Policy direction in the General Plan indicates that this density should be clustered on the least environmentally sensitive part of the site. The property is moderate to steeply sloping and is heavily wooded with eucalyptus trees. A fire in early 2022 burned approximately 15 percent of the site. Current zoning is Hillside Residential.

The 1992 Albany Housing Element estimated the capacity of this site at 112 units, or about 10 units per acre. This capacity was reduced by Albany voters through a ballot measure in 1994 that limited the density to 6 units per acre, or roughly 65 units. Neither the 2007-2014 or the 2015-2023 Housing Element included this property in the sites inventory. At the time, the RHNA was much smaller than it is today, and did not require its inclusion. There had also been a recent proposal by Trust for Public Land to acquire the site.

The site is currently for sale and is considered a viable housing site. It is noted that the three properties north of the site are developed at densities of 69 units/acre (Gateview), 17 units/acre (Bridgewater), and 30 units/acre (Bayside Commons), although these are gross densities based on the entire parcel. On each site, the density is clustered along Pierce Street and the upper slopes are open space.

If a similar approach were to be taken on the 10.79-acre vacant site and a density of 12 units/acre was applied, the site would yield 129 units. The 12 units/acre benchmark is used because it is equivalent to R-1 densities. A higher density should be considered. For instance, a 20 unit/acre standard could yield 215 units.

Whatever the density, the allowable number of units should be clustered on roughly 3-4 acres along Pierce Street, making the site eligible as an affordable housing opportunity site while also preserving a substantial open space area. A program in this Housing Element calls for a ballot measure to allow more than 6 units/ acre on the site, and to support clustering. For Housing Element purposes, a conservative approach has been taken and an estimate of 129 units has been used. This capacity has been evenly divided into “lower” income units and “above moderate” income units.

Underutilized Sites Zoned for Multi-Family Housing (Step 4)

Albany’s R-3 zoning district permits densities of up to 63 units per acre. Affordable housing is considered feasible in this zoning district, given the allowable densities and associated development standards. Market rate condominiums and apartments also would be feasible at the permitted densities.

The R-3 zone contains a mix of large multi-family buildings, small multi-family buildings, 2-4 plexes, flats, and individual single family homes. Some of these units are affordable by design, even without rent and income restrictions. There are a number of underutilized properties in this district with the capacity for higher density development. For example, the R-3 zone includes a number of small single family homes built between 1910 and 1940, including some that are investor owned and renter occupied.

In recent years, a few such parcels have been redeveloped to support higher-value development with more units. For instance, in 2011, a 5,000 square foot lot containing two single family homes (1157 Brighton and 420 Cornell) was redeveloped with four rental units. The density of the new project is 35 units per acre. Similarly, in 2020, the Planning Commission approved a 14-unit project at 423 Evelyn, located to the rear of a 4-plex. The site had been identified as a housing site in the 2015 Housing Element. The density of the approved project is 83 units per acre (14 new + 4 existing on 0.215 acres).

Similar opportunities exist elsewhere on the five R-3 blocks generally bounded by Kains Avenue, the BART tracks, Cerrito Creek, and Brighton Avenue. These blocks are particularly well suited for additional density since they are located between 1,500 and 2,000 feet from the El Cerrito Plaza BART station. Walking to BART from this area typically takes less than 10 minutes, which may allow for transit-oriented housing with lower levels of auto ownership. This can improve affordability and potentially allow for reduced parking.

The potential for multi-family units also exists in other R-3 zoned areas. This includes the area located between Cleveland Avenue and Pierce Street, just north of Buchanan on the west side of the city. This area includes the approved 62-unit SAHA affordable

housing development on former City-owned land. Most of the properties in this area are owner occupied or owned by individual investors and would require aggregation to create viable sites. However, at least one site consists of two adjacent parcels owned by the same party, each with a small rental home.

Four R-3 housing opportunity sites have been identified (see Appendix B). These sites, and their associated yields, are:

- 412-416 Stannage (6 units)
- 415 Stannage (7 units)
- 408-412 Talbot (6 units)
- 701-703 Johnson (8 units)

In each case above, the yield is based on the net gain, accounting for existing housing units on each site. The total is 27 units. These are presumed to be market-rate units, with one inclusionary housing (lower income) unit each provided on the sites with the capacity for 7 units or more.

Figure 4-1 shows the location of the residentially zoned sites, as well as the location of projects in the development pipeline.

San Pablo Avenue Specific Plan Area (Step 5)

The San Pablo Avenue Specific Plan was adopted on July 18, 2022. Because the Plan was prepared concurrently with the Draft Housing Element, two sets of capacity estimates were prepared for each opportunity site. The first set shows development yields without the Plan, and the second set shows yields with the Plan. The second set yields are now attainable on all sites in the Specific Plan Area. The first set yields are still displayed in this Housing Element for comparative purposes.

The text box on the next page provides an overview of the Specific Plan. It is intended to facilitate the transformation of the mile-long, two-block wide corridor from an auto-oriented commercial thoroughfare to a walkable mixed-use neighborhood. While the vision for the corridor is not new, the development standards to make it a reality have not been in place until now. The Specific Plan substantially increases the development potential of parcels along San Pablo Avenue. It also creates new objective development and design standards and “by right” approval procedures for multi-family and mixed use development.



San Pablo Avenue Specific Plan

The San Pablo Avenue Specific Plan was adopted on July 18, 2022. The Plan covers an 81-acre area (approximately 7 percent of Albany) and generally extends the length of San Pablo Avenue from the northern to southern city limits. The Plan's vision is to *"transform San Pablo Avenue into a walkable, transit-oriented, mixed-use urban boulevard and sustainable, livable community that reflects Albany's unique identity."* The Plan was prepared with a State grant that was expressly intended to support the development of housing.

The Specific Plan updates the zoning on all blocks abutting San Pablo Avenue, which was identified in the Albany 2035 General Plan as the most significant development opportunity in the city. Much of the Avenue was developed in the first half of the 20th Century, with auto-oriented land uses and single-story buildings. This pattern was reinforced by zoning, which limited building heights to three stories and required parking in quantities that made housing development financially challenging.

The Specific Plan increases allowable building heights along the corridor from 3 stories/ 38 feet to 6 stories/ 68 feet. Buildings up to 85 feet are allowed on the northern section of the corridor, on parcels closest to the El Cerrito Plaza BART station. The new zoning standards also eliminate the 63 unit per acre density cap and instead establish a 30 unit per acre density minimum along San Pablo Avenue (with a 20 unit per acre minimum for parcels along Kains Avenue and Adams Street).

The changes also raise the allowable Floor Area Ratio (FAR) from 2.25 to 4.0 on most of the corridor, with 4.5 allowed along San Pablo Avenue on the northern end. The Plan also makes a number of map changes, bringing additional R-3 parcels into the SPC zone and allowing heights up to 50 feet (and FAR of 2 instead of 1.5) on R-3 properties that extend through to San Pablo Avenue. It also replaces the daylight plane requirement with an upper story stepback requirement, thus increasing development feasibility.

The provisions for “by right” approval for projects that meet the objective standards in the Plan enable the City to “recount” the sites that were identified in the 2015 Housing Element. The number of potential units on these sites has increased substantially as a result of the three to four stories of additional building height that are accommodated by the new zoning. Estimated yields on most of the housing sites are two to three times higher than they were in 2015.

Figure 4-2 shows Housing Opportunity Sites along the San Pablo Avenue corridor. Twenty sites are identified. These are listed in Table 4-3 below and profiled in detail in Appendix B.

Table 4-3: Summary of Housing Potential on San Pablo Avenue Corridor Sites

ID	Address	Acres	Net Yield Jan 2022	Net Yield Aug 2022 (w/ Specific Plan)	INCOME			Counted Previously ?
					Low (43%)	Mod (16%)	Abv Mod (41%)	
16	398 San Pablo Av	0.73	23	73	31	12	30	Yes
17	409 San Pablo Av	0.38	6	10	4	2	4	No
18	433 San Pablo Av	0.91	29	96	41	15	40	Part
19	501 San Pablo Av	0.47	15	47	20	8	19	Yes
20	545 San Pablo Av	0.20	7	18	8	2	8	No
21	611 San Pablo Av	0.11	4	6	3	1	2	Yes
22	618 San Pablo Av	0.32	10	32	14	5	13	No
23	665 San Pablo Av	0.34	11	34	15	5	14	Yes
24	702-718 San Pablo Av	0.69	20	55	23	9	23	Part
25	759 San Pablo Av	0.34	11	27	12	4	11	No
26	805 San Pablo Av	0.51	16	60	25	10	25	Yes
27	813 San Pablo Av	0.35	12	35	15	6	14	No
28	836-844 San Pablo Av	0.74	30	74	32	12	30	No
29	911-13 San Pablo Av	0.61	16	61	26	10	25	Yes
30	934 San Pablo Av	0.17	11	17	7	3	7	Yes
31	950 San Pablo Av	0.96	30	83	36	13	34	Yes
32	949-953 San Pablo Av	0.30	16	24	10	4	10	No
33	965-969 San Pablo Av	0.51	18	51	22	8	21	No
34	1061-1063 San Pablo Av	0.34	11	34	15	5	14	Yes
35	1107-1111 San Pablo Av	0.43	13	43	18	7	18	Yes
TOTAL		9.41	309	880	377	141	362	

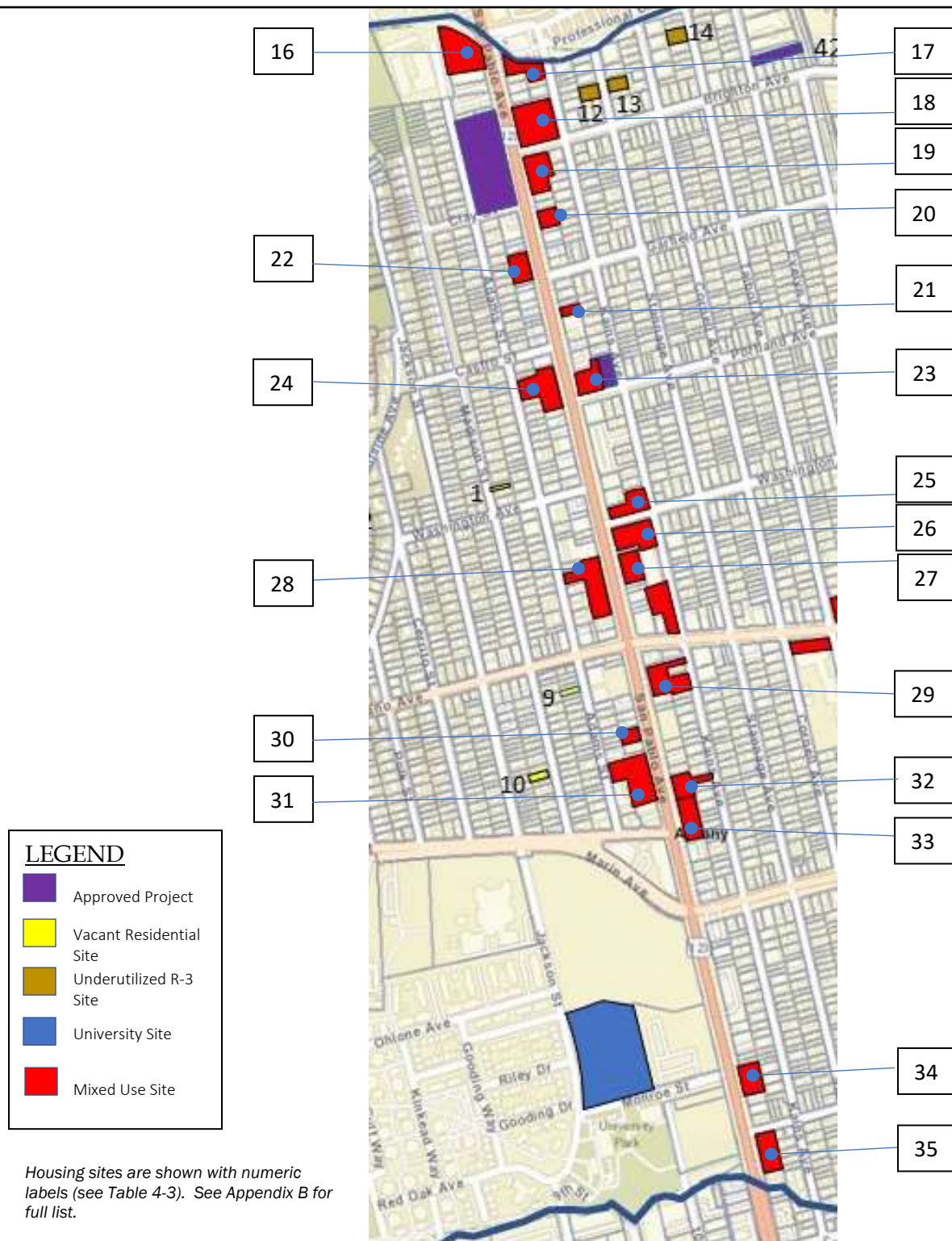


Figure 4-2:
Housing Opportunity Sites in the San Pablo Avenue Corridor

As noted in Appendix B and the methodology discussion earlier in this chapter, the sites were selected by evaluating specific metrics. These include the size of the site, improvement to land value ratio, floor area ratio, existing use, age and condition of structure, prior applications for development, feasibility of aggregation with adjacent sites, vacancy levels, contiguous ownership, and landowner interest in development.

While the goal was to create sites that were at least 0.5 acres, only eight of the 20 sites meet this threshold. As indicated in Appendix C, sites smaller than 0.5 acres have been redeveloped on this corridor in the past, in some cases with projects that are 100% affordable. More than half of the proposed or recently built mid-rise multi-family/mixed use housing developments on San Pablo Avenue in Albany, Berkeley, and El Cerrito in the last five years have been on sites smaller than 0.5 acres. More than one-quarter were on sites between 0.3 and 0.5 acres.

Albany's San Pablo Avenue sites range in size from a 5,000 square foot contractor's yard to a one-acre shopping center. Existing uses on the housing sites include a car wash, a vacant fast-food restaurant, a vacant full-service restaurant, several parking lots, a thrift store, a bank, a liquor store, several automotive businesses, a tire shop, a rental car lot, and a paint store, among others. These uses are comparable to the uses on the City's most recent approved development sites, which include a bowling alley and a dental office. They are also comparable to the uses on San Pablo Avenue in Berkeley and El Cerrito, where mid-rise residential development has been taking place for the last decade. On most of Albany's opportunity sites, the existing floor area ratio (FAR) is less than 1/8th of what is allowed by the new San Pablo Commercial zoning, and the assessed land values are more than double the building values.

Ten of the San Pablo Avenue opportunity sites are carried over from the 2015-2023 Housing Element. Two were partially included in the 2015-2023 Element but have been expanded, and eight were not previously counted. The income distribution for potential housing units has been pro-rated based on the RHNA, with 43% of the units on each site assigned to the lower-income category, 16% to the moderate-income category, and 41% to the above moderate-income category. This results in 377 lower-income units, 141 moderate-income units, and 362 above moderate-income units. Several sites will need to develop with 100% affordable projects to achieve this mix.

Because density standards no longer apply to properties on the corridor, the unit yields have been estimated based on a survey of recently built, proposed, and approved projects along San Pablo Avenue in Berkeley, Albany, and El Cerrito (see Appendix C and text box at right). The average number of units per acre for these projects provides a good benchmark for estimating the "realistic capacity" of the housing opportunity sites. Buildout estimates used in the San Pablo Avenue Specific Plan also are referenced.



San Pablo Avenue Density Study

Appendix C of this Housing Element includes data on 32 projects in Albany, Berkeley, and El Cerrito. The data was expressly collected to determine the viability of sites in the San Pablo Specific Plan Area as housing opportunity sites. The new San Pablo Avenue zoning regulations adopted by Albany for this corridor in July 2022 are comparable to those previously adopted in El Cerrito and Berkeley. The parcel shapes and sizes, land values, and existing uses are also comparable. Thus, the analysis provides a helpful indicator of what can be expected in Albany in the coming years.

The projects listed in Appendix C have all been approved or developed in the last decade. The median size for a development site on the corridor was 0.5 acres, with half of all projects occurring on sites smaller than that. The analysis found that most projects on the corridor are developing at densities between 80 and 200 units per acre. A density assumption at the low end of this range was used on most of the Albany sites. This results in conservative (e.g., low) estimates of capacity in order to ensure that an adequate number of sites is provided in Albany.

The density analysis found that:

- Projects ranged from a low of 43 DU/AC to 253 DU/AC.
- The mean (average) density was 87 DU/AC in Albany, 132 DU/AC in Berkeley, and 121 DU/AC in El Cerrito
- Most of the projects were 4-6 stories. Previously completed projects tended to be 4-5 stories, while approved (not yet built) projects tended to be 6 stories. There was one 8-story project.
- The average density on parcels over 40,000 SF was 89 DU/AC. It was 156 DU/AC on parcels between 20,000-40,000 SF and 154 DU/AC on parcels 10,000-20,000 SF

Additional findings are reported in Appendix C.

Solano Avenue Sites (Step 6)

Nine housing opportunity sites were identified on Solano Avenue. These are shown on Figure 4-3. The method of identifying sites was similar to San Pablo Avenue, using factors such as parcel size, improvement to land value ratio, ownership, existing use, floor area, building age and condition, vacancy status, and owner interest. Two of the sites are “carry-overs” from the 2015-2023 Housing Element and seven were not previously listed.

Creating housing opportunities along Solano Avenue is important to achieve a more equitable distribution of housing across the city and create additional opportunities in “high resource” neighborhoods. Solano Avenue bisects Albany’s eastern census tracts, which are the city’s highest income areas and the areas with the highest home values and home ownership rates. However, the physical configuration of the Avenue is less conducive to new housing opportunities than San Pablo Avenue, with average parcel sizes that are smaller and lots that tend to be long and narrow. Out of 190 parcels in the Solano Avenue study area, only three parcels are larger than 0.5 acres. Only one of these (Safeway) was determined to be eligible as a Housing Opportunity Site.

The other housing sites along Solano Avenue were selected because they are relatively large (more than 10,000 square feet), have parking lots and low building coverage, or have land uses that are conducive to reuse. Existing uses include a theater, 1950s-era office building, pharmacy, two banks, and a convenience store, among others. Recent development proposals along this corridor have been on sites where similar uses were present, including the 1600 Solano Avenue proposal (12 units on a former dental office on a 5,100 square foot lot) and 904 Masonic (4 units on a former single family home).

As with the San Pablo Avenue sites, two sets of estimates are included in Table 4-4. The first shows projected yield under current zoning regulations. The second shows projected yield inclusive of zoning changes proposed in the Housing Element. These include eliminating maximum density, increasing the FAR to 2.0, and increasing the allowable height to 45 feet for projects with 15% or more affordable units.

Total yield on the nine sites is estimated at 234 units. All of these sites could potentially accommodate 100 percent affordable projects. The allocation shown in Table 4-4 is based on the RHNA proportions and yields 102 lower-income units, 36 moderate-income units, and 96 above moderate-income units. Achieving this distribution will likely require that least two or three of the sites develop with 100% affordable housing.

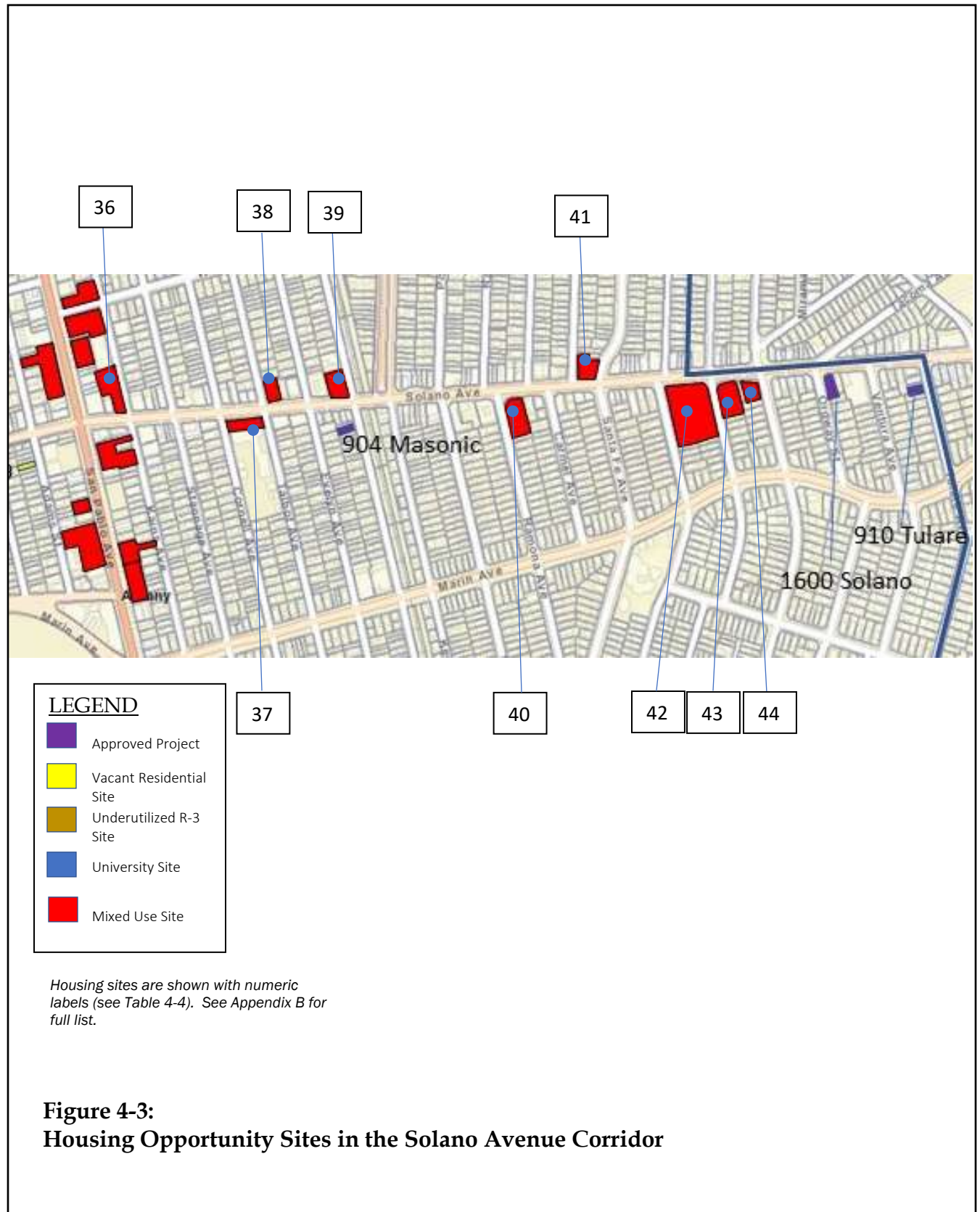


Table 4-4: Summary of Housing Potential on Solano Avenue Corridor Sites

ID	Address	Area (Acres)	Net Yield Jan 2022	Net Yield with Proposed Zoning Changes	INCOME			Counted Previously?
					Low (43%)	Mod (16%)	Abv Mod (41%)	
36	1121 Solano Av (*)	0.41	13	41	18	6	17	No
37	1200 Solano Av	0.23	7	14	6	2	6	No
38	1221 Solano Av	0.19	6	12	5	2	5	No
39	1245-1247 Solano Av	0.3	11	19	8	3	8	Partial
40	1382 Solano Av	0.45	15	27	12	4	11	No
41	1451 Solano Av	0.3	9	18	8	3	7	Yes
42	1500 Solano Av	1.56	50	62	27	10	25	No
43	1516 Solano Av	0.45	14	27	12	4	11	No
44	1540 Solano Av	0.24	8	14	6	2	6	No
TOTAL		4.13	133	234	102	36	96	

(*) Site 36 is on Solano Avenue but is actually in the San Pablo Avenue Specific Plan Area. As such, it is not subject to a density limit and has an FAR of 4.0.

Other Sites

Other sites in Albany were also evaluated for their potential as housing opportunity sites. These included public and private schools, churches, State-owned property (including Caltrans property), and University-owned land. As stated earlier in this chapter, sites along the Albany waterfront (Golden Gate Fields) and in the industrial (CMX) zone were not considered.

There are additional housing opportunities at University Village. During the 2023-2031 planning period, the University intends to construct a 289-unit apartment building for single graduate students. Each unit will include a kitchen and bathroom; thus, these units should be considered multi-family housing rather than group quarters. The households occupying these units will likely meet income criteria for low- and very low-income households, and the rents are expected to be below market rate. However, the State has indicated that because occupancy will be limited to university students, the units should not be counted as meeting the RHNA. Accordingly, the City is reporting these units as part of its expecting housing yield for 2023-31, but not as part of its lower income opportunity site list or development pipeline.

Summary of Housing Opportunities

Table 4-5 summarizes housing opportunities for the 2023-2031 planning period, adding together entitled projects, projected accessory dwelling units (ADUs), and Housing Opportunity Sites. Two estimates are shown for each category – one based on zoning as of January 2021 and the other including recent (or proposed) zoning changes. The second estimate reflects the higher totals enabled by the San Pablo Avenue Specific Plan and the other zoning changes identified in Chapter 6 of the Housing Element.

The table indicates the capacity for 1,672 additional units, excluding the 289 units at UC Village. About 18 percent of this total is associated with committed projects. About 5 percent is associated with ADUs. Additionally, 53 percent is associated with San Pablo Avenue sites, 14 percent with Solano Avenue sites, and 8 percent with Albany Hill. The remaining 2 percent is associated with small residentially zoned infill sites.

The total lower-income RHNA is 486 units, and capacity for 660 units has been provided. This represents a buffer of 35 percent. In fact, the buffer is larger than 35 percent, as any of the Solano Avenue or San Pablo Avenue sites could develop with entirely affordable units.

More detailed assumptions for each site can be found in Appendix B.

Table 4-5: Summary of Housing Potential on All Sites(*)

Category	Low Estimate: Status Quo Regulation		High Estimate: Specific Plan, Zoning Changes, UC Village	
	UNITS	Lower Income	UNITS	Lower Income
Committed Projects	309	88	309	88
Accessory Dwelling Units	80	28	80	28
Vacant R-1 and R-2 sites	13	0	13	0
Albany Hill Pierce St parcel	66	0	129	65
Underutilized R-3 sites	27	2	27	2
San Pablo Av Corridor	309	133(**)	880	377(**)
Solano Av Corridor	133	57(**)	234	100(**)
TOTAL	937	308	1,672	660

(*) Excludes planned 289-unit student apartment complex at UC Village

(**) Represents 43% of the opportunity site capacity, proportional to the RHNA

Other Considerations

The Government Code requires consideration of environmental constraints and infrastructure as part of the Opportunity Site analysis. Data for each site is provided in Appendix B and is summarized below. This section also considers the ability of the housing sites to affirmatively further fair housing.

Environmental Constraints

Albany's General Plan establishes environmental protection as a guiding principle for new development. Important natural resources in the city include the shoreline, creeks, and Albany Hill. The General Plan also prioritizes sustainability and reduced exposure to natural hazards such as flooding and wildfire. Policies in the General Plan provide a framework for reviewing development on sites deemed to contain environmental constraints and hazards.

Each of the housing opportunity sites was evaluated based on environmental and natural hazard conditions. While these conditions do not preclude development, they could require additional development costs or reduce the number of units that could potentially be accommodated. A summary of findings follows.

- **Steep slopes.** The 10.79-acre parcel on Pierce Street (Site 11) is a hillside site. Such sites are typically more expensive and difficult to develop than flat sites, and are subject to special requirements for roads, building sites, landslide mitigation, and grading. In this instance, hillside grading can be reduced by clustering the allowable number of units along Pierce Street and leaving the eastern part of the site as open space. This was the approach taken at Gateview, Bridgewater and Bayside Commons to the north. Elsewhere in Albany, the San Pablo Avenue and Solano Avenue sites are flat and have no slope or landslide hazard issues.
- **Geologic hazards.** All of Albany is considered seismically active and is potentially subject to violent groundshaking in an earthquake. Where there are no known active fault lines within the city, Albany is close to the Hayward Fault and other earthquake faults capable of causing significant damage. This is a universal hazard that affects all housing sites along the East Bay shoreline. It is mitigated through building codes, geotechnical study requirements, and construction requirements. None of the housing sites are in the "Very High" liquefaction zone, which encompasses the area west of Interstate 80. The Albany Hill sites may include areas at risk of landslides, although no specific hazard areas have been mapped.
- **Flooding.** Albany is traversed by a number of creeks, some of which have associated flood plains. While construction in the 100-year flood plain is not prohibited, drainage

and hydrologic reports may be required, and special design and construction standards are prescribed to reduce flood hazards. None of the housing sites is in the 100-year flood plain. Site 16 (398 San Pablo Av) is beyond the required setback for Cerrito Creek and Site 35 (1111 San Pablo Av) is more than 50 feet from Codornices Creek. Site 19 (501 San Pablo Av) is close to Middle Creek, but the creek is in a culvert at this location and does not post a flood risk. None of the housing sites are in tsunami inundation areas and none are subject to sea level rise.

- **Wildfire hazards.** CALFIRE has mapped areas across California based on their wildfire hazard severity levels. There are no “high” or “very high” fire hazard severity zones in Albany. However, Albany Hill is heavily forested with invasive eucalyptus trees and has had wildfires in the past. An arson incident in early 2022 burned 1.5 acres of hillside land on Housing Site 11. The City is developing and implementing vegetation management plans and hazard mitigation strategies to reduce risks to life and property. None of the other sites are impacted by wildfire hazards.
- **Biological resources.** Areas with sensitive biological resources include sites with riparian corridors, wetlands, oak woodlands, and protected trees as well as areas with potential habitat for special status species. Sites with potential biological resources may be subject to requirements for site-specific plant and animal surveys, and mitigation measures relating to timing and method of construction and grading activities. The only site with known biological resources is Albany Hill (Site 11).
- **Air quality and noise.** These two factors are combined here as they are both associated with proximity to transportation facilities. Sites adjacent to freeways may have higher levels of particulates, diesel fumes, and carbon monoxide, as well as noise levels that exceed land use compatibility guidelines. This could potentially apply to the Albany Hill property (Site 11), as well as the under-developed R-3 site at 701-703 Johnson (Site 15). Both of these sites are within 100 feet of Interstate 80. The General Plan EIR establishes air quality and noise mitigation measures that would apply to these sites. Sites along San Pablo Avenue may also be subject to noise-reduction and air quality measures based on traffic volumes.
- **Hazardous materials.** Some of the housing sites currently support automotive businesses and other activities that may involve (or that previously involved) the handling of hazardous materials. This includes sites with leaking underground storage tanks. A review of the State’s Envirostor data base showing that all of these sites have been fully remediated except the car wash at 398 San Pablo (Ste 16). No housing sites are reported as requiring clean-up or corrective action.

Availability of Infrastructure to Serve Housing Sites

As a fully urbanized city, all of Albany's housing sites have street frontage with water, sewer, and drainage lines at the curb, as well as "dry" utilities such as natural gas, cable and electricity. Most of the sites are non-vacant and already are fully served. In some cases, on-site improvements could be required to reflect the increased demand associated with a high-density mixed use or multi-family residential project relative to the prior use.

Water and wastewater services are provided by East Bay Municipal Utilities District (EBMUD). The Bay Area faces ongoing challenges related to drought and limited water supply. EBMUD regularly prepares an Urban Water Management Plan to address long-term supply and demand issues. This includes expanded conservation efforts, increased use of reclaimed water, and the development of new water supplies. Wastewater treatment capacity is adequate to accommodate anticipated growth and demand.

Government Code §65589.7 requires each public agency or private entity providing water or sewer services to grant a priority for the provision of these services to proposed developments that include lower income housing units. In Albany, sewer services are provided by the City and water services are provided the East Bay Municipal Utility District (EBMUD). The City has not denied, applied conditions, or reduced the amount of sewer service for a development that includes housing affordable to lower-income households consistent with State law. As part of Housing Element implementation, the City will grant priority for sewer hook-ups and service to developments that help Albany meet its share of the regional need for lower-income housing

Government Code §65589.7 also requires adopted housing elements to be immediately delivered to all public agencies or private entities that provide water or sewer services for municipal and industrial uses, including residential. The City will provide the adopted Housing Element to EBMUD immediately upon adoption.

Contribution of the Housing Sites toward Affirmatively Furthering Fair Housing

Pursuant to AB 686, housing sites must be identified throughout the community in a manner that affirmatively furthers fair housing (AFFH) (Government Code Section 65583(c)(10)). This means that sites identified to accommodate the lower income need should not be concentrated in "low resource" areas as defined by HCD and the California Tax Credit Allocation Committee (TCAC). Low resource areas are neighborhoods with low-performing schools, poor environmental health indicators, and less access to jobs and economic opportunity. The State's AFFH mandate also means

that housing opportunities should be geographically distributed so that no single neighborhood is overly impacted.

Figure 4-4 shows the TCAC Opportunity Map for Albany. The map is used by the State to determine how tax credits for lower income housing are allocated. Lower-income housing projects in “high resource” areas are rated more favorably for financing than those in “low resource” areas, in order to create more affordable housing in high-cost locations. The TCAC map is also a useful tool for evaluating the distribution of housing sites by income.

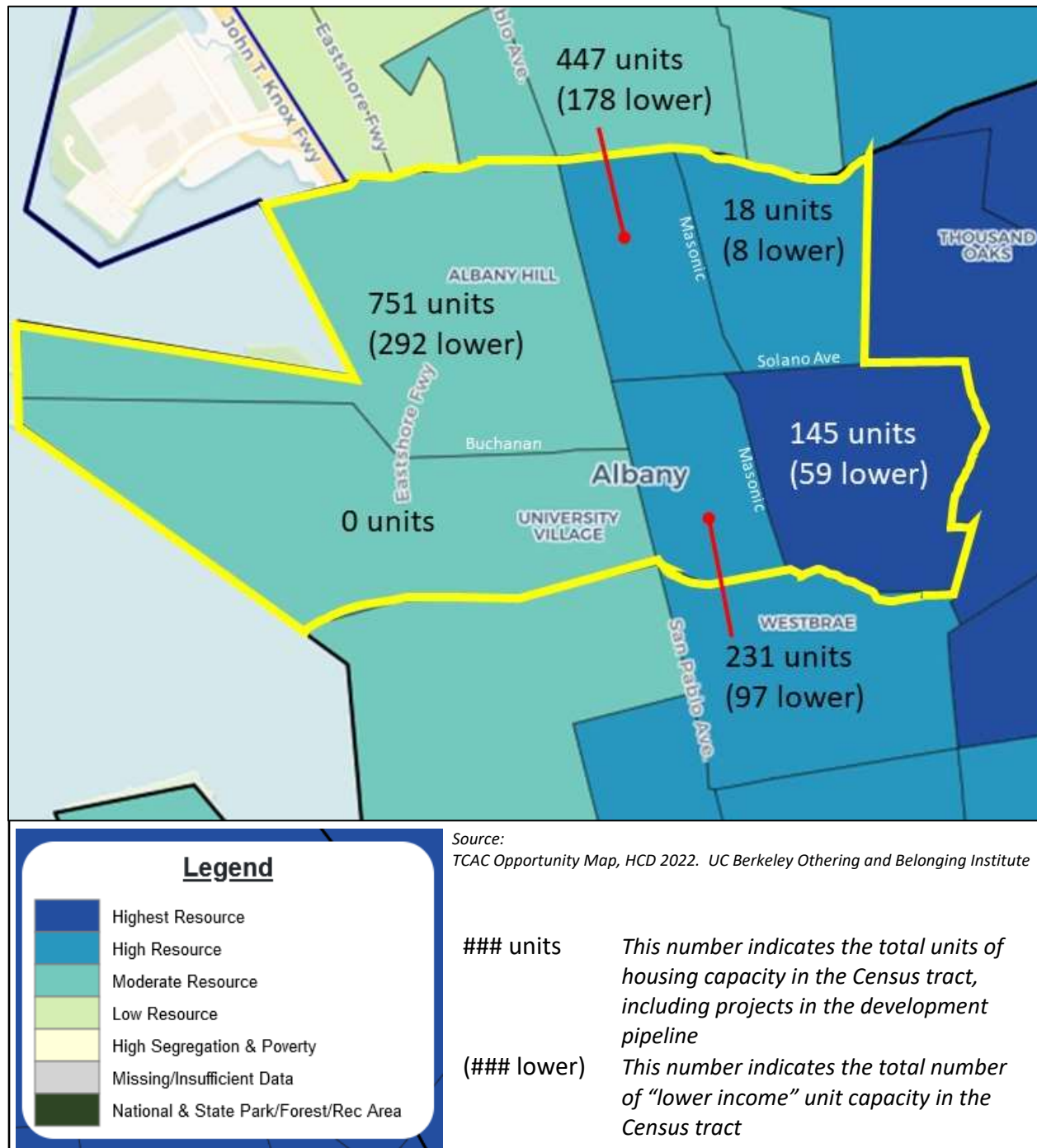
There are no low resource areas in Albany. The area west of San Pablo Avenue is considered a moderate resource area, while the area east of San Pablo is a high resource area. The southeast area of the city (south of Solano and east of the BART tracks) is considered the “highest” resource area.

The figure indicates the distribution of RHNA housing units in each of Albany’s six census tracts. This excludes the 289 student housing units assigned to the UC Village tract. It also excludes ADUs, which are dispersed across all census tracts.

The figure indicates that housing opportunities have been provided in all parts of Albany. University Village represents the southwesterly tract on this map and has no opportunity sites. However, it will continue to develop with student housing during 2023-2031 consistent with the University of California’s plans. The map indicates that 47 percent of the city’s housing capacity is west of San Pablo Avenue while 53 percent is located east of San Pablo Avenue.

Approximately 10 percent of the housing capacity for 2023-2031 is in the City’s highest resource census tract, located south of Solano and east of Masonic. This is a substantial increase over the 2015-2023 Housing Element when no housing sites at all were identified in this tract. The emphasis on ADUs and potential for small multi-unit buildings in R-1 zones may create additional opportunities here. The same is true for the northeastern Census Tract. Both of these tracts have very limited vacant land and few commercial redevelopment opportunities.

The area west of San Pablo Avenue and north of Buchanan Street (census tract 4203) has a relatively high number of sites compared to the rest of Albany. This area should continue to develop with a balanced mix of above moderate-, moderate-, and lower-income units. Consistent with AFFH goals, only 39 percent of the housing capacity identified in this tract is for lower income housing. This is a lower share than the tracts east of San Pablo Avenue, where 40 to 45 percent of the capacity is lower income.



To some extent, providing affordable housing opportunities *anywhere* in Albany supports AFFH goals and is strongly supported and encouraged. The city does not have identifiable pockets of segregation and poverty. While the two eastern census tracts tend to be more affluent and have higher rates of home ownership, the city is more economically homogenous than most Alameda County cities. On a regional basis, Albany is a high-resource area with excellent schools, services, transit, and amenities. Affordable housing can and should be accommodated in all neighborhoods.

Energy Conservation

Government Code 65583(a)(7) requires that the Housing Element include “an analysis of opportunities for energy conservation with respect to residential development.” State guidelines recommend that this analysis identify measures to incorporate energy-saving features, materials, and design in residential development. These measures indirectly reduce housing costs since they can reduce monthly utility bills. They provide the collateral benefit of reducing greenhouse gas emissions and creating a more sustainable community.

The link between energy conservation and housing also includes the transportation sector. Transportation is the single greatest consumer of energy in California, and the largest source of greenhouse gas emissions. Much of the regional planning focus over the last decade has been focused on reducing vehicle miles traveled (VMT) by making it easier to live closer to work or travel shorter distances for shopping and services. Housing Elements can contribute to that goal by supporting more compact growth that makes walking, bicycling, and transit use more viable. Nearly all of the parcels identified in Albany’s Sites Inventory are infill, mixed use sites located in proximity to transit.

The discussion below covers the design techniques that can be used to reduce residential energy consumption, the building code standards that support energy conservation, the link between Albany’s Climate Action Plan and housing, and the energy efficiency programs and cost subsidies that are currently available to Albany households.

Design Techniques

Residential energy costs can be significantly reduced through site planning. New buildings can be oriented to retain natural heat during the winter and keep natural heat out during the summer. This reduces heating and air conditioning demands. Design techniques to reduce energy consumption include:

- Using materials that absorb heat during the day and release heat at night
- Using window coverings, insulation, and other materials to reduce heat exchange between the interior and exterior
- Locating openings and ventilating devices to take advantage of natural air flow
- Using eaves and overhangs that block direct solar gain through window openings during the summer, but allow solar gain during the winter
- Locating dwellings to take advantage of natural air circulation and evening breezes
- Locating windows and building openings in a way that considers the path of the sun
- Using landscaping features such as shade trees to moderate interior temperatures

These measures apply primarily to new construction and major additions. Significant gains also can be made through the retrofitting of existing construction. Much of Albany's housing stock was built before current energy efficiency standards were in place. Weatherization and insulation can reduce heat gain and loss in older homes. Likewise, the replacement of older home appliances with energy-efficient appliances, and the replacement of older windows with glazed or dual-paned windows can repel summer heat and retain winter warmth.

Building Codes

In January 2021, Albany adopted a Green Building Resolution with new requirements for projects subject to planning review. While the City has had a Green Building Ordinance in place since 2006, the Resolution expressed the City's commitment to make Albany's buildings greener, healthier, and more energy-efficient. It also set forth a variety of specific measures related to energy, water, and buildings. These measures are implemented through a checklist and worksheets that must be submitted as part of a building permit application.

In general, residential projects require permeable paving for at least 30% of all paved areas, low-carbon concrete, low-flow plumbing fixtures, energy-efficient lighting, energy-star appliances, resilient flooring materials, solar energy, dedicated space for electric vehicle charging and clean-air vehicles (in multi-family projects), and other energy-saving measures. While the primary intent of these measures is to reduce greenhouse gas emissions, they can also lower home energy costs.

The energy efficiency requirements are principally aimed at new residential buildings under four stories. They do not apply to existing buildings or ADUs. The City has developed an Energy Design Rating “Fact Sheet” to assist applicants in meeting the new standards.

Albany also enforces California Energy Commission Title 24, which includes energy standards for new construction and renovation. These standards apply to wall and ceiling insulation, thermal mass, and window to floor area ratio, and are designed to reduce heat loss and energy consumption. The City has also adopted a water-efficient landscaping ordinance and actively supports water conservation practices.

The next set of Title 24 standards will take effect at the State level on January 1, 2023. The new requirements encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, and strengthen ventilation standards.

Climate Action Measures

Albany adopted its first Climate Action Plan (CAP) in 2010. A comprehensive update of the CAP was completed in 2019, including new targets for the coming decades. The 2019 CAP found that Albany had decreased local greenhouse gas (GHG) emissions by 33% from 2004 levels, exceeding its 2010 targets. The 2019 CAP set new reduction targets for the future, aiming for a 70 percent reduction by 2035 and net zero emissions by 2045. Additional City actions will be needed to meet these targets.

Reducing emissions from residential buildings is an important part of this strategy. The City estimated that residential gas use accounted for 21 percent of the City’s 2017 GHG emissions while residential electricity use accounted for four percent. The Climate Action Plan measures to further reduce carbon-based energy, both by eliminating natural gas systems in new construction and by encouraging gradual conversion of the existing housing stock from natural gas to renewable electric energy (“decarbonization”). Ultimately, this presents opportunities to reduce home energy costs, potentially reducing housing cost burdens.

Some of the CAP measures relate to land use and transportation. This includes programs to reduce vehicle miles traveled (VMT) and encourage walking, bicycling, and carpooling. The CAP’s targets include a 25 percent reduction in VMT, to be achieved in part by encouraging higher densities and infill development. The 2023-2031 Housing Element advances one of the CAP’s major initiatives, which is to make it easier to travel around Albany without a car. Reducing auto dependency can lead to lower transportation costs, creating more disposable income for housing.

Energy Management and Efficiency Programs

Several programs have been developed to reduce energy costs for residents of Albany and surrounding communities. Some are managed by Pacific Gas and Electric (PG&E), some are managed by East Bay Community Energy (EBCE), and some are managed by other energy-related agencies and non-profits. Albany has been a participant in EBCE since 2018, receiving 100% carbon-free electricity through a portfolio of solar and wind energy facilities. Related energy-saving programs and services include:

- **Bay Area Regional Energy Network (BayREN)** provides energy efficiency rebates, no-cost energy consulting to Alameda County residents. Single family homeowners can receive rebates up to \$5,000. BayREN also offers a program for multifamily property owners to receive \$750 per unit for improvements that reduce their building's energy use by 15 percent.
- **Property Assessed Clean Energy (PACE)** is a financing tool that allows property owners to borrow money to pay for renewable energy systems, energy efficient improvements, seismic retrofits, and more by spreading the cost of the upgrade over a period of time. Payments are made through a special assessment on the property tax bill.
- **Resilient Home** is a program from East Bay Community Energy (EBCE) that assists customers considering solar and battery backup systems. It includes an additional incentive for customers who agree to share their stored energy with EBCE when demand is high. The incentive is \$500 for homeowners and is also available to multi-family property owners.
- **East Bay Energy Watch (EBEW)** is a collaboration between PG&E, local governments, and non-profit and for-profit energy service providers in the East Bay. EBEW's provides no cost home energy assessments, energy assistance to multi-family buildings and local businesses, and recommendations for cost-effective energy retrofits that can reduce monthly utility costs. Recommendations can include simple solutions such as replacing old and inefficient lighting or replacing outdated appliances. Energy Watch also offers technical assistance for implementation of energy efficiency projects and rebates to help defray project costs.
- **Energy Savings Assistance Program:** The Energy Savings Assistance Program provides qualified low-income customers with energy-saving improvements at no charge. Both renters and owners who live in a house, mobile home, or apartment that is at least 5 years old are eligible. Common improvements may include free weatherization measures and energy-efficient appliances to reduce gas and electricity use.

- **Energy Upgrade California** is a statewide initiative committed to helping Californians be more energy efficient and use more sustainable natural resources. They offer planning assistance and cash rebates to multi-family properties that undertake energy and green upgrades. They also provide assistance and incentives for home improvement projects and provide workshops and events for residents to learn about rebates and connect with energy efficiency contractors.
- **Energy audits** are intended to identify sources of energy loss in private homes, with follow-up recommendations to address deficiencies. The audit includes a review of home appliances, furnaces, air conditioning systems, ductwork, insulation, and other building systems. In some instances, rebates are available for residents who implement energy efficiency recommendations.
- **California Public Utilities Commission Energy Savings Assistance Program (ESA)** provides no-cost weatherization services to low-income households who meet specified income guidelines. Services provided include attic insulation, energy efficient refrigerators, energy efficient furnaces, weatherstripping, caulking, low-flow showerheads, water heater blankets, and door and building envelope repairs which reduce air infiltration.
- **GoGreen Home Energy Financing** is a State program that administers financing loans for central heating and air conditioning, windows and appliances, cool roofs, and other home improvements.
- **Low Income Weatherization Program** is a State (Department of Community Services and Development) program that provides photovoltaic (solar) energy systems and energy efficiency upgrades at no cost to residents. It focuses exclusively on solar energy and includes a multi-family housing component.
- **Federal Housing Administration Energy Efficient Mortgage Program (EEM)** is designed to help families save money on their utility bills by enabling them to finance energy efficient improvements with their FHA-insured mortgage.

Reduced Rates for Lower Income Households

A number of programs have been developed by PG&E and the County of Alameda to assist lower income customers. These are available regardless of how the household receives its power, provided that the customer meets the income criteria. They include:

CARE (California Alternate Rates for Energy) reduces monthly energy bills for qualified households by about 30 percent (for electricity; 20 percent for natural gas). Eligibility is

based on whether any person living in the home participates in a list of public assistance programs or meets certain household income guidelines.

FERA (Family Electric Rate Assistance) Program is a rate reduction program for large households of three or more people with low- to middle-income. Qualifications are based on household income. FERA generally provides an 18 percent discount on electricity.

Relief for Energy Assistance through Community Help (REACH) is a one-time energy-assistance program sponsored by PG&E and administered through non-profit organizations like the Salvation Army. Those who have experienced an uncontrollable or unforeseen hardship may receive an energy credit of up to \$300. Generally, recipients can receive REACH assistance only once within a 12-month period, but exceptions can be made for seniors, the physically challenged, and the terminally ill.

Low-Income Home Energy Assistance Program (LIHEAP): LIHEAP is a federally funded program that helps low-income households pay their energy bills. The program offers a variety of services, including HEAP, which provides one-time financial assistance; LIWP, which provides weatherization services; and the Energy Crisis Intervention Program (ECIP), which assists low-income households that are in a crisis situation. Qualifying customers receive up to \$1,000 in assistance.

Medical Baseline Program: Residential customers can get additional quantities of energy at the lowest (baseline) price. To qualify for Medical Baseline a full-time resident in the home must have a qualifying medical condition and/or require the use of a qualifying medical device to treat ongoing medical conditions.

Alameda County Emergency Assistance. Alameda County provides a Secure Emergency Rental Assistance Program for lower income households for past due and future rent and utility payments. The program is federally supported and is aimed at extremely low income households, tenants in subsidized units, and small rental property owners.

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Chapter 5

Constraints to Housing Conservation and Production

The California Government Code requires an analysis of governmental constraints on the maintenance, improvement, and development of housing for all income levels. Such constraints may include zoning regulations and other land use controls, development standards, permitting procedures, design review requirements, inclusionary housing requirements, building codes, site improvements, fees and other exactions required of developers.

While these measures are important to ensure public health and protect the quality of life, they also add to the cost of housing. It is useful to periodically reexamine local ordinances and policies to determine whether, under current conditions, they are accomplishing their intended purpose or constitute a barrier to housing production and conservation.

Non-governmental constraints also must be considered. Such constraints include the cost of land, the availability of credit and financing, and local attitudes about growth and development, among others.

GOVERNMENTAL CONSTRAINTS

General Plan

The Albany 2035 General Plan was adopted in April 2016, approximately one year after the 2015-2023 Housing Element was adopted (February 2015). The 2035 Plan was a comprehensive revision of the 1990-2010 General Plan (adopted in 1992), reflecting community input, current data and forecasts, State requirements, and best practices in comprehensive planning. The 2035 Plan was accompanied by a Program-level EIR which evaluated the Plan's 20-year forecasts of 775 additional households and 850 additional jobs in the city.

The General Plan expresses the vision of Albany as an economically and culturally diverse "urban village by the bay." Housing for persons of all incomes is expressed as an important part of that vision. In particular, the General Plan envisions the transformation of the San Pablo Avenue corridor from an auto-oriented thoroughfare into a pedestrian-oriented mixed use area with substantially more housing. One of the guiding principles of the Plan is to provide diverse housing choices, including choices for low and very low-income households. The Plan describes affordable housing as essential to maintaining Albany's character and economic diversity.

The Land Use Element of the General Plan provides the framework for Albany's growth and development. It includes the General Plan Map, which identifies all parts of the city where housing is allowed, along with the allowable residential densities. There are four residential categories on the map:

- Low Density Residential is intended for single family neighborhoods and allows a maximum of 17 units per acre
- Medium Density Residential is intended for areas characterized by a mix of unit types, as well as townhomes and 2-4 plexes. It allows 35 units per acre and has a minimum density of 20 units per acre.
- High Density Residential is intended for multi-family housing areas. It allows 87 units per acre on the Gateview site (which is already developed) and 63 units per acre elsewhere. A minimum density of 20 units per acre applies.
- Hillside Residential applies to sloped land on Albany Hill. The maximum density is 9 units per acre on the east side of the hill and 6 units per acre on the west side.

The density limit on west side of Albany Hill presents a potential constraint, as this area includes a 10.8-acre vacant residentially zoned site. Although multi-family housing is allowed, the 6 unit per acre density cap makes it less viable. An increase to this density category (or a General Plan map amendment) is needed to facilitate multi-family housing. The ability to make this amendment is limited by 1994's Measure K and its predecessor, 1978's Measure D. Both measures limited the allowable density on Albany Hill, with Measure K imposing the current maximum density. Chapter 6 of this Housing Element recommends a ballot measure to modify this requirement.

There are two mixed use designations on the General Plan Map--San Pablo Avenue and Solano Avenue. Each designation corresponds to parcels with frontage along these streets and is intended to support higher-density residential development with ground floor commercial uses. Most of the city's future residential development potential is located on properties with these two designations. At the time the 2023-31 Housing Element analysis was completed (March 2022), both designations had a minimum density requirement of 20 units per acre and a maximum density of 63 units per acre. The maximum building height on San Pablo Avenue was 38 feet, while the maximum height on Solano Avenue was 35 feet.

In July 2022, the City amended the San Pablo Avenue Mixed Use standards when it adopted the San Pablo Avenue Specific Plan. Development in this designation is subject to a floor area ratio (FAR) limit and no maximum density. The FAR is now 4.0 along most of the corridor, and 4.5 from Brighton Avenue northward. There is a minimum density requirement of 30 units per acre. The FAR excludes density bonuses, so the potential buildable envelope on these sites would be higher for projects including affordable housing. Height limits are between 68 and 85 feet under the new zoning.

In the Solano Avenue Mixed Use corridor, the General Plan allows a maximum FAR of 1.25 for non-residential projects and 2.0 for mixed use projects with housing. Policy LU-3.1 implies that the 2.0 limit includes density bonus units. This should be clarified through an amendment to the policy. An FAR of 2.0 is intended to be the “base” for mixed use projects in this district.

The General Plan emphasizes ground floor commercial uses along both San Pablo and Solano Avenues. However, it provides the flexibility for ground floor residential uses for projects that may meet other General Plan objectives, such as affordable housing. The Plan also recognizes “major activity nodes” at Solano/San Pablo and San Pablo north of Clay/Brighton, which is within a 10-minute walk of the El Cerrito Plaza BART station.

Housing is also allowed in the “University Village” General Plan designation. This designation applies exclusively to properties owned by the University of California and is intended to support housing for students and their families. Maximum density is 34 units per acre, which is consistent with the density of existing housing in the Village. A recently proposed apartment development for students will exceed this density and is proposed at 76 units/acre. As a State agency, the University is not bound by local density requirements.

The other General Plan land use categories do not allow housing. These categories include Commercial Recreation (e.g., Golden Gate Fields racetrack), Commercial Services and Production (the industrial area along the railroad), Public/ Quasi-Public (City and School District property), and Parks and Open Space. The Plan acknowledges opportunities for live-work development in the industrial area but does not allow traditional housing units in this area.

Narrative in the General Plan strongly supports housing. As drafted in 2016, the Plan did not anticipate the trend toward taller denser buildings along the San Pablo Avenue corridor, the increased Housing Element RHNA for Albany, or changes to State density bonus law that make it easier to add extra stories to buildings with affordable units. Amendments to the Land Use Element were included as part of the San Pablo Avenue Specific Plan adoption process in July 2022 to ensure internal consistency between the two documents.

Policies throughout the General Plan strongly support housing, including affordable units for lower income households. The Plan also includes a set of neighborhood-focused policies designed to avoid dramatic changes in scale and character and the buffering of adjacent high and low density uses – especially along the San Pablo Avenue corridor. Policies LU-2.8 and LU-3.8 specifically recognize Kains Avenue and Adams Street as residential streets subject to special setbacks that insulate residential

uses from the San Pablo Avenue corridor. The Plan also supports lot consolidation along Solano and San Pablo to create more viable development sites and further incentives for housing on commercial properties.

Other Elements of the General Plan include policies and programs that indirectly address housing. For instance, the Transportation Element supports “unbundled” parking in multi-family development, the use of mechanical lifts to improve parking efficiency, and “right-sizing” of residential parking standards. The Conservation and Sustainability Element supports green construction, solar power, and energy efficiency to reduce home energy costs. Overall, these policies support housing development and are not a constraint.

Residential Zoning

Albany has five residential base zoning districts:

- R-1 (low-density, single-family dwellings)
- R-2 (medium density, single and multi-family dwellings)
- R-3 (high-density, single and multi-family dwellings, and boarding houses), and
- R-4 (high density residential towers)
- RHD (residential hillside).

R-1, R-2, and RHD correspond to the Low, Medium, and Hillside General Plan residential land use categories, while R-3 and R-4 collectively form the High Density Residential General Plan category.

The basic residential development standards for these zones are summarized in Table 5-1. The table indicates the minimum lot size requirements, maximum lot coverage, maximum floor area ratio, minimum setbacks and height restrictions that apply in each of the City’s residential zoning districts. The Zoning Code includes numerous footnotes for these standards documenting exceptions and conditions – these have been abridged for presentation in Table 5-1.

Standards for the R-4 district are largely absent from Table 5-1. This is because this zone only applies to a single parcel, which is 555 Pierce Street (APN 66-2762-481). 555 Pierce is the Gateview Towers condominium development, which was developed on a 7.04-acre site in the mid-1970s. Development standards are determined by the Planning and Zoning Commission on a case-by-case basis through a use permit process. Because this site is fully developed (at 87 units/acre), this does not represent a constraint. However, removal of the use permit requirement for multi-family housing in this zone is still recommended since this is the primary intended use.

**Table 5-1:
Site Regulations for Residential Zoning Districts**

	Zoning District				
	R-1	R-2	R-3	R-4 ⁽¹⁾	RHD
Maximum Density (DU/AC)	12	35	63	87	6 or 9 ⁽²⁾
Maximum Floor Area Ratio					
Single-family dwelling	0.55 ⁽³⁾	0.55 ⁽³⁾	0.55 ⁽³⁾	N/A	0.50 ⁽⁵⁾
Multi-family dwelling			1.50 ⁽⁴⁾		
Minimum Lot Size (sq. ft.)					
Single-family	3,750	3,750	3,750	N/A	5,000 ⁽⁵⁾
Two-family	N/A	3,750	3,750		
Multiple-family	N/A	3,750	3,750		
Minimum Lot Width (ft.)					
Single-family	35	35	50	N/A	50 ⁽⁵⁾
Two-family	N/A	37.5	50		
Multiple-family	N/A	37.5	50		
Max. Lot Coverage (% of lot)					
Single-family	50%	50%	50%	N/A	40% ⁽⁵⁾
Two-family	N/A	50%	50%		
Multiple-family	N/A	50%	70%		
Maximum Building Height (ft.)					
Single-family	28 ⁽⁶⁾	28 ⁽⁶⁾	35	N/A	28 (downslope) - 35 (upslope) ^(5,8)
Two-family	N/A	35/28 ⁽⁷⁾	35/28 ⁽⁷⁾		
Multiple-family	N/A	35/28 ⁽⁷⁾	35/28 ⁽⁷⁾		
Minimum Yard Setbacks (ft.)					
Single-, Two-, Multi-family:				N/A	
Front (both sides for thru-lots)	15 ⁽⁹⁾	15 ⁽⁹⁾	15 ⁽⁹⁾		15 ⁽⁵⁾
Side, interior	7.5	7.5 ⁽¹⁰⁾	7.5 ⁽¹⁰⁾		10% of lot width or 5' whichever is greater
Side, exterior	7.5	7.5 ⁽¹⁰⁾	7.5 ⁽¹⁰⁾		
Rear	20 ⁽¹¹⁾	15 ⁽¹¹⁾	15 ⁽¹¹⁾		20 ⁽⁵⁾
Single-family 2nd story addition					

Notes:

- (1) Site regulations not specified are determined by the Planning and Zoning Commission on consideration of an application for a use permit.
- (2) The Albany General Plan divides the RHD District into two density classifications: 6 dwelling units/acre; and 9 dwelling units/ acre.
- (3) FAR of 0.6 may be approved by Planning Commission, subject to findings.
- (4) FAR may be increased to 1.75 where open space is provided at twice the minimum requirement. Enclosed off-street parking is included in the FAR calculation unless it is entirely below grade. Special R-3 standards apply in San Pablo Avenue Specific Plan Area.
- (5) Applies to single-family development on sites less than 2 acres. Also applies to PUDs on sites greater than 2 acres, except modified standards may be approved by the P&Z Commission and City Council. Sites larger than 2 acres must be processed as a PD.
- (6) Second story additions up to 35' may be approved by P&Z Commission subject to findings.
- (7) Maximum building height is three stories, or 35 feet above grade, except that maximum height at the front setback line shall be 28 feet plus a 45-degree daylight plane. Special R-3 standards apply in Specific Plan Area.
- (8) This standard applies to single family homes only and is measured from the midpoint of the building envelope and based on the original grade of the site
- (9) Ten percent (10%) of lot width, min 3' up to a max of 5', except that min for multi-family structures in R-3 is 5'.
- (10) One (1) foot shall be added for each 12' of height above the lowest 15' of building height.
- (11) Special provisions apply, allowing exceptions for the vertical and horizontal extension of non-conforming structures

The Municipal Code includes maximum density standards for each district. In the case of the R-1 district, the allowable density is 12 dwelling units per acre (DU/AC), while the density of the corresponding General Plan category is 17 DU/AC. The discrepancy is due to the fact that the General Plan recognizes pre-existing lots that are 2,500 square feet (which equates to 17 DU/AC). Zoning regulations permit the development of existing small lots without a variance but prohibit the creation of new lots that are less than 3,750 square feet.

Chapter 6 of this Housing Element includes a recommendation to change the minimum lot size in R-1 to 2,500 square feet, making it consistent with the General Plan and potentially creating additional housing opportunities. In some respects, this is already allowed under SB 9, which was approved by the State in 2021 as a way to increase housing opportunities through lot splits in single family neighborhoods. The actual number of potentially dividable single family lots in Albany is very small, and most developed parcels are not configured in a way that makes them dividable. Based on existing lot sizes and patterns, more units are likely to be added through ADUs than through lot splits.

The allowable densities in the other zoning categories match those in the General Plan. A minimum lot size requirement of 3,750 square feet applies in the R-2, R-3, and R-4 districts as well. The RHD district, which only applies in hillside areas, has a minimum lot requirement of 5,000 square feet, although modified standards may be considered through Planned Unit Developments.

At the time of the 2015 Housing Element, the City regulated the square footage of lot area per dwelling unit in the R-3 zoning district. A sliding scale based on lot size was used, with higher minimums applying to smaller lots. For example, a 5,000 square foot lot was subject to a requirement of 1,000 square feet of lot area per dwelling unit, or 5 units (43.6 units per acre). A 3,750 square foot lot was subject to a requirement of 1,250 square feet per lot, or 3 units (34.8 units per acre). The elimination of this requirement allows higher unit yields on smaller lots and removed a potential constraint to achieving the maximum density of 63 units per acre on R-3 lots.

Residential development in Albany is subject to Floor Area Ratio (FAR) standards. These standards establish the maximum floor area that may be built on a parcel based on lot area. In the R-1, R-2, and R-3 zones, the limit for single family homes is 0.55. In other words, a 5,000 square lot may have a 2,750 square foot single family home.

The Planning and Zoning Commission may approve an FAR of 0.60 if it determines that the 0.55 limit would only allow 1,500 square feet of floor space on the lot (e.g., the lot is smaller than 2,728 SF), or if the site is in the R-2 or R-3 zone and is surrounded by buildings with FARs greater than 0.60. A FAR of 0.60 may also be approved if the Commission finds that the design has architectural features that contribute to

neighborhood quality, which could be achieved in a smaller building mass. FARs above 0.60 are not permitted for single family homes.

The single family FAR limits have not been a constraint to single family housing development on most lots. To some extent, these limits have helped preserve the City's stock of smaller single family homes. For example, the maximum floor area on a 4,000 square foot lot, which is fairly common in the city, would be 2,200 square feet. Many Albany homes are this size or smaller. Higher FARs could be considered where the outcome would be an additional housing unit (rather than a larger home replacing a smaller home). This would support more diverse housing types in single family neighborhoods.

For multi-family construction, the FAR limit is 0.55 in the R-2 zone and 1.50 in the R-3 zone. The R-3 FAR may be increased to 1.75 if the project provides double the required amount of open space. Modification of some of the R-3 standards took place as part of the San Pablo Avenue Specific Plan, but only on the east side of Adams Street and the west side of Kains Avenue.

The FAR limit of 0.55 in the R-2 district is low. It does not appear logical to apply the same standard used for single family homes in a zoning district intended to support multi-family housing up to 34 units per acre. Given the allowable density, the FAR limit in R-2 should be higher than the limit in R-1. An FAR in the range of 0.75 to 1.0 should be considered. The increase would likely have limited impact on development opportunities, as there is almost no vacant land in this zone. However, it could encourage reinvestment in and improvement of existing buildings, potentially resulting in additional units on developed sites.

In the R-3 zone, the 1.5 FAR appears to be an appropriate standard for three-story multi-family construction. FAR has not been a constraint in the past, in part because waivers are permitted for density bonus projects. For example, the recent approval of a 14-unit multi-family project at 421 Evelyn Street resulted in an FAR of 1.8 (16,670 SF of building area on a 9,325 SF site). The "base" project of 10 units would have fit within the 1.5 FAR envelope, but the four "bonus" units and additional building height allowed through a waiver brought the total to 1.8.

Lot width standards apply in all residential zones. R-1 and R-2 lots have a 35-foot width requirement and R-3 lots have a 50-foot requirement. In the R-2 district, slightly wider lots (37.5 feet) are required for two-family and multi-family buildings. This recognizes the function of R-2 as a transitional zone between higher density and lower density districts and ensures ample side yard space is retained.

The lot width requirements do not constrain development and are reasonable, considering the overall requirements for lot size. There are a number of existing lots

that are narrower than 35 feet (e.g., 25 x 100), but these lots can be developed subject to Section 20.44, Nonconforming Uses, Structures, and Lots. Existing structures on such lots may be enlarged or extended, as long as they do not increase the extent of the nonconformity.

Residential lots in Albany are also subject to lot coverage requirements. A 50 percent coverage limit applies to single family homes in all zones and to two-family homes in the R-2 and R-3 zones. Multi-family housing is subject to a 50 percent coverage standard in R-2 and a 70 percent standard in R-3.

For single story homes, the coverage limit tends to be the limiting factor in determining floor area since it is lower than the FAR limit. On small lots (2,500 to 3,750 square feet), the coverage limit may require second story additions for those seeking to expand their homes, since the home size is effectively limited to less than 1,250 to 1,775 square feet (i.e., 50% of the lot area) on one level. The existing coverage limits support the conservation of Albany's smaller homes and discourage teardowns but could make it harder to add another housing unit.

The 50 percent coverage limit for multi-family housing in the R-2 zone is low, given that this is the same standard that applies in the R-1 zone (despite R-2 allowing double the density). Variance requests from this standard are rare; however, this may be due to the limited number of development opportunities on R-2 parcels. An increase to 60 percent should be considered to better align with the allowable density.

The 70 percent coverage limit for multi-family housing in the R-3 zone is reasonable and is consistent with the allowable FAR. R-3 projects tend to fall below the 70 percent threshold, in part due to setback standards and open space requirements (as well as parking and driveways). Taken cumulatively, the R-3 standards tend to favor three story construction over two-story, which brings the housing yield closer to the allowable 63 unit/acre density.

A 40 percent coverage limit applies in the RHD (hillside) zone. This is adequate, since the minimum lot size in this zone is 5,000 square feet and many of the RHD sites are sloped, with multi-level homes. In the aggregate, this coverage limit would not be a constraint on the 11-acre Pierce Street parcel (zoned RHD), since policies for that site support density transfer to the flatter parts of the site and retention of most of the property as open space.

Height limits apply in the R-1, R-2, and R-3 zones. The limit for single family homes is 28 feet in R-1 and R-2. These limits are rarely an obstacle to single family construction or improvement. Three-story single family construction is uncommon in Albany, and the prevailing character in most neighborhoods consists of single story or 1.5-story bungalows. The Code allows the Planning and Zoning Commission to approve single

family heights up to 35 feet where specific findings relating to topography or architectural compatibility can be made.

For two-family and multi-family construction in the R-2 and R-3 zones, maximum height is 35 feet, but a 28 foot height limit (plus a 45-degree daylight plane) is applied at the front setback line to reduce shadows and maintain a lower scale streetscape. The 35' limit supports three-story construction and is generally sufficient for multi-family housing given the context of the R-3 zone. Taller heights could be considered for affordable housing and are allowed on certain R-3 parcels in the Specific Plan area.

With the 2019 revisions to State density bonus law, the City can expect to see more R-3 projects requesting height waivers to allow four story (45') construction. The 35' limits align well with the existing 70% lot coverage and 1.5 FAR standards. The height and FAR limits will likely continue to be exceeded by projects that request density bonuses in excess of 35 percent. For instance, a (hypothetical) 12-unit project that includes two very low-income units would be eligible for a 50 percent density bonus, resulting in an 18-unit project. On a small infill lot, this would almost certainly require a fourth story, along with an FAR higher than 1.5.

Height limits in the RHD zone vary from 28 to 35 feet, depending on if the home is on an upslope or downslope lot. These requirements have not been a constraint in the past, given the single family character of construction and limited number of vacant sites. Allowances for taller heights would likely be needed on the 11-acre Pierce Street parcel in order to cluster development and preserve steeper parts of the property as open space. The Planned Development (PD) process provides a means of accomplishing this but requires discretionary approval. New zoning for this site should include by right provisions for taller buildings.

A 15' front setback requirement applies in all residential zoning districts except R-4. For through lots (with frontage on two streets), the same standard applies on both sides. For hillside lots, the Planning and Zoning Commission has the authority to modify setbacks in planned unit developments of 2 acres or more. The 15' front setback is not considered a constraint in the R-3 zone, given the 70 percent lot coverage limit. Front setbacks are considered an important part of the R-3 zone and help maintain the prevailing residential character.

Side setbacks for interior (e.g., non-corner) lots are calculated using a sliding scale based on lot width. They are based on 10 percent of the lot width (on each side of the house), with a minimum of 3 feet and a maximum of five feet. In other words, a 35-foot wide lot would need to maintain 3.5 feet of yard area on either side of the house. For multi-family structures in the R-3 district, a minimum 5-foot side setback applies. For corner lots, a 7.5-foot side setback applies.

Rear setbacks are 20 feet in the R-1 zone and 15 feet in R-2 and R-3. These setbacks are comparable to those in other cities. The 15-foot rear setback in the R-3 zone ensures light and air for rear-facing units but could be a constraint on smaller R-3 sites. Reduced rear setbacks could be considered for R-3 projects with affordable units, and for projects on R-1 lots that are less than 100 feet deep.

The City allows exceptions to setback requirements for second story additions provided that certain conditions are met. Design review and a use permit by the Planning Commission would be required to build an addition above an existing wall or foundation which does not conform to the setbacks. Deeper encroachments into the setback are not permitted. Moreover, the Code requires a separate finding for the extension of a second story if the non-conformity is the front yard setback.

Multi-family housing is allowed by right in the R-2 and R-3 zones but requires a use permit in the R-4 zone. Although there is only one R-4 parcel in the city (Gateview) and it is fully developed, the Use Permit requirement should be removed.

Commercial and Mixed Use Zoning

At the time the 2023-2031 Housing Element was prepared, the City was in the process of adopting a Specific Plan for the San Pablo Avenue corridor. As noted earlier, that Plan was adopted in July 2022. The text below is primarily an analysis of the zoning in place as of March 2022. A later section of this Chapter includes an analysis of the Draft San Pablo Corridor (SPC) standards that were subsequently adopted. One of the primary objectives of the Specific Plan is to remove potential regulatory constraints to housing production along this corridor. As such, the information on the prior zoning provides important context.

Residential uses are permitted by right in the Solano Commercial (SC) and San Pablo Commercial (SPC) zoning districts. Each of these districts forms a corridor along their respective namesake streets, in some cases extending a parcel or two down the perpendicular side streets (on Solano), or through the block to the parallel north-south streets (on San Pablo).

Albany also has a Commercial Mixed Use (CMX) district where residential uses (other than live-work) are not currently permitted. Residential uses also are not permitted in the Public Facilities or Waterfront zoning districts, which are the other base zones in the city. These zoning districts correlate almost exactly to General Plan land use categories.

Development standards for residential uses in the SC and SPC district (as it existed in March 2022) are summarized in Table 5-2. Both districts allowed densities of up to 63 units per acre and had a minimum density requirement of 20 units per acre where residential uses were included.

**Table 5-2:
Site Regulations for Commercial Zoning Districts**

	Zoning District	
	SC	SPC (March, 2022)*
Minimum Density (DU/AC)	20	20
Maximum Density (DU/AC)	63	63
Maximum FAR (Floor Area Ratio)		
• Mixed-use Development (more than one use, including residential and commercial or other permitted nonresidential uses)	1.25	2.25
• Commercial portion of any development (not to be exceeded, regardless of mix with other uses, or any bonus increase in the total FAR of development)	1.25	0.95
• Multi-family dwelling, where it is the sole use of a site, and subject to maximum density permitted in R-3 District	1.25	N/A
Minimum Lot Area per Dwelling Unit (sq. ft.)	None	None
Minimum Lot Size (sq. ft.)	None	None
Minimum Lot Width (ft.)	None	None
Max. Lot Coverage (% of lot)	100%	100%
Maximum Building Height (ft.)	35'	Maximum three stories, or 38 feet above grade, except as noted in Note (1) below.
Minimum Yard Setbacks (ft.)		
Single-, Two-, Multi-family:		
Front (both sides for thru-lots) and corner side	(2)	(3)
Side, interior	(4)	(4)
Rear	(5)	(5)

(*) The SPC standards shown in this table were superseded in July 2022 with adoption of the San Pablo Avenue Specific Plan. Please see page 5-18 for a discussion of the updated standards.

Notes:

- (1) Where rear property line abuts a residential district, the maximum at the rear setback line is either: (a) 20' at a point 10 feet back from the property line, plus a 45 degree daylight plane, or (b) 12' at the property line, then horizontally to a point 10' from the property line plus a 35 degree daylight plane. These requirements were modified by the San Pablo Avenue Specific Plan in July 2022.
- (2) None required along Solano Avenue Where a property in the SC District has an exterior lot line at a street that intersects with Solano Avenue, and any property located directly across such a street is in a residential district: 15 feet, plus a daylight plane.
- (3) None required along San Pablo Avenue. If front setback is provided, it shall not exceed a depth of four feet (4) at street level..
- (4) None, except where side yard abuts an R district, in which case 10 feet applies.
- (5) None, except where rear yard abuts an R district, in which case 10 feet applies.

Floor area ratios (FARs) apply in the SC and SPC zones. FARs up to 1.25 are allowed in the SC zone. In other words, a 10,000 square foot parcel on Solano Avenue would be permitted to have up to 12,500 square feet of floor space.

There is currently ambiguity between the Solano Commercial FAR of 1.25 and the General Plan allowance for 2.0 FAR for projects including housing. A zoning amendment should clarify that 2.0 is intended to be the “base” FAR for projects including housing in the SC zone and not the maximum FAR for projects receiving density bonuses. Because of small parcel sizes along Solano Avenue and rear setback requirements, an FAR requirement of 1.25 FAR limits buildings to just two stories on many parcels. An FAR requirement of 2.0 would be more conducive to 3-story construction. Where density bonus are requested, FARs would be higher. For instance, a recently approved project for a 12-unit project at 1600 Solano Avenue included a waiver to allow an FAR of 3.75. While this proposal used a 50 percent density bonus, even the “base” project of 8 units would have exceeded the 1.25 FAR limit.

The SPC zone, as it existed in March 2022, had a variable FAR depending on whether the building was entirely commercial or mixed use. An entirely commercial building could not exceed 0.95 FAR. Prior to adoption of the Specific Plan, a mixed use building with residential and non-residential uses could have a FAR up to 2.25, but the commercial component could not exceed 0.95. The higher FAR for mixed use was intended as an incentive to encourage multi-family housing on the San Pablo corridor. Mixed use could be either horizontal or vertical in configuration. The March 2022 analysis of zoning constraints determined that the 2.25 FAR itself was not a development constraint, as it was appropriately scaled to the 38’ height limit. However, the need for higher FARs was recognized, as taller height limits were being considered.

There are no minimum lot size or lot width requirements in the SC or SPC zones. There are also no lot coverage limits (100 percent coverage is explicitly permitted). Building heights are 35 feet in the SC (Solano Avenue) zone. In the SPC (San Pablo Avenue) zone, a three story, or 38 foot, limit applied until July 2022. The SPC zone required reductions in height where the rear property abutted a residential district. In such cases, buildings could not exceed 20’ tall at a point 10 feet from the property line or 12’ at the property line itself (for the first 10 feet). In each of these cases, a daylight plane was required, to avoid casting shadows and provide access to sunlight from adjacent residential yards.

While the daylight plane requirement was not an impediment when buildings were two and three stories, the increasing use of density bonuses and waiver requests for additional stories has made it harder to comply with this standard given the shallow depth of parcels along San Pablo Avenue. The stair-stepped roofline implied by daylight plane requirements would have resulted in additional construction and design costs for buildings that are four stories or more. The new San Pablo Specific Plan

replaced the daylight plane standard with requirements for a single “stepback” above the third story to mitigate this constraint (see discussion later in this chapter).

There continues to be no minimum front yard setback requirement along San Pablo Avenue. To maintain an active street presence, the SPC zone requires that setbacks not exceed four feet where street facing buildings are included. Parcels in the SPC zone on the parallel streets (fronting Adams and Kains) are subject to a 15’ setback requirement. There are no side or rear yard requirements in the SPC zone, unless the parcel abuts a residential district, in which case setback requirements ranging from 5’ to 15’ apply.

Multi-family housing is considered a permitted use in the SC and SPC zones, provided it is not on the ground floor facing the street. In the SC zone, ground floor, street-facing housing is allowed with a use permit. In the SPC zone, ground floor street-facing housing was not permitted prior to July 2022. Residential uses were allowed elsewhere on the ground floor and on the upper floors. This was identified as a potential constraint to housing production, given the weak demand for “brick and mortar” retail space, especially along San Pablo Avenue. With adoption of the Specific Plan, housing is a permissible ground floor use on sites where 100 percent affordable housing is provided.

The requirement for ground floor commercial uses, coupled with low allowable FARs, makes it difficult to achieve the allowable 63 unit per acre density along Solano Avenue. An action program in this Housing Element recommends eliminating the density standard in the SC zone and relying on a 2.0 FAR and height limits to determine the building envelope. The 2.0 FAR would provide the “base” on which future density bonuses would be calculated.

Overlay Zones

A number of overlay zones have been created to implement General Plan policies. These include a Commercial Node (CN) overlay. There were also provisions for a Planned Residential-Commercial (PRC) overlay and a Residential-Commercial Transition (RCT) overlay that were rescinded in July 2022 with adoption of the San Pablo Avenue Specific Plan.

The PRC overlay had been intended to encourage mixed uses on large sites, including the west side of San Pablo Avenue between Clay Street and El Cerrito. It included standards to ensure the compatibility of mixed use projects with adjacent residential uses on Adams Street, including 15’ setback requirements and a prohibition on commercial driveways onto Adams Street. The RCT was similar and was intended to ensure land use compatibility on the 400 block of Kains Avenue. Like the PRC overlay, commercial frontage and commercial driveways were not allowed on this block of Kains Avenue and a larger setback was required for taller buildings. The issues

addressed by these overlays are superseded by the San Pablo Avenue Specific Plan, which includes objective design standards and other development standards to address land use compatibility.

The CN overlay remains in effect and now applies to additional areas along San Pablo Avenue, including the former PRC and RCT overlays and the Sprouts Shopping Center at Monroe and San Pablo. The overlay was initially intended to create intensified pedestrian and ground floor retail activity around the intersection of Solano Avenue and San Pablo Avenue. The overlay establishes a number of use limitations (e.g., no drive-up and drive-through facilities, no auto sales, etc.) and includes design standards for new development, alterations, and additions. The overlay does not affect the density, height, or standards for residential development and is not a housing constraint.

Open Space Requirements

The zoning code currently requires that multi-family dwellings (3 or more units) provide at least 200 square feet of common usable open space per unit. A reduced standard of 100 square feet per unit was adopted for the San Pablo Avenue Specific Plan area in July 2022.

The open space requirement can also be satisfied by providing private open space (e.g., balconies or patios accessible only from the unit), in which case each square foot of private open space counts as two square feet toward the common open space requirement. In other words, a 10-unit building (outside the Specific Plan area) may provide 2,000 square feet of common open space or 1,000 square feet of private decks and balconies. Various combinations of private and common open space also may be used. In the R-3 district, the City also offers a FAR bonus from 1.50 to 1.75 if the amount of required open space is doubled.

The 200 SF/unit standard is used by many other jurisdictions in the Bay Area, and the provision to provide double “credit” for private open space is a helpful way to reduce total development costs while providing an amenity for residents. Nonetheless, the open space requirement does represent an additional development cost and may reduce the amount of habitable space on a property. Waivers to the standard are regularly requested for density bonus projects, as developers indicate the standards are too high to make their projects viable. It would be appropriate to reduce the standard slightly the SC zone, to match the recently reduced standard for the SPC zone.

Parking Standards

In 1978, Albany voters approved Measure D. The Measure required new residential units, regardless of size, rooms, or occupancy, to provide two off-street parking spaces. It also required that conforming parking be provided when additions were made to single family structures that increased the original floor space by more than 25 percent or 240 square feet (whichever was less). The Albany Municipal Code contained a use permit procedure for reducing the parking requirement to 1.5 spaces per unit where the Planning and Zoning Commission found that sufficient on-street parking was available.

The Measure D requirements were identified as a significant constraint to housing development in the 2015 Housing Element. The requirements affected the cost of housing and the feasibility of obtaining the maximum FAR and density in the city's multi-family and mixed use districts. The "one size fits all" parking requirement also created a disincentive for smaller units and did not support the City's goal of promoting transit use and reducing automobile dependency.

The 2015 Housing Element included an action item to mitigate this constraint through a ballot measure. In 2016, Albany voters approved Measure N1, which gave the City Council the authority to set parking standards without further voter approval. In 2017, the City adopted new parking standards.

The new parking standards require two spaces for a single family dwelling, 1.5 spaces for a 2-family dwelling, and one space per unit for multi-family housing or housing in a mixed use development. Affordable housing units and senior housing require 0.5 spaces per unit (one space for every two units). All of these requirements may be further reduced by the Planning and Zoning Commission. Accessory Dwelling Units do not require off-street parking. Transitional and supportive housing require no off-street parking for residents but require one space for every two employees. The San Pablo Avenue Specific Plan, adopted in July 2022, eliminated multi-family parking requirements altogether for properties within that planning area.

The Municipal Code also includes bicycle parking requirements for multi-family and mixed use development, consistent with the City's goal of reducing vehicle miles traveled and related greenhouse gas emissions. One protected bicycle parking space per dwelling unit is required in apartment/condominium buildings and mixed use buildings. For every 10 bicycle spaces on site, the Planning and Zoning Commission may waive one required off-street parking space. Residential bicycle parking must be "protected," which means each space is individually enclosed and secured.

Conditions for parking exceptions are identified in the Code. This includes minor residential additions which do not exceed 25% of the floor area of the original home or 240 feet, whichever is less. For additions exceeding this threshold, the Planning and

Zoning Commission has the discretion to make exceptions where certain findings can be made. The Commission also has the discretion to grant exceptions to multi-family and mixed use parking requirements through a use permit process.

Dimensional standards for parking spaces are included at Chapter 20.28.050 of the Municipal Code. For multi-family units, these standards require stall widths of 8'6". Stall lengths vary depending on the angle of the parking, and vary from 17'6" to 23 feet. The Code also includes standards for aisle widths, which vary from as low as 11' for one-way aisles to as high as 25' for two-way aisles. A maximum of 25 percent of the spaces may be designed for "compact" cars, with smaller length and width dimensions.

Albany's parking regulations also include sustainability measures. These include strong support for electric vehicle infrastructure (charging stations) and spaces, on-site car sharing services, and unbundled parking so that tenants/owners have the option to rent or purchase their space.

The current parking requirements also carry forward certain provisions of the prior standards that support home improvements. These requirements recognize that many homes were built before modern zoning standards and have off-street parking spaces that does not conform to dimensional or locational requirements. For instance, the Planning and Zoning Commission may allow parking in front yard areas where certain findings (related to aesthetics, noise, outdoor living space, etc.) are made. This facilitates home expansion and remodeling to accommodate changing family needs.

Cumulative Effects of Development Standards

State law requires the City to consider not only the impact of individual development standards but also the cumulative effects of these standards on the cost and supply of housing. For example, it is possible that a setback requirement may appear reasonable on its own but may limit development when combined with lot coverage or height limits.

In the R-1 district, development standards have a potential cumulative impact on small lots (less than 3,750 square feet), particularly those that are 25 to 30 feet wide. The combination of lot coverage limits and setback (minimum yard) requirements limit the developable envelope on these sites. To avoid encroachments into the setbacks or exceedances of the lot coverage limit, home expansions may require a second story addition rather than a horizontal addition to the home. These standards also have a beneficial impact---they support the preservation of Albany's smaller homes and discourage teardowns.

As noted earlier, the 1.25 FAR requirement creates a cumulative impact in the Solano Commercial district. Although a structure may cover 100 percent of a parcel and be

three-stories tall with no side or front setbacks or off-street parking, the 1.25 FAR limits floor area and prevents the maximum density of 63 units per acre from being achieved in most cases. A higher FAR is needed for mixed use projects along Solano.

In the SPC zone, the requirement to provide two parking spaces per dwelling unit was a constraint for many years. This was mitigated through Measure N1 and the adoption of new parking standards in 2017. However, the three-story height limit, coupled with the requirement for ground floor retail, made it difficult to achieve the maximum density of 63 units per acre. Projects developed in the early 2000s were more commonly 30 to 50 units per acre. Although ground floor residential is permitted if it is not facing the street, the 100-foot parcel depths make it difficult to accommodate rear-facing ground floor residential units on many parcels. Rear space was often used for parking, resulting in only two floors of housing before reaching the 38-foot height limit. Recent projects addressed this constraint by requesting height limit waivers, which are available through density bonuses.

As described below, the City has mitigated these constraints by adopting a Specific Plan with new development standards and provisions for “by right” approval. The density standard for properties in the SPC zone have been eliminated, with FAR and height limits used to determine building mass. A similar approach but could be considered for Solano Avenue. However, the more fine-grained scale and smaller parcel sizes along Solano suggest a lower height profile and FAR of 2.0 would be more appropriate. An increase in the allowable building height could also be considered on Solano Avenue, particularly for projects meeting the City’s 15 percent inclusionary requirement.

In some respects, the ability to request waivers and concessions has removed most of the potential cumulative constraints related to development standards. Because the City has an inclusionary housing requirement, with units typically provided on-site, most projects become automatically eligible for density bonuses. They also become eligible for waivers, allowing standards to be exceeded. Development standards which have been waived or reduced under recent density bonus applications include height, setbacks, floor area ratio, lot coverage, and open space.

San Pablo Avenue Specific Plan

In response to some of the zoning issues identified above, the City applied for and received SB2 grant funding to prepare a Specific Plan for the San Pablo Avenue Corridor. The opening paragraph of the Draft Plan states that it is “first and foremost intended to support the development of housing on the corridor.” The Plan amends design and development standards in order to achieve Housing Element and other General Plan goals. It includes substantial modifications to the SPC zoning district and changes to R-3 zoning within the boundary. It also addresses streetscape and

infrastructure improvements that support a more walkable, vibrant, attractive community.

The Specific Plan area encompasses all parcels between Adams Street on the west and Kains Avenue on the east, plus the portion of University Village fronting San Pablo Avenue. The Plan does not cover the west side of Adams Street or the east side of Kains Avenue. The Plan includes guiding principles and implementing policies for land use, urban design, transportation, and infrastructure. It includes objective design standards designed to streamline approval for housing and mixed use development in the planning area. The new development standards also bring Albany into alignment with the standards used along San Pablo Avenue in Berkeley, El Cerrito, and Emeryville, where large-scale housing development is already occurring.

Key provisions of the Draft Specific Plan affecting housing are highlighted below:

- The base height in the SPC zone has been increased from 38 feet to 68 feet (six stories).
- Local height and density bonuses are offered for projects in the “node” north of Clay Street/Brighton Avenue if they set aside 20% of all units as affordable (exceeding the 15% required by the City’s Inclusionary Housing Ordinance) or provide other community benefits. Heights up to 85 feet are now permitted in this area, equivalent to eight stories.
- Maximum residential density limits have been removed (i.e., the 63 unit per acre standard no longer applies). This applies both to SPC and R-3 parcels within the Plan area.
- The minimum density requirement of 20 units per acre has been increased to 30 units per acre in the SPC zone.
- A minimum density of 20 units per acre for new construction applies in the R-3 zone.
- Floor Area Ratio limits have been increased from 2.25 to 4.0, matching the increased height allowance. North of Clay/Brighton, an FAR of 4.5 is now allowed, supporting the local density bonus allowed in this area.
- The daylight plane requirement has been eliminated, in favor of a single stepback requirement for the portion of each building above the third floor.
- Commercial uses are now prohibited above the ground floor for any new buildings on designated “housing opportunity sites”. This maximizes housing opportunities along the corridor.
- Ground floor residential use (“common area” such as recreation facilities) is now allowed in projects that are 100% affordable. Other buildings are still required to have active non-residential uses on the ground floor facing San Pablo Avenue.
- New single family and two-family homes are now prohibited in the SPC zone.

- On through-lots in the study area (lots with frontage on Adams or Kains, as well as San Pablo), the allowable height for R-3 parcels has been increased from 35 to 50 feet and the allowable FAR has been increased from 1.5 to 2.0.
- The usable open space requirement has been reduced from 200 to 100 square feet per unit.
- Minimum parking standards for multi-family housing have been eliminated, and parking “maximums” of 1.0 spaces per unit have been established.

The Specific Plan also includes design guidelines and standards. These relate to pedestrian access, civic space, signage, sidewalk design, frontage treatment, ground floor uses, floor heights, entrances, curb cuts, services, utilities, parking, massing and form, facades, windows, adjacencies, and shared spaces. Active frontages are required for at least 50 percent of the ground floor facing San Pablo Avenue. Minimum depth of active uses on the ground floor vary depending on the use, but are generally between 15 and 40 feet.

The Specific Plan has been expressly developed to minimize constraints and provide for expedited project approvals. Adoption of the Plan should facilitate an increase in housing production in the Plan Area. Its success in doing so should be regularly monitored, with amendments made as needed to address any obstacles that were not anticipated.

Inclusionary Housing Provisions

The City of Albany adopted an inclusionary housing ordinance in 2005. The ordinance requires that any development with five (5) or more units set aside 15 percent of those units at prices deemed affordable to low- and very low-income households. It also requires that any conversion of rental units to condominiums set aside 15 percent of the units at affordable prices.

The Ordinance allows developers to pay an “in-lieu fee” equal to the difference between the fair market value of the inclusionary unit and the affordable value of the unit if the City Council finds that production of the units on site is not feasible. Payment of an in-lieu fee (calculated on a per dwelling unit basis) is also an option for developers of five- and six-unit projects. Projects with fewer than five units are exempt from the requirements entirely.

In calculating the number of inclusionary units to be provided, the Ordinance requires that any “fractional” units of 50 percent or greater are rounded up and counted as a whole unit (e.g., an 11-unit project must provide two units). Fractional units of less than 50 percent must pay an in-lieu fee of equivalent value to the fraction. In other words, a 10-unit project would be required to provide one inclusionary unit, plus a fee

equivalent to 3/7 of a unit. An equivalent number of units must be provided for low and very low income.

The interplay between inclusionary housing requirements and density bonuses has become more critical in recent years. This is due to increases in allowable density bonuses, which tend to result in more projects exceeding the densities or heights allowed by zoning. The inclusionary requirement applies to the base number of units in a project, and not to the total number of units after a density bonus is applied. Thus, a 7-unit project that provides one low-income unit (15% of the total, per the Ordinance) would still only have to provide one low income unit even though it is eligible for two bonus units (or a total of nine). The opportunity for two additional market rate “bonus” units compensates for the loss of income/profit incurred by making one of the “base” units affordable.

For those projects where the inclusionary unit is provided on-site, the Ordinance provides opportunities for waivers of certain development standards to make the unit more feasible. The inclusionary unit may also be provided off-site, if it is not feasible to provide it on-site. For projects paying the in-lieu fee, the funds are placed in a special account which is reserved for affordable housing purposes. The funds may be used for land write downs, contributions to nonprofit organizations for housing construction, mortgage assistance for very-low- and low-income households, the operation of transitional housing, and similar activities.

In 2009, the California Court of Appeals ruled that cities could not enforce inclusionary housing requirements for rental properties (*Palmer/Sixth St Properties v City of Los Angeles*). As a result, Albany’s ordinance was enforced only on owner-occupied projects for the next eight years. In 2017, AB 1505 overturned the Palmer decision and allowed cities to once again apply inclusionary requirements to rental housing. The City’s requirements now apply to all new housing developments with five or more units, regardless of tenure.

Although inclusionary zoning is intended to have a positive impact on housing affordability by increasing the supply of affordable units, it may have unintended consequences. For example, the cost of the affordable unit may be recovered through higher prices on the market-rate unit. If the inclusionary requirement is too high, some projects become less viable, even when the opportunities for density bonuses are factored in. Moreover, the inclusionary requirement does not address the needs of extremely low-income households or those in need of supportive services. Continued monitoring of the market/economic impacts of the inclusionary requirements is important to ensure that the requirements are not an impediment to construction.

As noted above, projects with fewer than five units are exempt from inclusionary requirements. The City could consider expanding the in-lieu fee to include 3-4 unit

projects, thereby closing a “loophole” and recognizing that such projects also contribute generate a need (and opportunity) to produce more affordable housing. There is also community interest in increasing the set-aside requirement from 15 to 20 percent.

Density Bonus

State density bonus law has been referenced in earlier sections of this chapter as a major factor in determining the number and income mix of units constructed in the city. The impact of this State law has become more important with recent changes increasing the bonuses available to projects with affordable units, while also clarifying the eligibility of density bonus projects for waivers and concessions. As noted above, the City’s inclusionary requirement means that most larger residential and mixed use projects are eligible for bonuses, in some cases significantly increasing the size of the project while reducing the parking and open space that is provided.

The basic premise of density bonuses is that additional density (i.e., additional housing units above and beyond those permitted by zoning) may be added to a project in exchange for setting aside a certain percentage of the units as affordable. The bonuses are higher where deeper levels of affordability are provided (i.e., for very low-income vs low or moderate). The additional units are an incentive for developers, in that they offset potential lost revenue from rent/sale of the affordable units by allowing more units to be built. State law requires that the City offer waivers and concessions to developers using density bonuses, because other zoning standards may not accommodate the additional units.

On January 1, 2021, new State density bonus rules went into effect, expanding and enhancing these incentives. AB 2345 increased the maximum density bonus from 35 percent to 50 percent. To be eligible for a 50 percent bonus, a project must set aside:

- At least 15% of the units for very low-income households
- At least 24% of the units for low-income households
- At least 44% of the units (in a for-sale project) for moderate income households

Below the 50 percent maximum, bonus percentages are awarded on a sliding scale based in the percentage of affordable units. Density bonuses of 20 percent are also available for senior housing projects (even if they are market-rate) and to projects serving foster youth, disabled vets, and homeless persons. Density bonuses are not available for moderate-income for-rent units, since market-rate rents are often already in the moderate-income affordability range.

The City of Albany has adopted a density bonus ordinance as part of the Planning and Zoning Code (Section 20.40.040). Requests for bonuses are regularly received, typically accompanied by requests for incentives, concessions, and waivers. Cities are required

to provide one or more incentives or concessions to each project that qualifies for a density bonus. The number of incentives or concessions ranges from one to four, depending on the percentage of affordable units. Typical concessions include modifications to setbacks, parking standards, and design requirements. The City is required to grant the concession unless it finds it would cause a health, safety, or environmental problem, compromise a historic resource, or be contrary to law.

Once concessions are determined, the City is required to grant waivers of any development standard that would physically prevent the project being built at the increased density. The City may not apply any standard which physically precludes the project from proceeding. Typical waivers include building height, lot coverage, and floor area ratio requirements.

The Density Bonus requirements are not a development constraint. To the contrary, they provide a strong incentive for housing production and the inclusion of affordable units. At the same time, the availability of concessions and waivers creates a degree of uncertainty around the size and character of future projects. This may result in increased community opposition and negative reactions to new housing proposals.

The shift to Floor Area Ratio (FAR) instead of density in the San Pablo Avenue Specific Plan Area means that another method for calculating density bonuses will need to be developed for projects in that corridor. In other cities using FAR (with no density standard), applicants typically calculate the floor area they are entitled to under a “base” scenario using FAR limits, height limits, setbacks and stepbacks, and so on. This floor area is then multiplied by the applicable bonus (i.e., 35 percent, 50 percent, etc.) and the new floor area is calculated. A constant average unit size is used in this calculation, so that the percentage of additional units is ultimately equivalent to a traditional density bonus. The applicant then identifies concessions to be requested, as well as any waivers that will be required to make the project viable. Along San Pablo Avenue, this could result in projects that exceed the newly proposed height limits. Higher construction costs for taller buildings may moderate the potential for this unintended impact.

Along Solano Avenue, density bonus opportunities will likely result in more requests for four-story projects, accompanied by requests for waivers and concessions. The City has already seen this with recent applications.

Measure D

Measure D was adopted by Albany voters in 1978. Among other things, the measure allows zoning changes in R-1 zoned areas only if “at least 50% of the resident voters within 300 feet of the proposed change indicate their approval by signing a verified petition to that effect.” This requirement could constrain zoning map changes from R-1

to other districts and could potentially affect zoning text changes that are not expressly required by State law. Parts of Measure D have already been repealed by voters, but this provision remains. A program in this Housing Element recommends its repeal.

**Table 5-3:
Housing Types Permitted By Zoning District**

Structure Type	R-1	R-2	R-3	R-4	RHD	SC	SPC	CMX
Single Family Dwelling	P	P	P	-	P	P ¹	P ¹	-
Two-Family Dwellings	(2)	P	P	-	UP	P ¹	P ¹	-
Multi-Family Dwellings	-	P	P	UP	UP	P ¹	P ¹	-
Multi-Family Dwellings above Commercial Space	-	-	-	-	--	P	P	
Live/Work Space	-	-	-	-	-	P ¹	UP ¹	UP-M
Manufactured or Mobile Home	P	P	P	-	P	P ¹	P ¹	-
Rooming/Boarding House	-	-	P	-	-	-	-	-
Small Residential Care	P	P	P	P	P	P ¹	P ¹	-
Large Residential Care	UP	UP	UP	UP	UP	UP ¹	UP ¹	-
Employee/Farmworker	-	-	-	-	-	-	-	-
Accessory Dwelling Unit	P	P	P	P	P	P ¹	P ¹	-
Single Room Occupancy (SRO) Hotel	-	-	-	-	-	-	UP	
Transitional Housing	P	P	P	UP	P	P ¹	P ¹	
Supportive Housing	P	P	P	UP	P	P ¹	P ¹	
Emergency Shelter	-	-	-	-	-	-	P	P

Source: Albany Municipal Code 20.12.040, Table 1

P=Permitted; UP=Use Permit; M-UP=Minor Use Permit; “-” = Not Permitted

Notes: (1) Not permitted on ground floor if facing San Pablo Avenue. Use Permit required if on ground floor if facing Solano Avenue

(2) Permitted on conforming lots under SB 9, which recently became effective

Standards for Special Housing Types

The next section evaluates standards for special housing types in Albany, including second units, mobile and manufactured homes, emergency shelters, and transitional and supportive housing. Table 5-3 indicates the permitting requirements for different

housing types in those zoning districts where residential uses are permitted or conditionally permitted.

Accessory Dwelling Units

The Accessory Dwelling Unit (ADU) section of the Albany Municipal Code (AMC 20.20.080) is intended to foster and encourage the addition of small rental housing units that are affordable “by design.” Albany’s ADU regulations have evolved significantly in the last five years in response to State laws designed to remove constraints to construction. ADUs are recognized as an important part of the housing stock, particularly for students, older adults, extended families, and small households.

ADUs and Junior ADUs (JADUs) are permitted in all residential zoning districts in Albany.¹ In response to laws in 2017-2021 intended to streamline ADU approval, the City established a tiered system of permitting. The following types of ADUs require only a building permit to proceed:

- An ADU (or junior ADU) within the footprint of an existing single family dwelling or existing accessory structure, plus up to 150 square feet of additional floor space related to ingress and egress, provided the unit has its own exterior access and meets fire and safety requirements for setbacks.
- One detached ADU up to 800 square feet, with a height of 16 feet or less, if it has side and rear setbacks of at least three feet. On multi-family lots, two such detached units are permitted.
- In multi-family buildings, multiple ADUs may be added created by converting existing non-habitable space such as storage rooms, attics, or basements into habitable space. Such space must meet building code standards for dwelling units and the number of converted units may not exceed more than 25% of the number of existing units in the building.

ADUs that do not meet the criteria above may be approved with a building permit, plus a separate ADU permit. These permits are ministerial, meaning they may be approved by staff, provided the units meet the following standards:

- Maximum size of 850 square feet for a studio/one bedroom or 1,000 square feet for a 2-bedroom.
- Size may not exceed 50% of the floor area of the existing primary unit (if attached)
- Front setback of 15 feet, corner lot setback of seven feet six inches, and side and rear

¹ A JADU is an Accessory Dwelling Unit that is (1) no more than 500 square feet in size; (2) contained entirely within an existing or proposed single-family primary unit; (3) has its own bathroom or shares a bathroom with the primary unit; and (4) includes an efficiency kitchen.

setback of three feet (the code includes provisions for smaller setbacks for detached ADUs).

- FAR on the parcel does not exceed 0.55 and lot coverage on the parcel does not exceed 50 percent.
- The unit may not exceed 16 feet in height (measured to the peak of the roof) if it is at least three feet from the property line or nine feet if it is zero to six inches from the property line (a 45 degree daylight plane applies to the intervening area between the outer wall and the three-foot setback).
- A second-story ADU may not exceed the height of the primary structure.
- A detached ADU may not exceed one story.
- Six feet of separation is required between any detached ADU and other structures.
- No off-street parking is required, even if the unit is created through a garage conversion.

These standards above may only be applied to the extent that they do not preclude a unit from being at least 800 square feet. For example, a homeowner can add a 750 square foot detached ADU that results in the property's FAR exceeding 0.55 FAR and 50 percent lot coverage.

In addition to the above requirements, ADUs may not be rented for a term of less than 30 days (to limit their use as short-term rentals) and may not be sold separately from the primary unit. While owner occupancy is required for Junior ADUs, other ADUs are exempt from this requirement. These various limitations must be included in deed restrictions for all ADUs and JADUs and apply to future owners in the event the property is sold. The deed restrictions may be removed if the ADU is eliminated.

The City has also established permitting processes for ADUs which expedite their approval. This includes a requirement to act within 60 days of receipt of a complete application (with some exceptions). ADUs are also exempt from impact fees if they are less than 750 square feet. Units larger than 750 square feet are charged fractional impact fees based on the size of the ADU relative to the primary unit. The units are also not required to have new or separate utility connections, eliminating the need for a connection fee or capacity charge.

The revisions to the standards have made it much easier to develop an ADU in Albany and resulted in significantly more ADU production in the last four years than in prior years. Prior to these changes, ADUs were required to provide off-street parking (in many cases), limited to 650 square feet in size, and subject to a discretionary review process.

None of the ADU standards appear to be a constraint to production. The City could consider allowances for two-story ADUs, or ADUs that exceed the 16-foot height limit in the future.

Mobile and Manufactured Housing

Section 20.24.150 of the Albany Municipal Code addresses manufactured homes. Such homes are permitted on all lots where single family homes are permitted, provided they are designed and located to be harmonious with the context of the surrounding homes and neighborhood. The Code establishes basic design criteria for such housing including:

- The unit's skirting must extend to the finished grade
- The roof must have eaves or overhangs of at least one foot
- No more than one manufactured home may be sited on each lot
- All parking standards subject to other single family homes shall apply.

These standards do not constrain mobile and manufactured housing development in the City.

Emergency Shelter

Senate Bill 2 (SB2), which took effect on January 1, 2008, requires cities and counties to identify at least one zoning category in which emergency shelter can be located without discretionary approval from the local government. Cities are permitted to apply objective standards that regulate the number of beds or persons served, the size and location of client intake areas, the provision of on-site management, the proximity to other shelters, length of stay and security. These provisions are found in Section Chapter 20.40.070 of the Albany Municipal Code.

Shelters are permitted by right in the CMX and SPC zoning districts provided they meet the following standards:²

- Adequate living space, shower and toilet facilities and secure storage areas
- Conformance with applicable Code standards for sleeping rooms
- Minimum separation of three hundred (300) feet from any other shelter
- Exclusive use of a minimum of one off-street parking space plus one space for each two employees, plus indoor bicycle parking for employees and residents
- Indoor intake and waiting areas.
- A maximum of 25 beds (a higher number of beds is allowed through a major use permit)

² Editor's Note: Section 20.12.040, Table 1 of the Albany Municipal Code (permitted uses) should be updated to reflect the fact that emergency shelter is a permitted use in these two zones. It is currently listed as a conditional use in the SPC zone only.

Shelters are also subject to programmatic requirements addressing the maximum length of residency per client, transportation provisions for clients, appropriate State licensing, standards for food preparation, and other operational characteristics.

The February 2022 Point-in-Time count of residents experiencing homelessness in Alameda County indicated that there were 23 unsheltered residents in Albany. This is a reduction from 2019, when 35 residents were counted and from 2017, when 66 residents were counted. The unsheltered population included eight persons living in tents, eight in cars/vans, three in RVs, and four living outside. The City has sufficient physical capacity in the CMX and SPC zones to meet the local need. This presumes a single shelter of 20-25 beds.

The CMX zone encompasses 35 acres and includes 20 parcels. Several of these parcels are vacant or underutilized. Others have space available for lease, including the vacant Albany Steel industrial space at 536 Cleveland Avenue. The City's Corporation Yard is also in this area. A 25-bed shelter would be approximately 2,500 square feet and could potentially be accommodated on most of these properties.

The San Pablo Commercial (SPC) zone also offers opportunities for emergency shelter. This zoning district includes over 150 parcels of various sizes. It encompasses a high-volume transit corridor with numerous services, easy access to BART, and many development opportunities. The corridor includes existing buildings with the potential for adaptive reuse or conversion to a shelter, low-barrier navigation center, or transitional housing, as well as vacant and underutilized properties. As noted in Chapter 4, it also includes numerous parcels that are suitable for affordable housing, supportive housing, or a drop-in center for daytime services.

The City does not explicitly permit Low Barrier Navigation Centers (LBNCs). These are defined as temporary service-enriched shelters that help homeless individuals and families quickly obtain permanent shelter. Assembly Bill (AB) 101 requires local jurisdictions to allow LBNCs as a permitted use in certain zoning districts, provided they meet specific criteria. These criteria include such features as allowing pets, providing privacy, giving residents the ability to store possessions, use of a coordinated entry system, and providing access to permanent housing. They must be allowed by right in mixed use and non-residential zoning districts where multi-family housing is permitted. A program in this Housing Element recommends a zoning amendment to comply with this requirement.

Single Room Occupancy Units (SROs)

SROs are a potential resource for those at risk of homelessness or those transitioning from homelessness to permanent housing. They also may be a form of permanent housing, with supportive services provided for residents on-site. SRO units are

typically comprised of a bedroom and bathroom, sometimes with a small kitchenette. There may also be congregate bathroom, kitchen, dining, and recreational facilities.

The City has adopted standards for Single Room Occupancy Hotels (SROs) and allows SROs as a conditional use in the San Pablo Commercial (SPC) zoning district. Under the proposed San Pablo Avenue Specific Plan, SROs would continue to be permitted in this zone with a Use Permit.

The Municipal Code establishes a minimum size of 120 square feet and maximum size of 400 square feet for each SRO unit. Occupancy is limited to two persons per room. Private bathrooms and kitchens (in each room) are permitted but not required.³ Congregate bathrooms and kitchens are required where individual bathrooms are not included. The Code also includes standards for laundry facilities, a cleaning supply room, closets, and adequate security lighting. SRO facilities with more than 10 units are required to have on-site management. The Municipal Code also requires that any tenancy in SROs must be 30 days or longer.

While these standards are reasonable and consistent with State law, there have been no SROs developed in Albany since they were adopted. The City continues to work with supportive service providers, faith institutions, and affordable housing developers to explore possibilities.

Transitional and Supportive Housing

The Albany Municipal Code includes two definitions of transitional housing. Section 20.16.20 (G) indicates that transitional housing is “rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be not less than six (6) months.” Section 20.08.020(92) indicates that transitional housing provides “a transition from emergency housing to permanent housing, for a period generally of six (6) months to twenty-four (24) months, usually supported by social services to help prepare residents for independent living.” While the two definitions are compatible, they should be consolidated to avoid any confusion.

Supportive housing is defined as “housing with no limit on length of stay, that is occupied by the target population as defined in subdivision (d) of California Health and Safety Code Section 53260, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health

³ There is currently an inconsistency in the Municipal Code, in that Section 20.16.020(I) (Residential Use Classifications) has a different definition of SROs indicating that the individual units “shall lack either cooking or individual sanitary facilities.” It also indicates that SROs must have five or more guest units. This should be reconciled through a zoning amendment.

status, and maximizing his or her ability to live and, when possible, work in the community.”

SB2 requires that transitional and supportive housing be treated like other residential uses of the same type. In other words, a single family home used for transitional housing must be regulated the same as a single family home occupied by any other household. The City’s zoning regulations explicitly identify transitional and supportive housing as permitted uses in all residential zones.

Farmworker and Employee Housing

Health and Safety Code §17021.5 requires that single family homes providing housing for six or fewer employees are deemed single-family structures and allowed by-right in residential zones which allow single-family uses. Farmworker housing is permitted in single family homes under this provision. Albany does not explicitly list employee housing or farmworker housing in its zoning use tables and does not have a farmworker population due to its distance from agricultural areas and urban context. The City does allow a diverse range of housing types that could be used in this manner. An action program in this Element recommends adding employee housing to the use tables, to clarify that it is permitted as a single family use.

Housing for Persons with Disabilities

Persons with disabilities have a number of special housing needs related to the accessibility of dwelling units; access to transportation, employment, and commercial services; and alternative living arrangements that include on-site or nearby supportive services. Albany’s current policies and regulations support these needs and do not constrain the development of housing for persons with disabilities. The City accommodates requests for special structures or appurtenances (e.g. access ramps or lifts) serving disabled persons on a ministerial basis. There are no additional zoning, building code, or permitting procedures other than those allowed by State law.

Section 20.40.060 of the Municipal Code specifically addresses housing for disabled persons. This includes a Reasonable Accommodation clause which stipulates that persons with disabilities may request relief from various land use, zoning, and building laws, rules, policies, practices, and procedures. Requests may be submitted to the Community Development Director and may be approved if the Director finds that the request is necessary to make housing available to an individual protected under the Fair Housing Act and will not impose an undue financial or administrative burden on the City. Design review requirements may be waived for such improvements.

Residential Care Facilities

The City of Albany allows residential care facilities of six or fewer persons by right in all residential zones. No use permit or other special permitting requirements apply in such instances. Design review has not been used to deny or substantially modify a housing project for persons with physical or developmental disabilities. The City does not impose special occupancy permit requirements for group homes or for retrofitting structures for group home use. Licensed residential care facilities for seven or more persons are also permitted in all zones where housing is permitted, subject to a use permit.

Family Housing

The Albany Municipal Code includes a definition of “family” as follows:

“Family” means two or more persons living as a single housekeeping unit in a dwelling. A family includes any servants and four or fewer boarders.

This is an inclusive definition that does not distinguish between related and unrelated persons. It is fully consistent with California case law.

Design Review Process and Guidelines

Section 20.100.050 of the Municipal Code establishes the City’s design review procedures. The intent is to ensure that new construction and alterations are visually and functionally appropriate to their site conditions and harmonious with their surroundings. Design review is also intended to ensure the compatibility of commercial building signage, provide for the ongoing maintenance of buildings and landscaping, consider parking and access needs, and ensure consistency with sustainability principles.

Design review is required for all developments, buildings or other structures, permanent signs and other public or private facilities constructed or modified in any district that are not expressly listed as exempt. Exempt projects include interior improvements, normal repair and replacement projects, small rear yard accessory buildings, certain types of signs, antennae, roof replacements, small skylights, and other minor exterior alterations.

Thresholds have been established to determine whether design review is performed administratively by Staff or the Planning and Zoning Commission through a public hearing. Projects that are less than 400 square feet (except second story additions), accessory structures between 120 and 400 square feet, accessory dwelling units, and decks less than 36 inches above grade are typically handled at the staff level. Additions larger than 400 square feet, major changes to rooflines, accessory structures over 400

square feet, second story additions, and height exceptions typically require a public hearing before the Planning and Zoning Commission.

Approval of a design review application is subject to certain findings, including consistency with the General Plan and Residential Design Guidelines (discussed below), coordinated landscape design, protection of natural features, high-quality architecture, safe access, privacy, and consistency with architectural character. Projects must also be visually and functionally harmonious with their surroundings, appropriately deal with site constraints, and provide safe access for pedestrians and vehicles. The architecture, including massing and bulk, must be appropriate to the function of the project. Landscape improvements must be complementary to architectural design, and natural features must be preserved to the greatest possible extent. Consideration must also be given to privacy, the retention of existing structures, and solid waste management. Additional compatibility-related guidelines are considered for residential additions, and for additions which exceed the 28-foot height limit in the R-1 zone.

The Design Review process is facilitated by the availability of residential design guidelines. The Guidelines include photographs of Albany residences illustrating various design principles. This provides an objective standard for evaluating projects. This is particularly important when evaluating whether a project is “visually and functionally harmonious” with its surroundings. The Design Guidelines were amended in 2018 to add consideration of historic resources, include additional “before and after” images, and include successful examples of modern architecture. The document was also reformatted and made more graphically accessible.

Photographs in the Guidelines illustrate methods for reducing the perceived mass and bulk of structures, creating more attractive porches and garages, enhancing the front yard space, and integrating additions and second stories so they do not appear to be “tacked on” to the original structure. Specific direction is also provided for dormers and bay windows, exterior materials, and landscaping. Staff uses a consistent methodology to cite the consistency of projects with the Guidelines, which facilitates objective review of projects by the Planning and Zoning Commission.

A separate set of design guidelines and standards is used for projects in the San Pablo Avenue corridor. Guidelines were initially adopted in 1993, aiming to enhance the street environment, support active uses on the ground floor, and promote housing on the upper floors. They addressed such topics as the building silhouette, massing and height, façade rhythm and composition, signage, lighting, color, and site design.

The San Pablo Avenue Guidelines were replaced in July 2022 when the Specific Plan was adopted. The Specific Plan also includes guidelines, but they are intended to be objective (measurable) to facilitate housing development and respond to State laws limiting the number of public hearings to approve a development project. The

guidelines aim to create a walkable, transit-oriented mixed use boulevard with thoughtful transitions between larger buildings and smaller neighborhood buildings and a neighborhood scale along Kains Avenue and Adams Street.

The new guidelines are generally organized in two categories: site design and building design. The site design guidelines address such topics as mid-block connections, civic open space, signage, sidewalk design, the location of parking, and building entry access. The building design guidelines address building length, façade modulation, window variation, transparency, massing breaks, ground floor space, courtyards, and similar features.

Design review has not been a constraint in Albany and has improved the quality of projects without unduly adding to approval times or construction costs. The availability of clear guidelines has provided a benchmark for staff and the Planning Commission, as well as property owners and developers. Moreover, the City's standard process is to consolidate the approval process for design review, use permits, parking adjustments, and CEQA into a single public meeting, reducing potential delays for applicants. As the City considers revisions to its design guidelines in the future, it should consider ways to make the guidelines more objective and measurable, using standards for what may be considered compatible or harmonious.

Building Code Requirements

Albany's Building Division administers state and local building construction regulations and provides permitting, plan checking, and inspection services. The City has adopted the California Building Standards Code located in Title 24 of the California Code of Regulations. This includes the California Electrical Code, Mechanical Code, Plumbing Code, and Green Building Standards Code. The State codes are generally adopted word for word, with a few specific exceptions noted in the Municipal Code. These requirements do not pose a constraint to housing production and are essential to protect public health and safety.

The City has adopted a number of special requirements that go beyond the State Building Codes. These include allowances for tiny homes, straw bale construction, sound transmission, and solar-ready construction, as well as expedited permitting for electric vehicle charging stations. The City also has adopted the California Fire Code in a manner similar to other communities, including requirements for sprinklers, roofing systems, and smoke alarms.

In 2021, the City adopted a Green Building Resolution with special requirements for projects subject to planning review. This includes specifications for the use of permeable pavement, energy star rated appliances, low-flow plumbing fixtures, low-carbon concrete, resilient flooring, outdoor lighting, electric vehicle charging, and solar

panels. State law already requires a number of energy conserving construction methods through the 2019 CalGREEN Code. Projects in Albany must demonstrate energy efficiency margins that exceed state standards, moving the City closer to its climate action goals.

While the City's requirements do have a cost impact, the cost of construction in Albany is not significantly higher than it is in surrounding communities. Some of these communities, such as Berkeley, have adopted similar requirements. The measures create incentives for all-electric construction and help the City achieve its greenhouse gas reduction targets. They are not considered a constraint to housing production.

In addition to the building code, projects in Albany are also subject to grading requirements, flood regulations, and water-efficient landscaping regulations. These requirements have been in place since the time of the last Housing Element and are not viewed as a constraint to development.

Code Enforcement

The Community Development Department is responsible for code enforcement in the city. This includes responding to reports of illegal construction or deterioration of buildings that affect the quality of life of nearby residents. City staff indicate that the most common violations requiring code enforcement are construction in violation of City noise standards, potentially unsafe or unhealthy buildings, construction without a permit, illegal outdoor storage, and operation of business in a residential district. The City responds to inquiries on a case by case basis. It also promotes compliance through education, dialogue between parties and other cooperative efforts.

Several Municipal Code sections deal directly with code enforcement. These include Chapter 18, which addresses nuisance abatement. The focus is on serious and persistent health and safety hazards resulting from the neglect, misuse or deterioration of property. The City has also adopted by reference the Uniform Code for the Abatement of Dangerous Buildings published by the National Conference of Building Officials. It also has adopted an administrative citation ordinance that authorizes monetary penalties in significant code enforcement situations.

The City prioritizes code enforcement activities first to those situations where an immediate risk to health and safety of individuals exists. Second priority is given to situations related to improving the quality of life or preventing substantial property damage. In determining code enforcement activities, City staff must consider the resources required to address the situation relative to the amount of improvement expected. The City generally does not become involved in situations that are regulated and enforced by other government agencies, nor do they resolve private nuisances and civil matters between adjoining property owners.

Albany's current code enforcement structure ensures that the quality of housing in the City is maintained. It does not pose a constraint to the development of new housing, nor does it increase housing costs. Code enforcement promotes the maintenance of the existing housing stock by mandating standards of health and safety. In a number of recent cases, the City's code enforcement efforts resulted in uninhabitable homes being repaired and made available for occupancy.

Site Improvement Requirements

In many California cities, home builders are required to provide a full complement of on- and off-site improvements such as streets, curbs, gutters, water lines, and sewer lines. This is particularly true in newer communities where development is occurring on sites that were not previously developed. Because Albany is built out and most development opportunities are on infill sites with existing services, site improvement requirements are typically minimal.

All of the Housing Opportunity sites on San Pablo and Solano Avenues have water and sewer service, storm drainage, street frontage, access, and dry utilities at the curb. The Pierce Street parcel (Housing Site 11) is undeveloped but likewise has utilities at the curb. Subdivision of this particular site could require internal streets and other improvements.

All proposed projects are reviewed by the Public Works and Fire Departments to determine the need for on-site and off-site improvements. Projects are subject to various connection fees and fees covering direct improvement costs. Most projects are required to complete sidewalk improvements and comply with requirements for street tree planting, driveways, landscaping, street lighting, and upsizing/replacement of sewer laterals and storm drain systems. All requirements are consistent with those required under the State's Subdivision Map Act. Projects are also required to comply with the city's public art requirement, which requires projects over \$300,000 to include a public art component equal to 1.75% of total construction costs or contribute an equivalent in-lieu fee.

Processing and Permit Procedures

Processing and permit procedures can be a constraint to the production and improvement of housing due to the time they add to the development process. Unclear permitting procedures, layered reviews, multiple discretionary review requirements, and costly conditions of approval can increase the final cost of housing, create uncertainty in the development process, and increase the overall financial risk assumed by the developer.

The time required to process a project varies depending on the size and complexity of the proposal, and the volume of projects being reviewed. Not every project must complete every possible step in the process. In addition, certain review and approval procedures may run concurrently.

Most residential construction in Albany requires some level of planning review. This review may be administrative (in other words, conducted by staff) or it may require action by the Planning and Zoning (P&Z) Commission. The P&Z Commission generally has review authority over projects that create new housing units. They also have authority over projects requiring exceptions to height limits and parking requirements, Variances, second story additions, and conditional use permits. The Commission also considers applications that are referred by staff, if the project is controversial or involves policy discussions.

Small projects subject to staff approval alone are typically handled in less than 30 days and are sometimes processed concurrently with building permits. Projects such as large home additions require scheduling before the P&Z Commission and typically take 60 to 90 days. This includes design review applications for major additions and second stories, which are among the most common applications to reach the P&Z Commission. New homes, including projects replacing an existing house with a new house may require more than one hearing and require additional time.

Larger projects such as multi-story apartment buildings may take 180 days or more and require multiple hearings. In some cases, the formal hearing process is only part of the approval timeline. Large projects may begin with pre-application meetings and P&Z study sessions prior to the submittal of a formal application. Modifications to projects often result through these meetings in response to comments from staff, Commissioners, and the public. Depending on project location and characteristics, larger projects may also be subject to EIR requirements. Individual single family homes are categorically exempt from CEQA as are urban infill projects meeting specific criteria established by the State.

Once a project is approved, it is still required to apply for a building permit. This requires plan check review for compliance with the Building Code, as well as

completion of building permit application materials. Application materials include complete construction plans, structural calculations, stormwater plans, fire safety plans, soils and engineering reports, and any supporting documentation. Most of these submittals are processed electronically, via PDF files. Permit processing and approvals are subject to the requirements of the State Permit Streamlining Act.

Expedited processing is available through SB 330 and SB 35 application processes. The City has created special application forms for each of these project types:

- SB 330 became effective on January 1, 2020 and allows a project sponsor to file a separate application that locks in development standards and fees at the date of submittal. Additionally, project review is limited to a maximum of five meetings.
- SB 35 became effective on January 1, 2018. It requires cities that have not made sufficient progress toward meeting their RHNA targets to streamline the review and approval of housing meeting certain criteria through a ministerial review process. To be eligible, such projects must comply with objective planning standards adopted by the city, provide specific levels of affordable housing, and meet other specific requirements, including the payment of prevailing wages to construction workers. Since they do not require discretionary review, SB 35 projects are also exempt from CEQA.

At this point in time, permitting and processing time is not considered a constraint. However, Albany is a small city with limited staff resources. Processing the quantity of development anticipated by the RHNA could require additional staff. The City occasionally retains contract staff for projects requiring specialized expertise. Consideration should be given to adding a dedicated “Housing Coordinator” (or Housing and Economic Development Coordinator) to help manage a potential increased volume of applications, a growing portfolio of below market rate units, and administer other housing programs.

Fees and Exactions

All development fees collected by the City of Albany are posted on the City’s website, as required by State law. These include permit processing fees and impact fees. Permit processing fees are intended to defray all or a portion of the City’s actual labor costs related to reviewing applications for compliance with planning and building standards. Impact fees are intended to defray all or a portion of the capital costs related to a development project, including the cost to improve roads, sewers, schools, and other public facilities.

For owners of existing homes, high permitting fees can affect the property owners’ ability to make improvements or repair, especially for lower-income households. For

new home construction, fees can make a project less affordable, since the costs are often passed on through rents or sales prices. In addition, larger multi-family and mixed use projects incur the cost of CEQA compliance, traffic studies, soil reports, and filing fees for tentative and final maps.

**Table 5-4:
Major City Planning Fees in Albany**

Service/Permit	Cost
<ul style="list-style-type: none"> • General Plan Amendment • Zoning Ordinance or Map Amendment • Development Agreement • Specific Plan 	Actual cost, as established through a written Agreement
PLANNING PERMITS	
Minor Use Permit	\$1,246.30
Major Use Permit	\$2,699.45
Seasonal Use Permit	\$415.78
Temporary Use Permit (staff)	\$1,246.30
Temporary Use Permit (P&Z Commission)	\$2,699.45
Variance/ PUD	\$4,984.16
Parking Exception	\$1,454.19
Zoning Clearance	\$622.63
Zoning Clearance (P&Z Commission)	\$1,246.30
Lot Line Adjustment/ Tentative Map	\$2,491.56
Final Subdivision Map	\$3,115.23
DESIGN REVIEW	
Administrative Design Review Permit	\$1,454.19
Residential/ P&Z Commission	\$3,323.12
Large Residential/ P&Z Commission	\$8,514.13
Commercial/Mixed Use	\$3,323.12
Large Commercial/Mixed Use	\$8,514.13
OTHER	
Accessory Dwelling Unit	\$1,179.11
Condominium Conversion	\$4,153.64
PROCEDURAL	
Extension of approval within 2 yrs	\$207.89
Extension with minor changes within 2 yrs; or Changes 2+ yrs after approval	\$1,246.30
Appeal of staff decision to P&Z Comm	\$1,246.30
Appeal of P&Z Comm to City Council	\$2,907.34
CEQA Categorical Exemption Notice	\$989.00

Source: City of Albany, 2022

Table 5-4 illustrates current city planning fees in Albany in 2022. Most city planning fees are “flat fees,” meaning that the cost per unit tends to get lower as a project gets larger. On the other hand, building permit fees tend to be based on valuation or on square footage. They tend to increase proportionally as a project gets larger, although there may be economies of scale for very large projects. The City allows reduced fees for affordable housing units beyond those already required by the inclusionary zoning requirements. The reductions are calculated on a pro-rated basis based on the square footage of affordable units.

As shown in Table 5-4, fees vary based on the level of review required. For instance, a project requiring staff-level design review is \$1,454 while a project requiring a Planning and Zoning Commission design review hearing is \$3,323. Some of the highest fees are associated with “cost-recovery” items such as General Plan Amendments and Development Agreements. There is no set amount for these fees, as they are based on the staff time actually required to complete the work, as defined in an Agreement with the applicant.

Table 5-5 indicates impact fees and exactions. Some of these are calculated per dwelling unit and some are calculated based on square footage or valuation. The largest fees tend to be the School Impact Fee (which is collected by the Albany Unified School District following protocol set by State law) and the parkland dedication fee, although the latter is only required where a parcel map is filed. A new 2,000 square foot home would pay a school fee of about \$6,700, a capital facilities fee of \$1,365, a sewer connection fee of \$1,224, and a storm drain fee of \$200.

Building permit fees vary depending on the valuation of the project. For example, for a single family residence with a construction value of \$600,000, the fee would be \$1,864.73 for the first \$500,000 and \$0.93 for each \$1,000 above that (i.e., \$93, or \$1957.73 total). A multi-family residence of equivalent value would have the same fee. Plan check fees are likewise based on a sliding scale. A different fee schedule is used for photovoltaic system permits and remodeling projects, including window and door replacements and re-roof permits.

The valuation for improvements is calculated using standard building industry multipliers that are adjusted as part of the annual fee schedule. These are calculated on a square footage basis. For example, multi-family housing values were set at \$248/square foot in 2022.

Building projects are also subject to mechanical, electrical, and plumbing permits. There are also State of California requirements associated with building code administration and strong motion instrumentation (SMIP).

Table 5-5:
Connection Fees, Impact Fees, and Exactions in Albany

Service/Permit	Cost
School Impact Fee (per square foot) <i>Collected by AUSD</i>	\$3.36
Capital Facilities	
Residential additions (per square foot)	\$0.65
New ADU less than 750 SF	\$0
Residential unit over 1,000 SF	\$1,365.00
Residential unit 601-1,000 SF	\$840.00
Residential unit 600 SF or less	\$375.00
Other	
Sewer Connection for new residence	\$1,224.25
Storm drain impact (per square foot)	\$0.10
Art in Public Places	1.75% of valuation
Parkland Dedication (only required in event of subdivision)	\$20.06/SF

Source: City of Albany, 2022

Table 5-6 shows permitting costs for a hypothetical single-family home and a hypothetical 40-unit multi-family building. The table is organized into three sections: planning fees, building fees, and impact fees. Impact fees represent the largest share of fees for both projects. For the single family home, the school fee represents 44 percent of the permitting cost. For the multi-family building, the school fee is 20 percent of the total, but other impact fees are more substantial. In the example shown in Table 5-6, it is presumed the project requires a subdivision and triggers a parkland dedication fee equivalent to \$5,500 per unit. The Public Art fee is also significant. The multi-family example further makes an estimate of the staff/ consultant time required (and billed to the applicant) for design review and CEQA compliance. The actual amount for this work is variable.

Overall, Table 5-6 indicates fees of about \$25,600 for the single family home and \$860,000 for the 40-unit project. The latter figure is equivalent to \$21,500 per unit, demonstrating economies of scale associated with the higher unit count. However, the permitting cost per square foot is actually higher for the multi-family project given its greater complexity.

Total permit cost per unit in Albany is lower than in adjacent cities. The City of Berkeley reports that permitting fees for a typical single family home are about \$44,000 and range from \$37,000 to \$73,000 per unit for a multi-family project.⁴ Berkeley's fees

⁴ Draft 2023-2031 Berkeley Housing Element, P. 96 (July 2022)

include an affordable housing mitigation fee, a community planning fee, and a sewer connection fee that is three times Albany's fee. The Contra Costa County Housing Collaborative indicates that the fees for a new single family home in City of El Cerrito is \$57,000, including \$23,000 in impact fees.⁵ For multi-family housing, the data for El Cerrito indicates that the cost per unit varies from \$29,000 in a large project to \$44,000 in a small project. El Cerrito collects transportation impact fees and transportation mitigation fees exceeding \$5,000 per unit.

Albany has substantially fewer (and lower) impact fees than the Bay Area's suburban communities. For example, Brentwood collects roughly \$47,000 a unit in impact fees for multi-family housing. Similarly, a two-bedroom apartment in Fremont would require payment of a \$24,000 impact fee for park dedication/ park improvement alone, as well as other impact fees. While fees represent a significant development cost in Albany, they are less of a constraint locally than in other cities.

⁵ Contra Costa County Housing Collaborative, data compiled by MIG for 18 cities in April 2022

Table 5-6
Development Fees for Hypothetical Single Family Home
and 40-unit Multi-Family Project

	SF Home	40-unit project	Comments
PLANNING FEES			
Parcel Map (if required)		\$2,400	
Design Review	\$3,323	\$20,000	Presumes contract planner estimated time for design review application
CEQA consultant for categorical exemption		\$30,000	Presumes consulting Agreement to prepare necessary CEQA clearance
Contingency		\$2,400	
SUB-TOTAL	\$3,323	\$54,800	
BUILDING FEES			
Project Management	TBD	TBD	Varies by project
Basic Plan Check Costs	\$4,300	\$40,000	Estimate of contract labor time
Engineering Plan Check	0	\$20,000	Estimate of contract labor time
Fire Plan Check	\$626	\$20,000	Estimate of contract labor time
Construction (R-2 Occ)	\$2,077		Based on valuation of \$671,000
Construction (R-3 Occ)		\$24,000	Based on valuation of \$276,000/unit
Construction (U Occ)	\$130	\$1,000	Utility space
Mechanical, Electrical, Plumbing Trades	\$610	\$9,000	
Construction Deposit	<i>1% but returned with certificate of occupancy</i>		
Encroachment Permit	\$233	TBD	For improvements in public ROW
BSAF Fee	\$40	\$1,200	Building Standards Admin Special Revolving Fund State Fee
SMIP Fee	\$200	\$3,000	Strong Motion Instrumentation Program (SMIP) State Fee
SUB-TOTAL	\$8,216	\$118,200	
IMPACT FEES			
Capital Facilities	\$1,370	\$32,200	For multi-family, presumes 4 units < 600 SF, 32 units 600-100 SF and 4 units > 1,000 SF
Sewer Connection	\$1,220	\$49,000	Based on # of units
Storm Drain Impact	\$220	\$5,000	Based on square footage
Parkland Dedication	0	\$220,000	Only if parcel map required
Art in Public Places	0	\$211,000	Based on percent of valuation
Albany Unified	\$11,310	\$170,000	Paid to School District
SUB-TOTAL	\$14,120	\$687,200	
TOTAL	\$25,659	\$860,200	
Unit Cost	\$25,659	\$21,505	

Source: City of Albany, 2022

Note: Fees are based on planning level plan detail and 2022 master fee schedule and/or other City Council action. Fees are periodically updated and may be modified by City Council

NON-GOVERNMENTAL CONSTRAINTS

Non-governmental constraints include market-related conditions such as the availability of financing and the cost of land and construction. They also include public opinion, including community opposition to new development. While the City has less control over these factors than zoning, permit processing, and fees, there may still be measures that can be taken to mitigate the effects on housing production and maintenance.

Availability of Financing

In general, there are two types of financing used in the housing market: (1) financing for site preparation and construction; and (2) financing used by buyers to purchase housing. Interest rates substantially impact both types. A small change in rates can have a dramatic impact on the ability to qualify for a loan, as well as the ability to make monthly payments.

When work on the 2023-2031 Albany Housing Element began, interest rates were at near record lows. Through 2021 and 2022, rates rose significantly, resulting in significantly higher development costs and lowering the purchasing power of many home buyers. This has impacted the viability of new construction while also affecting the local housing market. In June 2022, mortgage interest rates for a 30-year fixed loan mortgage averaged about 5.87 percent, up from 2.65 percent in January 2021. Nonetheless, interest rates are far lower than they were in the 1980s, 90s, and early 2000s. The average rate was over 8 percent in 2000, and 17 percent in 1982.

Despite higher interest rates, financing is generally available for new market-rate construction and rehabilitation projects. Funding is more limited in the affordable housing/ non-profit sector. This issue is not unique to the Bay Area. Most affordable housing developments require multiple funding sources, including bank loans, government funds, and philanthropic or foundation funding. Major sources of funding include low-income housing tax credits, federal (HOME and CDBG) funds, and State Sustainable Communities funding. Access to these funds is extremely competitive.

Local sources, such as Housing Trust Funds seeded with money from local sales taxes, transfer taxes, and in-lieu housing fees, can also help close the funding gap. For instance, the City of Albany leveraged its share of County Measure A1 bond funds to help Satellite Affordable Housing Associates built 62 affordable units in the city.

Low-income housing tax credits are issued to the State of California by the federal government. The State awards the tax credits to developers of affordable rental projects on a competitive basis. Developers sell the credits to private investors to obtain funding for their projects. These investors can then claim the tax credit deduction over a 10-year

period. Currently, State formulas for allocating tax credits favor “high-resource” areas, as these areas have historically had the most limited opportunities for lower income households. Although most of Albany is considered a “high resource” area, the supply of tax credits remains very limited. In addition, some of the City’s opportunity sites are in “moderate” resource areas where tax credit funding may be harder to secure.

Cost and Availability of Land

Land is one of the largest components of housing development cost. It is influenced by many factors including location, lot size, zoning, accessibility, availability of services, and existing infrastructure.

As Chapter 4 of the Housing Element indicates, there is only one vacant residentially zoned parcel larger than 10,000 square feet in the entire city of Albany. Vacant commercial land is equally scarce. Where land is available, it is expensive. The 10.79-acre Pierce Street parcel is on the market for \$10 million, or roughly \$1 million per acre. The property is currently zoned for 65 units, meaning the land cost per potential unit is over \$150,000.

Smaller sites tend to be significantly more expensive on a per-acre basis. For example, a 0.3-acre lot on San Pablo Avenue one block south of the Albany City Limits is currently listed at \$6 million. Most housing opportunities in Albany are on developed properties. These are also expensive. Developing housing on these properties usually requires that existing uses are demolished, which is an additional expense. In some cases, remediation may be required to ensure that the site is safe for residential uses.

A search of commercial property data base Loopnet indicated only one commercial property for sale in Albany – a 0.16-acre property on Solano Avenue at Curtis Street containing offices and a former single family residence. The price was \$2.3 million, or \$566 a square foot based on the size of the buildings. On San Pablo Avenue in El Cerrito, a 1.48-acre former 16,500 SF retail store was for sale for \$8 million, or \$489 a square foot. In Berkeley, a 2,350 SF retail building is for sale for \$1.475 million, or \$627 a square foot. These costs are added to the cost of construction, permitting, financing, and marketing for new development, resulting in prices that are unaffordable to many buyers and renters.

Construction Costs

Construction costs have increased substantially over the past several years and are often cited as a key barrier to the production of housing. Causes for the increase include increases in the cost of materials, increases in labor costs, global trade patterns and tariffs, as well as State regulations such as building codes. These changes have been compounded by the COVID-19 pandemic, which created supply chain disruptions,

material shortages, and labor market constraints. A further compounding factor in Northern California has been an increase in destructive wildfires, leading to an increased need for construction in disaster zones and the diversion of resources away from the Central Bay Area.

Construction costs per square foot in Albany have more than doubled since 2010. The City's own valuation schedule indicates multi-family residential construction costs of \$243 per square foot, excluding land and site improvement costs. Site improvement and land costs are often even higher than this figure, resulting in construction costs that exceed \$500,000 per unit for multi-family housing. The cost of structured parking alone is estimated at \$50,000 per unit.

The National Association of Home Builders (NAHB) tracks the of basic construction materials, such as lumber, steel, and gypsum. NAHB reports that between the start of the COVID-19 pandemic in March 2020 and May 2022, building materials have increased by 35.2 percent. Year over year, building material costs increased by 19 percent between May 2021 and May 2022. The prices of services used in home building, including trade services, transportation, and warehousing, is up 45.6 percent since the start of the pandemic and increased 18 percent between May 2021 and May 2022. These factors are helping drive the increase in housing costs across the entire country and are contributing to unaffordable home prices in the Bay Area.

One way to mitigate the rising cost of construction is by encouraging junior accessory dwelling units and other ADUs within the footprint of an existing unit. Another is to make it easier to divide an existing house into two equivalent units, or to allow backyard cottages, prefabricated homes, and other non-traditional housing types that respond to high land and construction costs. Programs in this Housing Element support such actions by the City, particularly in single family neighborhoods where opportunities for more traditional housing are limited.

Time Between Project Approval and Issuance of Building Permits

Once a project is entitled by the City it is up to the applicant to apply for building permits and construct the project. There may be a substantial lag time due to factors beyond the City's control. For example, the 62-unit affordable SAHA project was fully entitled in December 2019. Construction had not started in early 2022, as project costs increased and supplemental affordable housing financing became more scarce. Similarly, the 207-unit Albany Bowl project received entitlements in 2021 but has not yet begun construction. In this instance, additional steps were needed following entitlement, such as a lot merger and a storm drainage improvement study.

Other factors leading to project delays include construction labor shortages, increases in construction costs that could lead to unexpected cost increases after project approval,

and time needed to finalize project design. In addition, some property owners may seek to entitle projects and then sell the entitled property to a third party. In some instances, market conditions may change and there may be less demand for the specific project that is entitled on the site.

The City is committed to working with applicants to address these types of constraints and discuss ways to address potential barriers to construction following approval. It also helpful to identify potential post-approval impediments during the entitlement process, so that steps can be taken to avoid potential future delays.

Projects Developing Below Maximum Allowable Densities

One potential non-governmental constraint is that developers may propose projects that are below the densities allowed by zoning. This could include building single family homes (including townhomes) on sites zoned for multi-family housing, or applicants building below the allowable height limits. There are a variety of reasons, including market demand, developer interest and business models, and the configuration of the parcel. Some parcels zoned for 63 units per acre may be infeasible to develop at that density, given their width, depth, frontage, and shape. Albany has adopted a minimum density requirement of 30 units per acre on SPC sites in the San Pablo Specific Plan area and a minimum density requirement of 20 units per acre on R-3 sites to avoid housing types that “underutilize” multi-family development sites. A 20 unit per acre minimum density also has been adopted in the SC zone.

Recent data for residential projects shows that most are developing close to their General Plan and zoning designations. In some cases, densities far exceed these designations. Examples include:

- SAHA Albany Family Housing, which includes 62 units on 1.13 acres. This is a density of 55 units per acre, where zoning allows 63 units per acre (87 percent of capacity).
- 540 San Pablo/ Albany Bowl, which includes 207 units on 2.18 acres. This is a density of 95 units per acre, where zoning (prior to adoption of the San Pablo Avenue Specific Plan) allowed 63 units per acre (150 percent of capacity)
- 1600 Solano, which includes 12 units on 0.12 acres. This is a density of 102 units per acre, where zoning allowed 63 units per acre (161 percent of capacity).
- 634 Kains, which included 9 units on 0.23 acres. This is a density of 39 units per acre, where zoning allowed 63 units per acre (62 percent of capacity)
- 425 Evelyn, which included 18 units (14 new and 4 existing, to be retained) on 0.21 acres. This is a density of 84 units per acre, where zoning allowed 63 units per acre (136 percent of capacity).

Of the five applications listed above, the mean density was 19 percent higher than the maximum density allowed by zoning. This is due to density bonuses granted for the inclusion of affordable housing units, which were an element of each of these projects. The two instances where projects were below the maximum were both in the R-3 district.

Appendix C provides additional information on typical densities, finding that projects on San Pablo Avenue are generally using density bonuses and are exceeding the number of units or building envelopes permitted by zoning.

Public Opinion

The State of California recognizes community opposition as a non-governmental constraint that may affect the viability of construction. Some residents associate affordable housing with buildings that are cheaply constructed, poorly managed, and out of scale with the community. There may also be legitimate concerns about impacts on traffic, parking, access to sunlight, and other quality of life factors. Good design is essential to address these concerns, as is ongoing public discourse about the need for affordable housing and the role it plays in our community. Some of the most compelling evidence to garner support for affordable housing is to note who it serves. Frequently the tenants are seniors, families, and those who serve the community in retail, service, construction, health care, education, and public safety professions.

Community opposition may ultimately result in improvements to the quality of individual projects. But it can also result in development proposals being withdrawn, fewer housing units being added, more costly construction (and sales and rent prices), and lengthy approval processes that delay housing from being constructed. Project viability can be further impacted by appeals, lawsuits, requests for frequent revisions and design changes, and the addition of new amenities. The City strongly encourages pre-application meetings, neighborhood meetings, study sessions, and other methods to identify community concerns early on and address them proactively. As required by State law, Albany has also developed expedited procedures for projects meeting objective development and design standards through SB 35 and SB 330.

Public education and awareness of affordable housing is also an important part of the response. The City participates in events like “Affordable Housing Week”, supports affordable housing tours, and meets with affordable housing developers regularly to discuss community needs.

CONCLUSIONS

1. Albany's Housing Element is generally consistent with the other goals, policies, and actions in the 2035 General Plan. Recent amendments increased allowable building intensity along San Pablo Avenue. Further amendments may be needed to reflect the more diverse housing types envisioned in single family neighborhoods, higher densities on the southwest side of Albany Hill, proposed high-density housing at University Village, and greater intensity along Solano Avenue.
2. Zoning standards support the outcomes described in the Housing Element, but a few changes would increase housing capacity and allow General Plan densities to be more easily achieved. These include allowing higher FARs for R-1 projects that add a dwelling unit, reducing the minimum lot size in R-1, increasing FAR and lot coverage in the R-2 zone, allowing reduced R-3 rear setbacks on smaller lots, and eliminating the use permit requirement for multi-family in R-4.
3. Recent zoning changes along San Pablo Avenue (associated with a Specific Plan adopted in July 2022) make it more viable to meet the City's RHNA targets. The effectiveness of the new zoning should be monitored in the coming years to ensure it is achieving its desired goals.
4. Zoning standards on Solano Avenue make it difficult to achieve the 63 unit per acre maximum allowed under the General Plan. The City should consider switching to an FAR metric (2.0 base) here, and should allow additional height and FAR for projects including affordable units.
5. The private open space requirement was recently reduced from 200 square feet per unit to 100 square feet in the San Pablo Avenue Specific Plan area. A similar reduction should be allowed in the Solano Commercial zone.
6. Structured parking is expensive and contributes to the high cost of housing. The City has addressed this constraint by lowering parking requirements to one space per unit for multi-family housing. Further reductions could be considered, accompanied by parking management programs to address impacts on residential side streets.
7. With the adoption of more generous density bonus standards by the State (effective 1/1/21), inclusionary zoning is not considered a housing constraint. There is community interest in raising the requirement from 15 to 20 percent, in order to provide much-needed low and very low income housing.
8. Action is needed to repeal the remaining parts of 1978 Albany Measure D, which requires majority support of residents within 300 feet of proposed R-1 map changes.

9. The City allows a diverse mix of housing types, including accessory dwelling units (ADUs), manufactured homes, emergency shelters, single room occupancy units, transitional and supportive housing, and residential care facilities, as required by State law. A drop-in center for persons experiencing homelessness should be re-established, and a local shelter, navigation center, or SRO should continue to be supported.
10. The design review process, and the City's design guidelines, help to improve the quality of new development and are not a constraint to housing production.
11. The City's building code and code enforcement practices are not considered constraints to the development of housing. Both are necessary to ensure public health and safety. Green building requirements adopted in 2021 may have a potential impact on the cost of construction but are essential to meeting City and State climate action goals.
12. Albany's development processing and permitting procedures do not currently constrain housing production. However, Albany has a small staff and limited resources. Staffing needs will increase if the development projections in the Housing Element are realized. The City should consider retaining a part-time or full-time Housing Coordinator.
13. Rising interest rates and limited access to low-income housing tax credits are both constraining the production of affordable housing. This is a national issue affecting the entire US housing market.
14. Construction costs have risen 35 percent since the start of the COVID-19 pandemic, while the price of services used in home building have risen 46 percent. This a national issue affecting the cost of housing across the entire country. These two factors make it much more challenging to reduce housing costs and made it more important that options such as ADUs and pre-fabricated housing are pursued.
15. There is often a time lag between when a project is entitled and when it is constructed. Changing market conditions and construction costs increase market vulnerability, so it important to work with applicants to help close this time gap.
16. There is an ongoing need for public education and awareness of the importance of affordable housing (including "naturally occurring" affordable housing) and the essential role it plays in our communities.

Chapter 6 – Housing Goals, Policies, and Programs

Introduction

Section 65583(b)(1) of the California Government Code requires the Housing Element to contain “a statement of goals, quantified objectives, and policies relative to the maintenance, preservation, and development of housing.” This chapter fulfills that requirement. It also includes the State-mandated “Housing Action Plan,” which is comprised of programs to be implemented over the next eight years. Its policies and action programs are based on state law and the findings of the previous four chapters and the appendices.

Six goals are presented, corresponding to the following topics:

- Equitable Access to Housing
- Housing Production
- Special Needs Housing
- Elimination of Housing Constraints
- Fair Housing and Housing Security
- Housing Administration and Resources

As required by law, quantified objectives have been developed for housing production, rehabilitation, and conservation. These are summarized in the program descriptions and in a table at the end of this chapter. The quantified objectives provide metrics for evaluating the effectiveness of the Element and guidance for allocating resources.

Three types of statements are included in this chapter. The **goals** (paraphrased in the bulleted list above) express broad, long-term statements for desired outcomes. Each goal is followed by multiple policies. The **policies** are intended to guide day to day decisions by the City Council, the Planning and Zoning Commission, Staff, and other City representatives. They are general statements that describe the City’s position on specific housing issues related to each goal. Some of the policies require specific **programs** to ensure their effective implementation. Other policies are implemented through standard operating procedures or are used to guide day to day decisions. The link between policies and programs is annotated in the Housing Element by listing the specific policy or policies carried out by each program.

The programs are the most detailed statements in the Housing Element. Each program is accompanied by descriptive text providing the context for the program and additional detail on how it will be carried out. Responsible parties, timelines, and funding sources are listed for each program. Some of the programs are on-going, and others will require an allocation of staff time or funding during the planning period.

Unless otherwise indicated, references to “affordable housing” in this chapter refer to housing that requires no more than 30 percent of a household’s income for extremely low-, very low-, low-, or moderate-income households. Occupancy of such housing is typically limited to persons with incomes below thresholds set by the US Department of Housing and Urban Development and the California Department of Housing and Community Development, although some smaller and/or older units may be considered “affordable by design” as their market rents or sales prices place them within the affordability ranges of lower- and moderate-income households.

Goals, Policies, and Programs

Projects with the  icon are expressly intended to affirmatively further fair housing.



GOAL 1 **EQUITABLE ACCESS TO HOUSING**

Provide equitable access to housing in all Albany neighborhoods.

POLICIES

Policy 1.1 **Housing Re-Investment.** Support continued maintenance and improvement of Albany's existing housing stock. City zoning regulations, permitting practices, and code enforcement procedures shall support reinvestment in the housing stock.

Policy 1.2 **Housing Rehabilitation.** Continue to participate in housing rehabilitation programs and pursue funding to rehabilitate older housing units.



Policy 1.3 **Protecting the Rental Housing Stock.** Conserve rental housing by regulating the conversion of existing multi-family rental units to condominiums and encouraging investment in new and existing apartments. In addition, encourage the long-term conservation of "naturally occurring affordable units," such as small family-owned rental properties rented at market rates that are affordable to low- and moderate-income households.

Policy 1.4 **UC Village.** Recognize University Village as an important housing resource for graduate students and their families. Work with the University of California to sustain and expand the supply of student housing in this location.

Policy 1.5 **Neighborhood Character.** Maintain zoning regulations that allow housing to adapt and expand to meet changing needs, while discouraging demolition. Albany's supply of small bungalows and cottages should be recognized as an important housing resource and part of Albany's character.



Policy 1.6 **"Missing Middle" Housing.** Support opportunities for "missing middle" housing, such as duplexes, triplexes, and accessory dwelling units, in lower density neighborhoods, particularly on larger lots where such housing fits the existing neighborhood context.



Policy 1.7 **Scattered Site Affordable Housing.** Encourage small affordable housing developments consisting of 2-4 unit buildings located on scattered sites, in addition to encouraging traditional affordable housing developments on larger, higher-density mixed use sites.¹ This includes the acquisition and rehabilitation of existing small multi-unit buildings as affordable rental housing or limited equity cooperatives.



Policy 1.8 **Accessory Dwelling Units (ADUs).** Encourage development of ADUs and Junior ADUs in all Albany neighborhoods.

Policy 1.9 **Manufactured Housing.** Continue to allow manufactured and mobile homes on lots zoned for single family homes, subject to design review standards prescribed by zoning.

Policy 1.10 **Short Term Rentals.** Conserve rental housing opportunities by limiting the use of existing or potential rental properties, such as second units, for short-term stays.



Policy 1.11 **Shared Housing.** Support shared housing as a way to maximize the utility of the existing housing stock, reduce housing costs for lower income and senior households, and adapt to changing household structures and demographics in the city.

Policy 1.12 **Reducing Home Energy Costs.** Encourage the weatherization of existing homes, the use of energy-efficient appliances, and the development of renewable energy systems to reduce energy costs and thereby provide more disposable income for housing.



Policy 1.13 **Access to Opportunity.** Promote access to housing opportunities in all Albany neighborhoods, including single family neighborhoods where certain segments of the population were historically excluded. All Albany residents should have access to great parks, excellent schools, safe streets, and other resources that contribute to the quality of life in the city.

¹ “Scattered-site” refers to a form of housing in which affordable, low-density units are scattered throughout lower density neighborhoods. This can take the form of individual single-family homes on conventional lots, manufactured units, or small (2-4 unit) multi-family buildings that blend with adjoining buildings in multi-family zones. The units may be owner or renter occupied. Scattered site housing is intended to complement a strategy that is primarily focused on larger properties. It would not preclude the need to develop larger affordable developments.

IMPLEMENTATION PROGRAMS

Program 1.A: Single Family Zoning Reform. Revise the R-1 (Single Family Zoning) district to allow for a greater mix of housing types and increased access to affordable housing opportunities in the Albany’s residential neighborhoods (See also Program 4.A).

Description

Albany’s R-1 zoning district currently only allows single family dwellings and accessory dwelling units (ADUs). With the median home price in the city approaching \$1.3 million, affordable housing opportunities in these areas are extremely limited. Participants in the 2023-2031 Housing Element expressed unwavering support for keeping Albany an economically diverse and inclusive city. In addition, discriminatory lending practices and deed restrictions in place prior to the passage of the Fair Housing Act of 1968 resulted in the direct or indirect exclusion of certain racial and ethnic groups from some of the city’s neighborhoods. The State of California has adopted legislation such as Senate Bill 9 (SB9, 2021), compelling cities to create additional housing opportunities in single family neighborhoods, recognizing past exclusionary past practices while creating additional access to housing in higher-resource areas.

Recognizing Albany’s tagline as an “Urban Village by the Bay,” this action program recommends revision of the R-1 zone to allow for a greater variety of low to moderate density housing types. The R-1 zone could be retitled as “Village Residential” and its list of permitted uses could be expanded to include two-unit buildings (either on all lots or lots meeting specific size criteria). The zone could also include allowances for buildings with three or four units where certain conditions exist. The zoning changes should be drafted in a way that achieve goals that are compatible with Senate Bill 9 (SB 9), while enabling greater local control over future land use decisions and incentives for affordable units.

Responsible Parties:	Community Development Department
Timing:	By December 31, 2025
Funding:	General Fund (staff time)
Implements:	Policy 1.5, 1.6, 1.7, 1.13

**Program 1.B**

Measure D Repeal. Pursue a ballot measure to repeal the remaining provisions of 1978 Measure D, which requires majority support for neighborhood petitions prior to the rezoning of R-1 parcels.

Description:

In 1978, Albany voters approved Measure D, including a requirement that two parking spaces be provided for every dwelling unit. Measure D also rezoned the blocks between Kains and Masonic Avenues from R-2 to R-1. It also established a requirement that zoning changes be permitted in R-1 zoned areas only if at least 50% of the resident voters within 300 feet of the proposed change indicate their approval by signing a verified petition to this effect. This requirement effectively requires the signed approval of a majority of neighbors prior to the rezoning of any R-1 property to another district.

In 2016, Albany voters approved Measure N1, which rescinded the Measure D parking requirements and allowed parking standards to be set by the City Council. Measure N1 did not repeal the other parts of Measure D. This housing program would ask Albany voters to repeal the petition requirement and restore the City Council's authority to approve changes to R-1 zoning.

Responsible Parties: Community Development Department
City Manager's Office
Timing: Ballot Measure by November 2024
Funding: General Fund (staff time)
Implements: Policy 1.5, 1.6, 1.13

Program 1.C:

Code Enforcement. As part of the Annual Housing Progress Report, consider the need for more proactive building and housing code enforcement programs.

Description:

Enforcement of planning and building codes is important to protect Albany's housing stock and ensure the health and safety of those who live in the city. Typical code enforcement actions relate to life safety and public health violations, unpermitted construction, and deteriorated buildings. The City does not have the resources to retain a full-time Code Enforcement Officer and provides this service a complaint-driven basis. The effectiveness of this arrangement will be revisited annually as part of the State-mandated Housing Annual Progress Report. A part-time code enforcement position should be considered.

Responsible Parties: Community Development Department
City Manager's Office
Timing: Ongoing
Funding: General Fund (staff time)
Implements: Policy 1.1, 1.2



Program 1.D: Housing Rehabilitation Programs. Continue to work with the Alameda County Housing and Community Development Department in the implementation of neighborhood preservation and sustainability programs, including housing rehabilitation grants and low interest loans, the minor home repair program, accessibility grants, and the major rehabilitation loan program.

Description:

Albany is one of several communities in Alameda County that participates in the County's Housing Rehabilitation and Minor Home Repair Program. The program provides minor home repair grants for emergency repairs of plumbing, carpentry, and electrical systems, grab bars, railings, toilets, water heaters, furnaces, and doors, along with grants to retrofit homes to meet the needs of persons with mobility impairments (ramps, counter height modifications, etc.).

Responsible Parties: Community Development Department
 Timing: Annual
 Funding: Alameda County HCD
 Implements: Policy 1.1, 1.2



Program 1.E: Affordable Housing Monitoring. Monitor housing units with affordability restrictions to ensure that prices are maintained at affordable levels and that occupants meet approved affordability criteria.

Description:

The City's Inclusionary Zoning Ordinance requires that 15 percent of the housing units in market-rate projects with five or more units be set aside for lower income households. While the number of below market rate (BMR) units created through this program is small, it will increase substantially as recently approved projects are completed and new development comes on-line in the next eight years. In Spring 2014, the City initiated a monitoring program to ensure that property owners were aware of the income and resale restrictions. This process will continue in the future, with City notification required if a BMR unit is listed for sale or for rent. Similar provisions will be applied when future inclusionary units or other units are created. As the volume of BMR units increases, the City will allow third party enforcement of such agreements.

Responsible Parties: Planning Division
 Timing: Ongoing
 Funding: General Fund
 Implements: Policy 1.3



Program 1.F: Energy Assistance for Lower Income Households. Expand Albany's Sustainability Division website to promote the participation of local residents in programs aimed at reducing home energy bills.

Description:

Albany's Sustainability Division has a robust website with resources for residents seeking to live more sustainably. A dedicated page should be created with links and resources for lower income households, including information on energy assistance programs. These include home energy audits; rebates for energy efficiency retrofits and energy efficient appliances; the federal Low Income Home Energy Assistance Program (LIHEAP), which offers financial assistance to low-income households for energy bills; the California Alternate Rates for Energy (CARE) and Family Electric Rate Assistance (FERA) programs, which provide rate discounts for lower income households; the Relief for Energy Assistance through Community Help (REACH) program, which provides one-time payments for households needing assistance with their gas and electric bills; and the Energy Savings Assistance Program, which provides low-income customers with energy-savings improvements. Other financial assistance programs are available for persons with high medically-related electric bills.

Responsible Parties:	Sustainability Division
Timing:	New web landing page by end of 2023
Funding:	Federal (LIHEAP), State (CARE, FERA), County and regional energy partnerships
Implements:	Policy 1.12

Program 1.G: Electrification and Renewable Energy. Provide technical assistance and guidance to Albany residents seeking to improve the energy efficiency of their homes, switch from natural gas to electricity, or install renewable energy systems.

Description:

In 2019, the City of Albany adopted an updated Climate Action Plan, including programs to reduce greenhouse gas emissions related to buildings. This includes the goal of eliminating natural gas in new construction and phasing out natural gas in existing residential buildings. At the same time, the City is shifting its existing electricity supply to a largely 100% renewable portfolio through East Bay Community Energy, and facilitating the installation of renewable energy systems by individual Albany residents. Collectively, these improvements not only reduce GHG emissions, they reduce home energy costs and create more financial resources for housing and other expenses. The City will continue to provide technical support to homeowners seeking information on ways to reduce home energy costs.

Responsible Parties: Sustainability Division
 Timing: Ongoing
 Funding: Energy Upgrade California
 Implements: Policy 1.12

Program 1.H: Regulation of Short Term Rentals. Periodically revisit Albany Municipal Code provisions for short-term rentals and determine if changes are needed to avoid the loss of potential affordable units.

Description:

Over the last decade, the use of individual rooms, guest suites, accessory dwelling units and entire homes and apartments as short-term (vacation) rentals (STRs) was recognized as having the potential to impacting the city's rental housing supply. The City prohibits the use of ADUs as short term (less than 30 day) rentals but permits other types of STRs. The City contracts with a Host Compliance, a private vendor, to monitor STRs for transit occupancy tax collection. The current system of regulation appears to be working, but should be periodically revisited to ensure that it is not negatively impacting the rental housing supply.

Responsible Parties: Planning Division
 Timing: Evaluate effectiveness of program at least once every two years
 Funding: General Fund
 Implements: Policy 1.10

Program 1.I: Accessory Dwelling Unit (ADU) Rent and Use Surveys. Conduct a survey of ADUs every four years to evaluate how they are being used, the rents that are being charged, and any issues associated with their operation as rental housing units. Use the survey data to identify potential ordinance changes or program modifications.

Description:

The City completed surveys of ADUs in 2014 and 2018. Survey updates are recommended for 2023 and 2027. One of the objectives of the survey is to determine the role that ADUs play in meeting the need for housing that serves lower-income households. This requires that the survey ascertain if the unit is occupied, how many residents are present, what their household income is, and what rent is being charged. The survey also presents an opportunity to query the owner (and/or tenant) about any issues associated with the unit or the ability to rent it. Survey data would be used to quantify the contribution of ADUs toward meeting the RHNA, and to inform the City of any changes that might make the City's ADU regulations work more effectively.

Responsible Parties: Community Development Department
 Timing: Survey in 2023 and 2027
 Funding: General Fund (staff time)
 Implements: Policy 1.8

**Program 1.J:**

ADU Affordability Incentives. Explore provisions for reduced fees, fee waivers, and other concessions for owners who agree to rent-restrict their accessory dwelling units (ADUs) to low and/or moderate-income households.

Description:

The City amended its ADU regulations in 2020 in response to the State requirements in effect at the time. It will continue to update regulations as State law changes in the future. In addition, the City will evaluate strategies to incentivize the production of ADUs that are rent-restricted or “affordable by design” to low and moderate income households. This could include new incentives for units that are deed restricted to lower-income households, such as fee waivers or allowances for variation from the adopted development standards. These changes should include increasing the allowable height of an ADU.

The City will also continue promote the development of ADUs in general. Albany already has a dedicated website landing page with information on ADUs, but the page could be enhanced and improved with sample floor plans and additional links to resources for homeowners interested in developing ADUs or Junior ADUs.

Responsible Parties: Planning Division
 Timing: Identify affordability incentives by end of 2025
 Funding: General Fund (staff time)
 Implements: Policy 1.8



Program 1.K: Shared Housing. Continue to allow the renting of rooms in private homes to provide affordable housing opportunities for students, seniors, and other extremely low-income households. Support the use of home-sharing services to pair those seeking housing with those with available space.

Description:

*Room rentals and home shares provide an important resource for students, young adults, seniors, persons with disabilities, and extremely low-income households. These arrangements also provide a source of income for lower income homeowners, including older adults on fixed incomes. While the City recognizes its obligation to support production of new housing units to meet the Regional Housing Needs Allocation (RHNA), it also recognizes the opportunity to create housing opportunities more affordably through home sharing, room rentals, and co-housing. These solutions are principally designed to accommodate **households** rather than **housing units**.*

Shared housing and room rentals are permitted in Albany and there are no specific regulatory constraints to increasing the number of shared homes in the city. The City will continue to allow and encourage shared housing in the future. Programs that “match” persons seeking a safe, affordable place to live with residents who have extra space in their homes are strongly supported.

As part of Program 1.K, the City will support local participation in a Home Sharing Program similar to the HIP Housing program in San Mateo County and the ECHO Shared Housing program in Pleasanton and Livermore. In addition to these non-profit home sharing programs, there are also on-line commercial vendors that match persons seeking housing with persons with available rooms. While the City itself cannot serve as the coordinator of such a home sharing program due to funding and staffing limitations, it can provide technical support and access to programs managed by others.

Responsible Parties:	Planning Division
Timing:	Develop list of home sharing program options by end of 2023
Funding:	General Fund (staff time)
Implements:	Policy 3.2, 3.6



GOAL 2 HOUSING PRODUCTION

Develop new housing that meets the needs of all economic segments of the community.

POLICIES

Policy 2.1 **Housing Diversity.** Encourage a mix of unit types to respond to the diverse needs of Albany's households, and to provide housing for residents at all stages of their lives.

Policy 2.2 **Housing Tenure.** Support a balance between rental and ownership opportunities in the construction of new housing.



Policy 2.3 **Housing Affordability.** Continue to encourage the construction of housing affordable to very low-, low-, and moderate-income households, in addition to market rate housing. Projects which combine market rate housing and affordable housing, using mechanisms such as the City's inclusionary ordinance, are encouraged.



Policy 2.4 **Home Ownership.** Expand entry-level home ownership opportunities for first-time buyers, with a focus on condominiums, townhomes, and cooperatives that are priced for moderate-income households. Recognize home ownership as an important opportunity to build generational wealth and financial security, as well as personal investment in the community.



Policy 2.5 **Increased Higher-Density Housing Opportunities.** Increase opportunities for multi-family and mixed use housing along the San Pablo and Solano Avenue corridors, on the west side of Albany Hill, and in the R-3 zoning districts, in order to provide for Albany's fair share of the region's housing needs.

Policy 2.6 **Context-Sensitive Design.** Design new affordable housing to blend with the existing community context. Affordable units should be developed to the same architectural and urban design standards as market rate units and should be indistinguishable from market rate units in terms of their design and construction quality.

Policy 2.7 **Live-Work.** Encourage opportunities for live-work development, particularly on former industrial and commercial sites where traditional housing may be infeasible.

Policy 2.8 **Planned Unit Development.** Continue to allow Planned Unit Developments as a way to adjust zoning standards in exchange for public amenities.



Policy 2.9 **Cooperatives and Innovative Community Housing.** Strongly encourage limited equity cooperatives, co-housing, community land trusts, and other innovative housing proposals which are affordable to low- and moderate-income households.²

Policy 2.10 **Additional Housing Sites.** Continue to explore possibilities for housing on sites not specifically listed in the Housing Element site inventory. This includes land within UC Village, consistent with the UC Village Master Plan, as well as other private and public properties not committed to park, open space, or public facility use, where consistent with adopted master plans for these sites.



Policy 2.11 **Equitable Distribution of Housing Opportunities.** Ensure that new housing, including housing for lower income and special needs households, is equitably distributed across the city. Avoid land use decisions that contribute to segregation and the concentration of lower income households in particular neighborhoods.

IMPLEMENTATION PROGRAMS



Program 2.A: **No Net Loss of Housing Monitoring.** As required by SB 166, the City will monitor the status of the Housing Opportunity Sites listed in this element to ensure that the City maintains sufficient land to accommodate the Regional Housing Needs Allocation (RHNA) for each income group at all times during the planning period. In the event a housing site listed in Chapter 4 is redeveloped with a non-residential use, at a lower density than what is shown in Chapter 4, or with an income mix that differs from the assumptions in Chapter 4, the City will require a finding that adequate capacity remains to meet the RHNA on other sites. In the event an insufficient supply of sites would result, the City shall identify alternative site(s) within the City, and will rezone such site(s) if necessary.

Description:

Because many of the City's Housing Opportunity Sites are zoned in a manner that allows commercial uses as well as residential uses, the City will monitor development activity to ensure that its housing objectives can be met on the

² A Community Land Trust is a non-profit corporation that develops or acquires affordable housing, typically on smaller sites and at a smaller scale than is done for traditional non-profit development corporations. CLTs may also purchase existing buildings and operate them as affordable housing or co-housing. See also Program 6.E.

sites listed in Chapter 4. Should approval of development on these sites result in a reduction of capacity below the amount needed to accommodate the RHNA in a given income category, the City will identify alternative sites zoned at densities of at least 20 units per acre to accommodate the shortfall. This should not require rezoning, since the City presently has excess capacity, but it would require the identification of other underutilized sites where multi-family/mixed use housing is a viable use based on the criteria outlined in the Housing Element.

Responsible Parties: Planning Division
 Timing: Initiate in 2023
 Funding: Staff time (General Fund)
 Implements: Policy 2.1, 2.3, 2.5, 2.10



Program 2B.

Measure K Modifications. Place a measure on the 2024 ballot to rescind the provision of Albany's Measure K (1994) related to the 10.79-acre parcel (APN 66-2760-10-7) located on Pierce Street on the south side of Albany Hill. New zoning for the site should accommodate the production of at least 130 units of housing at a density of no less than 20 units per acre, with housing clustered on the most accessible western portion of the site, improved protection of sensitive habitat on the eastern portion, and incorporation of wildfire protection measures across the entire site.

Description:

The site in question is the largest privately-owned vacant parcel in Albany with residential zoning. Measure K, approved by Albany voters in 1994, limited the density of this site to 6 units per acre. The site is currently for sale and could potentially be developed with 65 units.

This action program would place a measure on the 2024 ballot asking Albany voters to rescind the Measure K limit and enable a higher residential density on this site. The specific provisions of the ballot measure would be determined after the Housing Element is adopted, but at minimum the measure would permit at least 12 units per acre, which is comparable to the density allowed in the R-1 district. New zoning for this site would facilitate the clustering of allowable density on the portion of the site along Pierce Street, allowing the upper slopes to be retained as open space. For Housing Element purposes, the City is assuming a density of 20 units per acre on 6.5 acres, or 130 units. However, higher densities (and potentially a larger open space set-aside) should be strongly encouraged. For instance, the developed area could be 2.6 acres at 50 units per acre (130 units) with 8.2 acres of permanent open space. The City also strongly supports the development of this site with affordable housing, or housing that provides entry-level opportunities for first time homebuyers.

Responsible Parties: Community Development Department
City Manager's Office
Timing: Nov 2024 ballot
Funding: Staff time (General Fund)
Implements: Policy 2.1, 2.5, 2.11



Program 2.C: Revisions to Inclusionary Zoning Ordinance. Conduct an evaluation of the City's inclusionary housing program to ensure it is achieving its intended goals. The City should consider modifications that increase the number of affordable units produced by the program, while maintaining strong incentives for providing below market rate (BMR) units on-site.

Description:

Albany adopted an Inclusionary Zoning ordinance in 2005. The intent of the Ordinance is to ensure that affordable units are included in market-rate development projects and applies to all projects with five units or more. The City should conduct an evaluation of the Ordinance, and consider potential revisions that would advance the City's overall affordable housing program. This could include raising the percentage of affordable units from 15 to 20 percent or providing variable percentage requirements based on factors such as the number of bedrooms in the BMR units (e.g., lower BMR requirements might be accepted if more three-bedroom "family" units are provided. See also Program 3E.).

The evaluation should include consultation with local builders and developers to understand the economic impacts of increasing the percentage requirement and its likely impacts on construction and market rate housing costs. It should also include consultation with the community, affordable housing developers, housing advocates, and neighbors. Potential impacts on project size and scale also should be considered, including the potential for greater density bonuses for projects with deeper levels of affordability.

Revisions to the Ordinance should be considered based on the evaluation. As part of the Ordinance update, the City should consider extending in-lieu fee requirements to projects with three and four units, which are currently exempt.

Responsible Parties: Community Development Division
Timing: Complete evaluation in 2023. Revise Ordinance in 2024.
Funding: General Fund (staff/consulting time)
Implements: Policy 2.1, 2.3


Program 2.D: San Pablo Avenue Specific Plan Monitoring and Implementation.

Implement the San Pablo Avenue Specific Plan, including its provisions for transformation of San Pablo Avenue from an auto-oriented commercial corridor to a corridor that advances residential mixed-use development. Monitor the Plan's effectiveness, and maintain ongoing communication with property owners to support and facilitate residential development. Modify the Plan as needed if it is not achieving its intended goals. (See also Program 4.C)

Description:

The Specific Plan was scheduled for adoption in July 2022. It permits 100% residential projects on the Housing Opportunity Sites designated in this Element, as well as mixed use projects (housing over non-residential uses) on the entire corridor. Base building heights of 68 feet (approximately six stories) are allowed on most of the San Pablo Avenue corridor, with 85 feet permitted at the northern node from Brighton Avenue to El Cerrito. The Plan also provides incentives for projects that provide 20% BMR units (rather than the 15% required under the City's inclusionary zoning ordinance). It further allows for "by right" approval of projects meeting the adopted objective design and development standards. A majority of the housing potential identified in this Housing Element is located in the Specific Plan area.

While this program calls for implementation of the Specific Plan, it also calls for ongoing efforts to monitor how well the Plan is working to stimulate and facilitate housing development along the corridor. This includes a biennial memo (potentially as part of the Annual Progress Report) on the effectiveness of the development and design standards toward achieving their intended purpose. It also includes advising property owners within the Plan Area of development opportunities, providing technical assistance to applicants and owners, and working with neighbors to address issues related to design and development impacts. As part of the Housing Element outreach process, a specific need was identified to prepare an instructional memo defining how State density bonuses will be calculated for projects in the corridor, given the lack of a density standard for new development. The need for renderings and 3-D models of structures that were six stories or taller also was identified.

Responsible Parties:	Planning Division
Timing:	(1) Guidance on Density Bonus Calculation (June 2023); (2) Report on Specific Plan Implementation and Progress (2024, and every two years thereafter)
Funding:	General Fund (staff time), private
Implements:	Policy 2.5, 2.6

Program 2.E: Land Assembly and Lot Consolidation. Continue to work with interested property owners to encourage the assembly of underutilized parcels and their consolidation into single parcels in order to create larger, more marketable potential housing sites.

Description:

This is a “carry-over” program from the 2015-2023 Housing Element. It remains relevant and important in 2023-2031. A few of the Housing Opportunity Sites consist of multiple adjacent lots with different owners. These sites are generally located along San Pablo Avenue or in the R-3 zoning district. Lot consolidation is particularly important on sites that are 10,000 square feet or smaller. It is difficult to achieve the maximum zoning density (or floor area) allowed on small sites given construction and engineering limitations.

Lot assembly is primarily a private sector activity undertaken by individual property owners. However, the City can support and encourage this activity through incentives and communication. City incentives could include fee waivers for lot line adjustments on housing opportunity sites, expedited processing for lot merger applications, modified setbacks and other development standards, and notification of adjacent commercial property owners in the event a site becomes available for sale. The lot consolidation procedures will be formalized through a memorandum and brought to the Planning and Zoning Commission and City Council for further discussion.

Responsible Parties:	Community Development Department
Timing:	Memorandum on lot consolidation incentives and streamlining by 2025
Funding:	General Fund (staff time), private
Implements:	Policy 2.1, 2.5, 2.10



Program 2.F: UC Village Student Housing. Provide technical assistance and support to the University of California in its plans to add 289 apartment-style units for graduate students on its Albany property. Continue efforts to have this housing recognized by the State of California in the City’s annual reporting of housing production.

Description:

The University of California is planning to add 289 apartment-style units targeted to single graduate students without children. The housing will be built during the 2023-2031 period on a 3.8-acre site in Albany Village. It will triple the supply of university-owned housing for single graduate students and create an essential resource for a special needs group that currently represents 15% of Albany’s population. Most of the residents will be low or very low income, and the housing is below market rate.

The City has not listed this project or site as a Housing Opportunity Site and is not counting these units as part of its RHNA obligation. However, they should be counted as dwelling units for annual reporting purposes when they are constructed. Like the other housing at UC Village, these are independent living with kitchens and bathrooms and not group quarters/ dormitories. They should be recognized as part of the City's efforts to meet regional housing needs, and provide opportunities for a subset of the population that faces significant housing challenges in the private market.

Responsible Parties:	Community Development Department
Timing:	Construction anticipated in 2023
Funding:	General Fund (staff time), private
Implements:	Policy 1.4, 2.2, 2.5, 2.10

Program 2.G: Marin/San Pablo Development Node Assessment. Evaluate the San Pablo and Marin Avenue “node” as a possible new opportunity site for higher density and/or mixed use housing.

Description:

The intersection of Marin Avenue and Solano Avenue is a major gateway into Albany and one of the busiest intersections in the city. It includes City Hall on the northwest corner, two gas stations on the northeast and southeast corners, and the University of California Gill Tract on the southwest corner. None of these sites are counted as Housing Opportunity Sites in this Housing Element, but at least three of the sites were identified by the community as warranting a closer look during the Housing Element Update process.

The purpose of this program is to meet with owners of the two gas stations and discuss potential future housing opportunities. Both of these sites are identified as development opportunities in the San Pablo Avenue Specific Plan. City Hall was also suggested as a potential housing site. At this time, housing is not considered viable at City Hall due to cost constraints, but this will be monitored during the eight-year planning period. If resources allow, a feasibility study could be conducted. No housing is envisioned on the Gill Tract site during the planning period.

Responsible Parties:	Community Development Department
Timing:	Meet with property owners in 2023
Funding:	General Fund (staff time)
Implements:	Policy 2.5



Program 2.H: Density Bonuses. Maintain a density bonus ordinance consistent with State requirements. Increase public awareness and understanding of density bonuses, including requirements for concessions and waivers.

Description:

The City of Albany currently has a density bonus ordinance that is consistent with State law. Because the City has a 15% inclusionary zoning requirement, density bonuses are routinely requested to offset the cost impacts of limiting the sale or rent prices for the below market rate (BMR) units. This has resulted in projects that are taller and larger than what is allowed by zoning, often with fewer parking spaces. This program supports continued use of density bonuses as an incentive for more housing and deeper levels of affordability. It also supports greater public education and understanding about what a density bonus is, when it can be used, and how it affects building height, parking, and other project features. A similar fact sheet should be prepared for SB 330 projects, many of which also use density bonuses. The intent is to increase public awareness, in order to reduce the potential for opposition as projects are proposed.

Responsible Parties:	Community Development Department
Timing:	Density Bonus Fact Sheet by end of 2023
Funding:	General Fund (staff time)
Implements:	Policy 2.1, 2.3



Program 2.I: Public Information Campaign. Continue to implement a Housing Opportunities Public Information Campaign and pursue ways to expand this program. The purpose of this action is to disseminate information to Albany residents and business and commercial property owners about housing programs and the need for affordable housing, special needs housing, and emergency shelter.

Description:

This is the continuation of a program in the 2015-23 Housing Element. It is intended to increase community education on the need for affordable housing, the benefits it provides, and examples of successful affordable housing projects in the area. Typical program actions include workshops and town hall meetings, creation of committees or working groups addressing housing issues, participating in an annual "Affordable Housing Week", and information on the City's website and Albany Newsletter, among others.

This action also includes outreach to commercial property owners about residential development opportunities, residential property owners about ADUs or opportunities to add housing units or rent rooms, and outreach to the development community, particularly the non-profit development community. It also includes increasing awareness of the resources potentially available to

lower income households in the city, such as HCD Housing Preservation programs and PG&E and EBCE energy efficiency programs. It also includes information and outreach to unhoused residents or persons at risk of being displaced or losing their housing.

The outreach campaign should include a specific focus on increasing public awareness of the housing crisis and the importance of affordable housing in keeping Albany a vital, economically diverse and inclusive community. This includes greater public understanding of the challenges to developing affordable housing and ways these challenges can be addressed.

This program should also improve community understanding of homelessness, the need for emergency shelter, and the need for transitional and supportive housing. An overarching goal should be to create a positive, respectful, and welcoming attitude toward people from all economic levels and walks of life. Community groups, residents, local businesses, social justice advocates, and the local faith community have an essential role in these efforts. The City should play a leadership role by working with community groups to recognize issues of poverty and homelessness as challenges to the entire community. The City will use its communication resources (such as its website, newsletter, and City Commissions) to help disseminate information and provide access to these resources.

Responsible Parties:	Community Development Department/ Neighborhood Services
Timing:	Ongoing
Funding:	General Fund (staff time)
Implements:	Policy 2.1, 2.3, 2.11



GOAL 3 SPECIAL HOUSING NEEDS

Expand housing opportunities and related supportive services for older adults, persons with disabilities, persons experiencing homelessness, and other persons with special housing needs.



Policy 3.1 **Senior Housing.** Encourage the production of housing for Albany's older adults. This should include both for-profit, market-rate housing with amenities for seniors, and affordable below market rate housing specifically designed to meet the needs of seniors.

Policy 3.2 **Aging in Place.** Facilitate retrofits to Albany homes which enable residents to "age in place." This could include assistance to older adults who wish to eliminate stairs or add grab bars, wheelchair ramps, and other devices which respond to decreased mobility.



Policy 3.3 **Housing for Families.** Provide additional affordable housing opportunities for lower- and moderate-income working families, including larger units for families with children.



Policy 3.4 **Supportive Housing.** Provide opportunities for housing with supportive services, such as group homes and residential care facilities, consistent with State law. Transitional and supportive housing shall be treated as a residential use and is only subject to those requirements that apply to other residential uses of the same type in the same zone.



Policy 3.5 **Universal Design.** Encourage the concept of universal design in new housing, so that all housing units are responsive to the needs of persons with different mobility needs and physical limitations.



Policy 3.6 **Persons with Disabilities.** Strive to meet the housing needs of Albany residents with physical and developmental disabilities, including the provision of housing with supportive services serving residents with disabilities.



Policy 3.7 **Extremely Low-Income Households.** Facilitate a variety of housing programs and partnerships to meet the needs of Albany households earning 30 percent or less of area-wide median income. This could include development of emergency shelters, low barrier navigation centers, single room occupancy housing, and transitional housing.



Policy 3.8 **Homelessness.** Undertake programs to assist Albany residents who are homeless or are at risk of becoming homeless with securing emergency shelter and finding permanent housing with supportive services.



Policy 3.9 **Connecting Persons in Need.** Support programs that connect seniors, persons with disabilities, single parents, extremely low-income persons, and other persons with special housing needs with persons in Albany who may be able to provide them with temporary or permanent housing.



Policy 3.10: **Housing for At-Risk Youth.** Encourage housing opportunities for at-risk youth, including persons aged 18-25 who may be transitioning out of the foster care system or are at-risk of homelessness.

IMPLEMENTATION PROGRAMS



Program 3.A: Affordable Senior Housing Development. Convene a roundtable of local area non-profit affordable housing developers to discuss opportunities for an affordable senior housing development in Albany.

Description:

Older adults are one of the fastest growing demographic groups in Albany. There are a large number of older residents living alone in single family homes, with limited housing options to downsize in the city. Residents participating in the 2023-2031 Housing Element observed that the only large senior housing development in the City was a private assisted living facility with monthly fees that were not affordable to lower income seniors. There was significant interest in developing affordable (subsidized) rental housing designed for seniors. Sites on Solano Avenue and San Pablo Avenue are especially well situated for such housing, as they are close to shopping, transit, and services.

The purpose of this program is to generate interest in opportunities for affordable senior housing among local non-profit developers. This could include a walking tour of prospective sites, a virtual meeting, or another type of meeting that brings together potential developers, discusses funding needs, and generates interest to meet a critical unmet need in the Albany housing market. The possibility of a multi-generational model that provides housing for seniors and housing for youth/young adults in the same project also should be explored.

Responsible Parties:	Community Development Department/ Neighborhood Services
Timing:	2023
Funding:	General Fund (staff time)
Implements:	Policy 3.1



Program 3.B: New Housing for Persons with Disabilities. Identify strategies to increase the percentage of units in new development that are accessible to persons with disabilities.

Description:

The 2015-2019 American Community Survey (ACS) indicates that 6.4 percent of Albany's residents have a disability. According to the ACS, approximately 546 residents have a mobility disability, and 402 residents have disabilities which prevent them from living independently.

The Americans with Disabilities Act (ADA) requires that projects receiving federal funds set aside 5 percent of the units or at least one unit, whichever is greater, for persons with disabilities. There are also requirements for federally funded projects to set aside 2 percent of the units for residents with sight or hearing impairments. These requirements apply to a relatively small number of units in Albany. Moreover, many of the city's residents with disabilities live in older buildings that do not have these features.

Additional building code requirements apply to new multi-family buildings, including those that are privately funded. All multi-family projects with four or more units must make the ground floor units adaptable for persons with disabilities. "Adaptable" and "accessible" are not the same – the former simply means the unit can be adapted to meet the needs of a resident with disabilities. Upper story units are not required to be ADA accessible and may lack the features necessary for a person with disabilities to live independently.

Participants in the 2023-2031 Housing Element outreach program expressed an interest in increasing the number of fully accessible units in new projects, including those on upper floors where feasible. The City will continue to work with developers, builders, residents, and organizations representing persons with disabilities to increase the number of accessible units in new projects, either through incentives or code changes. Potential incentives could include allowing additional floor area or modified setbacks for projects with accessible units, while potential code changes could include requiring elevators in multi-family buildings that are two stories or more (instead of three stories or more). These kinds of incentives also could be used in the rehabilitation of existing apartments. The City will also continue to support the California State Orientation Center for the Blind, which is located in Albany, in its efforts to provide housing for persons with sight impairments.

Responsible Parties:	Community Development Department
Timing:	Ongoing
Funding:	General Fund (staff time)
Implements:	Policy 3.5, 3.6

Program 3.C: Age in Place Retrofits. Facilitate funding to adapt existing Albany homes and apartments to meet the needs of older adults and residents with disabilities, with a priority on lower income residents.

Description:

Residents may need to retrofit their homes as they age or become disabled or less mobile. The City's codes and procedures strongly support age in place retrofits. These improvements can be expensive and create an economic hardship for lower income homeowners and/or renters. The City will continue to support the use of CDBG funds and Alameda County Minor Rehab funds for "age in place" retrofits.

Responsible Parties:	Community Development Department
Timing:	Ongoing
Funding:	Alameda County, federal CDBG program
Implements:	Policy 3.2, 3.6



Program 3.D: Developmental Disabilities. Support the construction and rehabilitation of housing to meet the needs of Albany residents with developmental disabilities, including group homes and units within affordable housing developments designed for developmentally disabled residents, consistent with fair housing law.

Description:

Developmentally disabled residents include children with mental or physical impairments and adults who were born with a disability or developed a disability before age 18. Many developmentally disabled persons can live and work independently, but some require a group living environment with supervision, or living units with special features.

The City of Albany will continue to support the development of group homes which serve developmentally disabled adults and will work with service providers to encourage the inclusion of units for persons with developmental disabilities in future housing developments. It will also coordinate with the Regional Center of the East Bay (RCEB) to inform Albany residents of the resources available to them and to explore incentives so that a larger number of future housing units include features that meet the needs of persons with developmental disabilities.

Responsible Parties:	Community Development Department/ Neighborhood Services
Timing:	Meet with RCEB every two years
Funding:	General Fund (staff time)
Implements:	Policy 3.3, 3.4, 3.5



Program 3E: Family Housing. Develop incentives for affordable family housing, including three- and four-bedroom units, ground floor child-care, recreational facilities, and other amenities that are conducive to families with children.

Description:

Affordable family housing, which is generally defined as rental housing with three bedrooms or more, should be viewed as a community benefit. Developers providing such units could be eligible for incentives such as a reduction of the inclusionary zoning requirement if the Below Market Rate units have three or more bedrooms. It could also include floor area bonuses, reduction/deferral of certain development fees, streamlined review, and similar incentives that make it more attractive to develop family-friendly units.

Responsible Parties: Community Development Department
 Timing: By 2024
 Funding: General Fund (staff time)
 Implements: Policy 3.3



Program 3.F: Housing Choice Vouchers. Lobby for an increased number of Housing Choice Vouchers (e.g., “Section 8” vouchers) to provide assistance to additional very low-income tenants through rent subsidies paid directly to housing providers.

Description:

About two dozen Albany households receive federal Housing Choice Vouchers through the Housing Authority of Alameda County (HACA). This is the largest single affordable housing program in the country and provides tenant-based rental assistance based on household income. Federal law requires 75% of the vouchers issued to be made available to families earning less than 30 percent of the areawide median income (e.g., “extremely low income”). The tenant pays roughly 30 to 40 percent of their monthly adjusted gross income toward rent, and the balance is covered by the voucher.

There are about 7,000 participants in the HACA Housing Voucher Program, which serves all of Alameda County except Oakland, Berkeley, Alameda, and Livermore. Funding for the program is limited and there is a lengthy waiting list. HACA indicates there are on average 10 openings for new voucher recipients per month in the entire service area, with has a population of about one-million residents. With renters representing more than half of all households in Albany, additional funding for the program would strongly benefit the city’s households.

The City will advocate for expansion of Housing Choice Vouchers through communication with County, State and federal representatives. It will also

advocate for potential County or State programs that provide similar benefits, closing the gap between market-rate rents and the amount that most very low-income households can afford to pay.

Responsible Parties: Community Development Department
 Timing: Ongoing
 Funding: Housing Authority of Alameda County
 Implements: Policy 3.3, 3.7



Program 3.G: Emergency Shelter, Low Barrier Navigation Centers, and Single Room Occupancy (SRO) housing, and Employee Housing. Continue to allow emergency shelter by right (e.g., without a Conditional Use Permit) in the Commercial Mixed Use (CMX) zoning district and the San Pablo Commercial (SPC) zoning district. As required by State law (AB 101), amend the zoning code to also allow Low Barrier Navigation Centers in the SPC and SC (Solano Commercial districts) and recognize employee housing as a residential use. In addition, consider allowing SROs by right in the SPC and SC zones.

Description:

The City amended its zoning regulations in January 2014 to permit emergency shelters by right in the CMX and SPC zoning districts. AB 101 (2019) requires cities to also allow low barrier navigation centers (LBNCs) in all mixed use districts, provided they meet certain criteria. These criteria include the use of a coordinated entry system, and the use of a “housing first” model for clients. LBNCs must provide access to permanent housing and must reduce barriers to entry such as allowing pets, partners, storage of personal items, and privacy. They should be permitted “by right” in the San Pablo Commercial (SPC) and Solano Commercial (SC) zones.

Albany’s residential “use tables” (the tables listing allowable housing types in each zone) do not currently list employee housing. California Health and Safety Code 17021.5 indicates that when employees (including farmworkers) are housed in a single family home, that home is subject to the same rules that apply to all other single family homes in that zoning district. This should be codified through an amendment to the Albany Municipal Code.

SROs are currently a conditional use in the SPC zone. The City should consider also conditionally allowing them in the SC zone or allowing them by right in both zones. Well-managed SROs with supportive services can be a helpful resource for persons transitioning out of homelessness and others with extremely low incomes.

Responsible Parties:	Planning Division
Timing:	By end of 2023
Funding:	General Fund (staff time)
Implements:	Policy 3.7, 3.8, 3.9



Program 3.H: Home Together 2026. Continue to work with Alameda County to address the housing and supportive service needs of Albany's population experiencing homelessness, taking a "Housing First" approach.

Description:

Albany has joined the other 13 cities in Alameda County and the County itself in the implementation of a Countywide Plan to alleviate homelessness. This effort began with the Everyone Home initiative, including an initial strategic plan in 2007 and a 2018 update. In 2022, the County adopted a new Plan to end homelessness called "Home Together 2026", including strategies that are focused around social equity. The County created an Office of Homeless Care and Coordination in 2020. The office works with Everyone Home staff, non-profits and supportive service providers, and local governments to provide a Continuum of Care (CoC) that coordinates housing and services for unhoused residents. The CoC in turn provides funding to non-profit organizations that address chronic homelessness in Alameda County and that provide more secure and permanent housing for low income people.

Endorsement of Home Together by the City of Albany establishes general agreement with its strategies and ensures that the City's programs to assist residents experiencing homelessness are consistent with those of nearby cities. Home Together presents four categories of action strategies: (1) preventing homelessness, including reducing racial disparities in the incidence of homelessness in the community and focusing on prevention of at-risk residents losing their housing; (2) connecting people to shelter and needed resources, including crisis prevention and behavioral health services; (3) increasing housing solutions, including subsidies and supportive housing; and (4) strengthening coordination, communication, and capacity.

Responsible Parties:	Community Development Department/ Neighborhood Services
Timing:	Ongoing
Funding:	General Fund (staff time)
Implements:	Policy 3.7, 3.8



Program 3.I: Homeless Outreach and Engagement Program. Continue efforts to assist Albany residents experiencing homelessness in securing a place to live and access to the services they require. This includes the existing agreement with Berkeley Food and Housing Project to provide food, shelter, and crisis intervention services to unhoused residents (Project HOPE). It also includes the Albany CARES program.

Description:

The intent of this program is to assist unhoused residents through a continuum of care, including community meals and programs, emergency shelter, transitional housing, permanent supportive housing, and case management. It includes an existing Agreement with Berkeley Food and Housing, as well as ongoing efforts through the City's Albany CARES program and the work of local volunteer organizations such as Albany Thrives Together / Diverse Housing Working Group (DHWG).

Albany CARES assists those in need of housing, transportation, legal aid, and information on health care and rental assistance. The program also provides food, referrals, and groceries to those in need. DHWG provides showers at the community pool, as well as meals for unhoused and lower income residents. Several of the faith institutions in the City participate in or lead similar efforts.

Program 3.I carries forward a recommendation of the 2015 Housing Element, which is to pursue the development of a permanent "drop in center" that offers self-help opportunities, social services, and a place to eat, rest, bathe, and access a telephone and computer. A drop-in center had been established at the Albany Senior Center in 2017, staffed by a social worker and volunteers. The facility closed at the start of the pandemic and has not reopened. There continues to be a need for such a facility in Albany, but its establishment has been constrained by funding as well as the continuing COVID-19 public health emergency.

Responsible Parties:	Neighborhood Services, City Council
Timing:	Evaluate annually through the budget process
Funding:	CDBG, General Fund
Implements:	Policy 3.7, 3.8

GOAL 4 REDUCING HOUSING CONSTRAINTS

Reduce constraints that add to the cost of producing and conserving housing in Albany or that create barriers to meeting local housing needs.

Policy 4.1 **Zoning.** Ensure that Albany’s zoning regulations and permitting requirements continue to accommodate a diverse mix of housing types.

Policy 4.2 **Development Standards.** Ensure that development standards for multi-family housing are objective, internally consistent, and cumulatively work to support housing production.

Policy 4.3 **Residential Development on Commercially Zoned Sites.** Maintain regulatory incentives to develop multi-family residential uses on San Pablo and Solano Avenues.



Policy 4.4 **Parking.** Adopt parking regulations that respond to the characteristics of different housing types and unit sizes, proximity to transit, and the varying parking conditions that exist on Albany’s streets. Parking regulations should balance the need for convenient off-street parking with other City goals, including housing affordability, sustainability, and a transportation system that accommodates all modes of travel.



Policy 4.5 **Permit Processing and Fees.** Ensure that Albany’s planning processes and fees are reasonable do not create an undue burden on residential development.

Policy 4.6 **Infrastructure and Services.** Continue to maintain City-owned infrastructure consistent with the General Plan, including the Housing Element. At the same time, work with EBMUD, the Albany Unified School District, and other service providers to ensure that utilities and services not operated by the City remain adequate to serve the City's housing needs.



Policy 4.7 **Communication and Education.** Continue to promote broader public understanding of planning and building requirements using the City’s website, brochures, and other outreach tools.



Policy 4.8 **Innovative Housing Types.** Ensure that local planning and building codes allow for innovative and nontraditional housing types, including modular and pre-fabricated homes, live-work and work-live, “tiny” homes, “micro” units, and homes constructed with sustainable, non-traditional building materials. Local codes should also enable

collaborative living arrangements among unrelated individuals or households.



Policy 4.9 **Car-Free Living.** Coordinate housing initiatives with active transportation programs, car-sharing programs, and parking initiatives so that it is easier to live in Albany without owning a private automobile. Foregoing auto ownership can reduce household transportation expenses and create more disposable income for housing.

IMPLEMENTATION PROGRAMS



Program 4.A: Modifications to Residential Zoning Standards. Consider changes to the City's residential development standards, as described in the discussion below, which would facilitate home improvement and expansion as well as creation of additional dwelling units in Albany's residential neighborhoods. (See also Program 1.A)

Description:

This action includes the following zoning amendments:

- (1) *Reduce the minimum lot size in the R-1 zone from 3,750 to 2,500 square feet. This is consistent with the density allowed by the General Plan. Thirty-six percent of the lots in Albany are already less than 3,750 square feet and the existing zoning standard does not reflect this pattern. Consider reducing the required rear setbacks on lots smaller than 3,750 feet by using a sliding scale based on lot size.*
- (2) *Amend the R-1 zone site regulations to reflect requirements of state law that apply to new ADUs, duplexes, and other multi-unit projects, including the expansion of an existing home to facilitate its division into two units.*
- (3) *Increase the allowable FAR and lot coverage in the R-2 zone to ensure that it accommodates two-family units and small multi-family buildings. Although the R-2 district allows 34 units per acre, this density is extremely difficult to achieve with a 0.55 FAR.*
- (4) *Allow reduced front and rear setbacks on R-3 lots for multi-family projects in which at least 20 percent of all units are affordable. The existing requirement for a 15' front and 15' rear setback is a constraint to multi-family construction on small lots. For example, a 50 x 100 lot would only have 2,800 square feet of developable area after the front, side, and rear lot requirements are subtracted out. This is 56 percent of the lot area, which is below the 70 percent coverage allowed.*

- (5) *Allow increased height and FAR in the R-3 zone for multi-family projects in which at least 20 percent of all units are affordable. The increase in height and FAR bonus provides an incentive to include a higher percentage of affordable housing than is required under the City's inclusionary zoning regulations. These bonuses are intended to be used in lieu of State Density Bonus Law (SDBL) waivers and may not be added on top of any bonuses or waivers requested through SDBL applications.*
- (6) *Make multi-family residential a permitted use in the R-4 zone. It is currently listed as a conditional use, yet the express purpose of this zoning district is to accommodate the city's highest density housing.*

Responsible Parties: Planning Division
 Timing: By end of 2025
 Funding: General Fund (staff time)
 Implements: Policy 4.1, 4.2

Program 4.B: Evaluate Potential R-2 Zoning District Changes. Inventory existing land uses and densities on all R-2 properties to determine if any R-2 areas should be rezoned to R-1 or R-3. Rezoning to R-3 should be considered where existing densities exceed 34 units per acre and where existing building footprint and development envelopes are conducive to additional dwelling units on the property. Rezoning to modernized R-1 zoning district standards (Program 1.A) should be considered where existing densities match neighboring R-1 District densities.

Description:

There are over 300 parcels in Albany with R-2 zoning. Most are small lots of 2,500 to 5,000 square feet developed with single family homes similar to parcels in adjacent R-1, or 2-4 plexes, and small apartment buildings similar to R-3 parcels. This program includes an analysis of existing densities and building patterns to determine if map changes should be made.

Responsible Parties: Planning Division
 Timing: By end of 2025
 Funding: General Fund (staff time)
 Implements: Policy 4.1, 4.2

Program 4.C: San Pablo Avenue Commercial (SPC) Zoning Revisions. Adopt a Specific Plan for the San Pablo Avenue Corridor that facilitates development of multi-family, mixed use, and affordable housing along this corridor. (See also Program 2.D)

Description:

The City expects this program to be completed prior to adoption of the Housing Element. It is included in this Action Plan as it is a critical step being taken by the City to meet its Regional Housing Needs Allocation (RHNA). The San Pablo Avenue Specific Plan was started in 2019 and presented to the City Council for adoption in July 2022. The RHNA increase was one of the principal motivating factors behind the Plan, and informed many of its strategies and development standards. Among the changes made by the Plan are:

- (1) An increase in allowable height from 38 feet to 68 feet.*
- (2) Allowance for heights up to 85 feet in the northern "node" (from Brighton Av to El Cerrito) for projects with 20% or more affordable housing.*
- (3) Elimination of the 63 unit/acre maximum density, and its replacement with an FAR limit of 4.0 (4.5 in the northern node).*
- (4) An increase in minimum density from 20 to 30 units per acre.*
- (5) Replacement of the daylight plane requirement with a 4th story setback requirement.*
- (6) Allowing ground floor residential uses in projects that are 100% affordable.*
- (7) Prohibition on upper floor commercial uses on any parcel identified as a housing opportunity site.*
- (8) Reduction of the common open space requirement from 200 SF to 100 SF*

Responsible Parties:	Planning Division
Timing:	Concurrent (or before) January 31, 2023
Funding:	SB 2
Implements:	Policy 4.2, 4.3



Program 4.D: Solano Commercial Zoning Revisions. Adopt changes to the Solano Commercial (SC) zoning district, as described in the discussion below, which would facilitate additional multi-family, mixed use, and affordable housing development along this corridor.

Description:

The State mandate to affirmatively further fair housing requires that higher density and affordable housing be geographically distributed across Albany. While much of the planning focus over the last few years has been on San Pablo Avenue, the Solano Avenue corridor also presents important housing opportunities. Neighborhoods abutting Solano Avenue, particularly in the eastern part of Albany, tend to have the city's highest home values. They are also considered the city's highest resource areas, making them more competitive for low-income housing tax credits. Solano Avenue tends to have smaller parcels and high improvement values than San Pablo Avenue, but includes a number of housing opportunity sites.

The following zoning changes should be made to the Solano Commercial (SC) district in the first two years after Housing Element adoption. These recommendations should be considered a starting point and are intended for further community discussion and analysis prior to their adoption.

- (1) *Eliminate the maximum density standard on Solano Avenue and regulate future development using a base FAR of 2.0. The SC zone currently allows 63 dwelling units per acre (DUA) but has an FAR of 1.25. This zoning density is extremely difficult to achieve with this FAR, particularly when the ground floor is dedicated to commercial uses. As an example, the recently approved project at 1600 Solano Avenue used a density bonus to increase the allowable FAR from 1.25 to 3.79, a 203 percent increase. This increase was permitted because the 50 percent density bonus was calculated using a density metric ($63 \text{ DUA} \times 1.5 = 94 \text{ DUA}$) rather than an FAR metric. Using FAR as the basis for calculating the bonus would have resulted in a maximum FAR of 3.0 assuming a 50% bonus on a 2.0 base. There would have been no limit on the number of units in the building, potentially resulting in some of the units being smaller and more affordable.*
- (2) *Maintain the 35' height limit but allow an automatic increase for projects in which 15% of the units are affordable to lower income households. This would apply to most future residential and mixed use projects, since the City has a 15% inclusionary requirement. It would avoid the need for waiver requests through density bonus applications. This bonus would be used in lieu of the State bonus, and not in addition to it. Commercial-only projects would continue to be subject to a 35' height limit.*

- (3) *Eliminate the use permit requirement for ground floor residential space for projects in which 20% of more of the units are affordable. The SC zoning currently allows residential on the ground floor through a use permit process. The proposed waiver would create an incentive for affordability levels that exceed the 15% required by the City's inclusionary ordinance.*
- (4) *Reduce the common open space requirement from 200 square feet per unit to 100 square feet per unit. This is in line with the recent changes made along San Pablo Avenue.*

In addition to the changes listed above, this program includes adoption of objective development and design standards (ODDS) for Solano Avenue. The ODDS would allow for "by right" approval of multi-family and mixed use projects meeting the adopted standards.

Responsible Parties: Planning Division
 Timing: By end of 2025
 Funding: SB 2, OBAG
 Implements: Policy 4.1, 4.2



Program 4.E: Evaluation of Parking Standards and Subsequent Revisions.

Complete an evaluation of residential parking standards, and revise the standards based on the findings. The revisions should consider reductions to the required number of spaces for single family residential, multi-family residential, and mixed use development.

Description:

Parking adds significantly to the cost of housing, particularly where structured parking is used. A parking space can add \$50,000 to the cost of a housing unit and can substantially increase rental costs where an apartment is "bundled" with a reserved parking space. After Measure N1 was approved in 2016, the City adopted new parking standards for multi-family development that reduced the previous requirement of two spaces per unit. Current standards require one space per unit for multi-family or mixed use housing. Affordable housing units and senior housing require 0.5 spaces per unit (one space for every two units). Developers using State Density Bonuses may request waivers from these standards where certain conditions apply.

During the 2023-2031 Housing Element process, there was considerable interest in exploring further reduction to parking requirements, including eliminating parking requirements altogether and letting the private market dictate how many spaces should be provided. Those supporting this approach also suggested that the City adopt parking "maximums", in other words limiting the number of spaces a developer could provide in new housing. This

could help support other City goals, such as reduced auto dependency, support for transit, and increased focus on walking and bicycling for shorter trips.

Eliminating parking requirements will require additional community discussion, evaluation of potential impacts, and strategies to mitigate continued demand for parking on residential side streets near the city's higher density districts. It was pointed out that some of the city's households – including many lower income households – required cars to travel to jobs and could face hardships in apartments with no available parking. Moreover, seniors and persons with disabilities may have mobility limitations which make walking or cycling more challenging. In addition, neighbors remain concerned about adding housing without parking, particularly when the City does not control transit services.

The intent of this program is to continue the community dialogue on parking, beginning with an evaluation of options and impacts associated with eliminating parking minimums. This would include consideration of the equity impacts of eliminating parking standards, provisions for residential permit parking permits, time limited parking on residential streets, transportation demand management measures to reduce parking demand, and the potential for shared parking agreements to provide supplemental spaces. This is also an opportunity to confirm bicycle parking requirements, provisions for electric vehicle chargers, and other standards to support more sustainable transportation modes.

Responsible Parties:	Community Development Department
Timing:	Start in 2023; complete by end of 2024
Funding:	Grants/General Fund
Implements:	Policy 4.4



Program 4.F: Incentives for Affordable Housing. Continue to provide reduced fees and expedited processing procedures for affordable housing. Review the impact of these incentives every four years and revise them as necessary.

Description:

The City has established policies and procedures for fee deferrals and reduced fees for lower income housing. This is an ongoing activity and was used most recently for the 62-unit Satellite Affordable Housing Associates Project. Applications are evaluated on a case-by-case basis depending on the attributes of each project. Given limited financial resources, fee deferrals may be preferable to waivers. Deferrals would allow a fee to be collected once a project is under construction or completed, rather than during the permitting and financing stage.

The City will also continue to provide technical assistance to developers of affordable housing, including technical support in funding and grant applications.

Responsible Parties: Finance Department, Planning Division, City Manager
 Timing: Revisit fee reduction policies in 2026
 Funding: General Fund (staff time)
 Implements: Policy 4.5

Program 4.G: Capital Improvement Plan (CIP) Updates. Prepare and periodically update a Capital Improvement Plan to define upcoming projects and funding needs.

Description:

Albany's most recent CIP was adopted in November 2020 and covers a five-year period (2020-2024). The CIP assists the Council in prioritizing its investment in public works projects, including road repair and maintenance, traffic signals, sewer and drainage improvements, park improvements, creek restoration, and other infrastructure projects. These improvements are essential to enable the City to maintain service levels and expand capacity in areas where growth is anticipated. The City will continue to update the CIP in response to changing conditions, emerging needs, and plans for long-term growth.

Responsible Parties: Public Works Director
 Timing: Annual
 Funding: General Fund (staff time)
 Implements: Policy 4.6

Program 4.H: General Plan Consistency. Ensure that future amendments to the General Plan consider potential impacts on the Housing Element, particularly the viability of development on the Housing Opportunity Sites. Conversely, ensure that any future amendments to the zoning ordinance and map are preceded or accompanied by amendments to other elements of the Plan as necessary to maintain internal consistency.

Description:

The California Government Code requires all elements of the general plan to be internally consistent. If any part of the General Plan is amended, the Housing Element must be reviewed to ensure that the consistency standard is met. This includes decisions which could affect housing opportunity sites, as well as those affecting housing policies and programs. Conversely, amendments to the Housing Element – or amendments to the zoning

ordinance resulting from Housing Element actions -- must be reviewed in the context of the other Elements, with changes to the other Elements made as needed to maintain consistency. Specifically, rezoning the west side of Albany Hill or changing the intensity of housing permitted on Solano Avenue would require amendments to the Land Use Element. Changes to the R-1 district allowing additional housing types also would require Plan amendments.

Responsible Parties: Planning Division
 Timing: General Plan Amendments (to reflect Housing Element zoning changes) by 2025, following Albany Hill ballot measure, but prior to Solano Avenue rezoning and R-1 zoning changes
 Funding: General Fund (staff time)
 Implements: Policy 4.1



Program 4.I: Standards for Non-Traditional Housing Types. Evaluate Planning and Building Code provisions for non-traditional housing types such as “tiny homes,” micro” units, container homes, 3-D printed housing, modular construction, and homes constructed of sustainable building materials. As appropriate, develop Code provisions which accommodate such housing types and support their construction in Albany.

Description:

There continues to be an interest in the use of non-traditional building materials and housing types as a way to reduce housing costs and provide new housing opportunities. This program includes ongoing evaluation of new technologies, building types, materials, and construction methods, including reporting out to the Planning and Zoning Commission and City Council as needed. As appropriate, this program could also include Code amendments and other steps to support alternative housing in the future.

Responsible Parties: Community Development Department
 Timing: Ongoing
 Funding: General Fund (staff time)
 Implements: Policy 4.8



GOAL 5 FAIR HOUSING AND HOUSING SECURITY

Minimize displacement and promote housing opportunities for all persons regardless of age, race, ethnicity, gender or gender identity, sexual orientation, marital or family status, ancestry, disability, national origin, or color.



Policy 5.1 **Equal Opportunity and Access to Housing.** Ensure that all persons and households have equal opportunity to obtain housing in Albany.



Policy 5.2 **Equitable Distribution of Housing Opportunities.** Avoid land use decisions that contribute to segregation and the concentration of lower income households in particular neighborhoods.



Policy 5.3 **Ending Housing Discrimination.** Support programs which effectively end housing discrimination and provide recourse for residents who feel they are being denied fair housing access or rights.



Policy 5.4 **Landlord-Tenant Dispute Resolution.** Continue to support landlord-tenant dispute resolution and housing counseling services.



Policy 5.5 **Reasonable Accommodation.** Maintain reasonable accommodation provisions in the Albany zoning code, which ensure that persons with disabilities can make the alterations necessary to keep their residences accessible.



Policy 5.6 **Non-English Speaking Residents.** Provide multi-lingual, multi-cultural outreach on housing programs so that all Albany residents have access to information on housing resources, without language or cultural background serving as a barrier.



Policy 5.7 **Education and Awareness.** Support greater public awareness and education about historic patterns of discrimination such as redlining and restrictive covenants in Albany and the Bay Area. Encourage local dialogue around issues of housing equity and fair housing.



Policy 5.8 **Community Engagement.** Engage Albany residents in developing solutions to housing issues through task forces, workshops and hearings, surveys, and other mechanisms which solicit public input.



Policy 5.9 **Tenant Protection.** Work proactively to avoid the displacement of tenants due to rising rents, temporary financial hardship, demolition or conversion of rental housing, eviction without cause, and other factors. During the planning period, the City will work with housing providers,

property managers, and tenants to improve housing security and stability for Albany's renters.

IMPLEMENTATION PROGRAMS



Program 5.A: Fair Housing Services. Continue to work with Eden Council for Hope and Opportunity (ECHO) in the administration of fair housing services to Albany residents. Publicize these services in the quarterly Albany newsletter, on the website and through direct mail if feasible, and through other media at City Hall, the Albany Library, the Albany Community Center, and other important social centers in the city. Make fair housing materials available to local organizations for distribution to their members and those who they serve.

Description:

The City of Albany has an Agreement with ECHO to administer fair housing services. Residents may contact ECHO if they feel they have experienced housing discrimination, or if they have questions about fair housing laws and legal rights.

This program also includes fair housing training and education, which ECHO provides for Albany housing providers and residents, including tenants, and City staff. The program would consist of an evening or weekend seminar led by an instructor trained in fair housing law. Its purpose would be to educate attendees on fair housing issues and requirements, and to respond to questions related to such topics as reasonable accommodation and tenant rights. The program would potentially benefit City staff, elected officials, contractors, landlords, service providers, and interested residents.

During the 2023-2031 Housing Element outreach efforts, there was particular interest expressed in expanding local fair housing "testing." This is an integral part of the enforcement of fair housing laws. It involves professionally trained testers working for a sanctioned fair housing organization presenting themselves as renters and reporting out on their experiences.

Responsible Parties:	Community Development Department
Timing:	Ongoing
Funding:	General Fund
Implements:	Policy 5.1, 5.3, 5.5, 5.6



Program 5.B: Removal of Impediments to Fair Housing. Implement appropriate recommendations from the 2019 *Alameda County Analysis of Impediments to Fair Housing Choice* report.

Description:

The last Analysis of Impediments to Fair Housing was published by County of Alameda in 2019. The report reflects a countywide effort to increase fair housing choices for residents across the county, including all 14 cities and the unincorporated areas. The report examines policies and practices that may limit residents' abilities to choose housing in an environment free from discrimination. It evaluates barriers to housing choice, along with actions to overcome those barriers. Actions are individually itemized for each community, although Albany's recommendations are combined with those for the "Urban County" communities, which also include Dublin, Emeryville, Newark, Piedmont, and the unincorporated county. Most of the actions listed in the Impediments report for Albany are already being implemented or are listed elsewhere in this Housing Element.

The City will continue to respond to fair housing concerns and complaints in a timely fashion, work with ECHO housing to consider fair housing testing, support organizations that provide financial literacy for residents, facilitate outreach by the County Housing Authority to Albany residents, and facilitate communication between special needs service providers, residents, and affordable housing developers.

Responsible Parties:	Community Development Department
Timing:	Ongoing
Funding:	General Fund
Implements:	Policy 5.1, 5.2, 5.3



Program 5.C: Rent Review. Continue the rent review and non-binding conciliation and mediation program established in 2018. The City will consider ways to make the program more effective, seeking input from both housing providers and tenants.

Description:

The City started a rent review and non-binding conciliation and mediation program in 2018. The ordinance regulates most residential rental units in Albany and provides a mediation process for qualifying rent increases. Housing provider participation in the rent review process is mandatory, but all recommendations are non-binding.

Housing providers were required to register all rental units with the City starting in November 2018. From that time forward, housing providers have

also been required to inform tenants of the availability of the rent review procedure in English, Spanish, and Chinese. Requests for rent review may be provided using a form developed by the city. The program does not limit rent increases but does establish a two-step process for tenants to appeal rent increases that exceed 5 percent over a one-year period.

The City has contracted with ECHO Housing to administer the program. After receiving a rent review request, ECHO Housing contacts the housing provider, and begins a two-step process involving conciliation and mediation. Disputes are often resolved during the conciliation phase. Mediation is used when necessary. These are mandatory processes, and the rent increase becomes void if the housing provider does not participate.

Feedback from tenant advocates received during the Housing Element update suggested that some tenants found the process intimidating and suggested that a rent control program was preferable. Feedback from housing providers indicated that the process was working as intended, that it was rarely used, and that the limits on rent increases adopted by the State in 2019 were adequate to protect tenants. The City will continue to evaluate the effectiveness of the existing program, address tenant and landlord issues and concerns, make the program more efficient and cost-effective, and consider options which ensure that tenants understand their rights and are protected from eviction without cause. Awareness of the program among housing providers and tenants should be increased.

Responsible Parties:	Community Development Department
Timing:	Complete evaluation of existing program by end of 2023
Funding:	General Fund
Implements:	Policy 5.4, 5.9



Program 5.D: Tenant Protection. Complete an evaluation of potential measures to improve the housing security of low-income tenants, particularly those who are most vulnerable to displacement. This evaluation should be prepared collaboratively with housing providers and tenants and focused on solutions that reflect the needs and concerns of both groups. Based on the findings of the evaluation, including potential costs and funding sources, and input from the community, consider potential new programs.

Description:

The intent of Program 5.D is to ensure that all Albany residents, regardless of their income or tenure, have a secure and stable place to live. This program has been included in direct response to community feedback received during the 2023-2031 Housing Element Update and to the State of California's mandate

that the Housing Element affirmatively further fair housing for lower income households. The Program includes a comprehensive evaluation of any gaps or deficiencies in the tenant protections that were created by AB 1482 (see text box), including existing State laws related to rent stabilization, just cause for eviction, and relocation assistance. Local tenant advocacy organizations have further expressed that the City should explore the feasibility of non-discrimination and anti-harassment provisions that go beyond State and federal fair housing laws. Tenant and housing provider organizations have indicated that access to legal aid organizations could be beneficial on both sides.

Specific measures to be evaluated through this program include:

- *Any gaps or deficiencies in the tenant protections that were created by AB 1482 (effective 1/1/20)*
- *Additional rent stabilization measures, including a limit on annual rent increases.*
- *A Just Cause for Eviction Ordinance, which defines specific conditions under which a tenant can be evicted, such as non-payment of rent, damage to the unit, criminal activity, etc.*
- *A Non-Discrimination and Anti-Harassment Ordinance so that landlords cannot harass tenants who are exercising their legal rights.*
- *Relocation assistance for tenants who are evicted without cause*
- *Access to legal counsel*
- *Provisions to avoid discrimination against tenants who have a prior eviction in their history*

Albany's housing providers and property owner organizations have expressed concerns about additional regulations, noting that many of the rental units in Albany are local "mom and pop" businesses that have themselves endured financial challenges during the pandemic. Their comments and feedback point to the need for a continued dialogue on this topic, engaging both housing providers and tenants to develop strategies that balance the needs of both groups.

Responsible Parties:	Community Development Department City Manager's Office
Timing:	Complete evaluation by end of 2023
Funding:	General Fund
Implements:	Policy 5.9



Understanding AB 1482

AB 1482—the Tenant Protection Act of 2019—went into effect on January 1, 2020 and expires on January 1, 2030. The Act limits annual rent increases in all California jurisdictions to no more than 5% plus the local consumer price index, with a total amount not to exceed 10%. AB 1482 further requires a housing provider to have a “just cause” to terminate a tenancy. Just cause” for eviction includes failure to pay rent, criminal activity, or breach of a material term of the lease. It also includes repossessing the property for the owner or owner’s immediate family member to move in, demolishing or substantially remodeling the property, and withdrawing the property from the rental market. Certain housing types—including single family homes, privately-owned condominiums, duplexes in which the owner resides in one of the units, designated affordable housing units, and apartment buildings built in the last 15 years—are exempt from the AB 1482 requirements.

Property owners must also inform residents of the State rent cap and just cause laws. This notice occurs in an addendum to the lease or rental agreement, or in a written notice signed by the resident. For future tenancies, notice is required at the time the lease is signed. AB 1482 can only be enforced in State court. Residents may sue for damages for wrongful eviction or unlawful business practices.

Much of Albany’s rental housing stock is subject to the requirements of AB 1482, providing a level of tenant protection that did not exist prior to 2020. Tenant advocacy groups participating in the Housing Element update identified the need for additional measures to supplement those provided by the new statute. Some of the limitations of AB 1482 include the lack of an enforcement mechanism at the local level, and the potential to raise rents by as much as 10 percent a year. The law also expires in 2030, a year before the end of the Housing Element cycle. A number of Bay Area cities are still considering (or have recently adopted) supplemental just cause and rent stabilization measures to address these issues. The need for supplemental measures in Albany will continue to be evaluated during the timeframe of this Housing Element, with both tenants and housing providers engaged in the conversation.



Program 5.E: Tenant Opportunity to Purchase Act. Work collaboratively with tenants, housing providers, and other stakeholders to determine the feasibility of a TOPA program, or participation in the TOPA program of an adjoining city.

Description:

A “Tenant Opportunity to Purchase Act” (TOPA) is an anti-displacement measure that provides tenants with the option to purchase the units they are living in when the owner is preparing to sell the property. It creates legal rights to purchase (including the right of first offer, right of first refusal, and right to assign a qualified affordable housing developer), while extending the timelines for purchase, and connecting tenants to affordable housing developers who may have the resources and technical expertise to facilitate acquisition. When a rental building is offered for sale, tenants are given the option to purchase the property collectively, or partner with an affordable housing developer to purchase the property. TOPA programs contribute to home ownership and generational wealth while avoiding eviction and stabilizing communities.

The City of Berkeley is currently pursuing a TOPA program, and other cities may follow. Albany could consider a similar program or could explore participation in Berkeley’s program.

Responsible Parties:	Community Development Department
Timing:	Implement by end of 2025
Funding:	General Fund
Implements:	Policy 5.1, 5.2



Program 5.F: AFFH Education and Historic Context. Increase awareness of the history of housing discrimination in the East Bay, including Albany. Work with local community organizations and interest groups to provide historic context.

Description:

The City will work with the School District, non-profit partners, other communities, and local interest groups to expand awareness of the history of housing discrimination in Albany and other East Bay communities. This includes technical support for research projects, advertising of events on the City’s website, and participation in programs and conversations that may be organized around this topic. This includes education on historic “redlining” practices, the history of Codornices Village (now UC Village), as well as past covenants, codes, restrictions, and lending practices that contributed to segregation and limited access to home ownership among minority groups.

Responsible Parties:	Community Development Department Albany Recreation and Community Services
Timing:	Implement by end of 2023
Funding:	General Fund
Implements:	Policy 5.7



Program 5.G: Expand Acceptance of Housing Choice Vouchers. Encourage participation of Albany housing providers in the Housing Choice Voucher (Section 8) program, including greater awareness of the benefits of the program and the requirements of SB 329.

Description:

SB 329 (2020) prohibits housing providers from rejecting a prospective tenant solely based on the applicant's use of a Section 8 federal housing voucher. The law also bans advertisements indicating that voucher holders will not be considered for tenancy. The legislation applies to apartment and single-family home rentals. This program includes providing website information on SB 329 as well as information about the need for vouchers and benefits to housing providers. This would be implemented concurrently with Program 5.A.

Responsible Parties:	Community Development Department
Timing:	Implement by end of 2025
Funding:	General Fund
Implements:	Policy 5.2



Program 5.H: Equitable, Inclusive Outreach. Implement strategies designed to increase participation and give a greater voice to tenants, lower-income residents, racial and ethnic minorities, persons with disabilities, non-English speakers, and other groups who face particular housing challenges or have been under-represented in discussions of housing issues and solutions.

Description:

The intent of this program is to express the City's commitment to work toward more inclusive methods of outreach and engagement. While the focus is on housing programs and conversations, it applies more broadly to other aspects of long-range planning, such as land use, transportation, and climate action planning. The program includes outreach to groups and individuals that have not historically been engaged or felt comfortable engaging in conversations about housing conditions, issues, and development issues, with a particular emphasis on renters and lower-income residents. It includes direct outreach to AUSD affinity groups, and organizations such as Albany Thrives Together, Albany Tenants Union, and other groups that may be created over the planning period.

Language access is an important part of this program. This includes providing printed and web-based materials in Spanish and Chinese, providing translation services as appropriate at community meetings on housing, and working to provide outreach that is responsive to the needs and preferences of each community or cultural group.

Responsible Parties:	City Manager's Office
Timing:	Communications Strategy by 2024
Funding:	General Fund
Implements:	Policy 5.6, 5.8



GOAL 6 HOUSING RESOURCES AND ADMINISTRATION **Improve financial resources for affordable housing development and housing assistance for Albany residents.**



Policy 6.1 **Non-Local Funding.** Pursue federal, state, and County funds that support affordable housing and anti-displacement efforts in Albany. The City will monitor the availability of funds and apply for grants and other funds when the opportunity arises.



Policy 6.2 **Local Funding.** Explore opportunities to increase local funding sources for housing-related programs, including local housing bonds or a guaranteed local share of possible future regional housing bonds.



Policy 6.3 **Advocacy.** Advocate for additional resources for the production and preservation of affordable housing, such as County, regional, and State housing bond measures and increases in the availability of Housing Choice Vouchers.



Policy 6.4 **Intergovernmental Partnerships.** Support and engage in partnerships with surrounding communities, including Berkeley, Richmond, El Cerrito, Alameda County and Contra Costa County to address housing issues that cross jurisdictional boundaries. Where local housing efforts may be infeasible due to Albany's small size and limited resources, consider collaborative efforts with other communities to achieve more effective results.



Policy 6.5 **Incentives.** Support financial and regulatory incentives for low- and moderate-income housing in Albany. This could include fee reductions and deferrals, expedited review procedures, and other incentives that facilitate affordable housing developments.

Policy 6.6 **Technical Assistance.** As resources allow, provide technical assistance to the non-profit and for-profit development sectors to facilitate housing production.



Policy 6.7 **Cost-Reduction Measures.** Support innovative private, non-profit, and governmental methods for reducing the cost of constructing affordable housing, including the cost of land, construction, and financing.



Policy 6.8 **Tax Credit Projects.** Encourage the use of state and federal low-income housing tax credits by developers as a way to improve the financial feasibility of affordable housing development and affordable housing acquisition and rehabilitation projects in Albany.

IMPLEMENTING PROGRAMS



Program 6.A: Affordable Housing Fund. Create a City of Albany Affordable Housing Fund which becomes a repository for funds that will be used to help support affordable housing development in the city.

Description:

This program is being carried forward from the 2015-2023 Housing Element. Although resources were insufficient to justify a dedicated housing fund during the last cycle, the need for housing remains critical. The City should continue to research potential sources for a dedicated housing fund, such as grants, corporate donations, State and County bond measures, housing fees for 2-4 unit projects, and other sources. A priority will be placed on using these funds in a manner which benefits extremely low income (ELI) and very low income (VLI) households.

Responsible Parties:	Community Development Department Finance Department Neighborhood Services
Timing:	2023
Funding:	To be determined
Implements:	Policy 6.2



Program 6.B: CDBG and HOME Funds. Continue to prioritize programs which benefit extremely low-income households in the disbursement of funds through the annual CDBG and HOME programs.

Description:

The City of Albany is a member of the “Urban County” Consortium of five small cities and unincorporated areas of Alameda County, which participates as a group in the Community Development Block Grant (CDBG) program. Staff with the Alameda County Housing and Community Development (ACHCD) administers the program for the consortium. ACHCD is also the grantee for the HOME program, which allocates federal funds for housing acquisition, construction, and rehabilitation to most of the County’s cities.

The Urban County consortium provides funding for affordable housing development projects and social service programs in Alameda County. In addition, the City receives an annual disbursement of CDBG funds to serve senior citizens, residents with disabilities, and residents in census tracts that meet Federal income guidelines. Eighty-five percent (85%) of the consortium funds must be spent on capital improvements and the City is provided with a limited amount of discretion in how they are spent. In 2019, funds were allocated to owner-occupied housing and minor rehabilitation, homeless outreach and engagement, and sidewalk repair.

Most of these programs benefit very low and extremely low income residents. The City will continue to prioritize its CDBG disbursement to benefit extremely low income Albany residents.

Responsible Parties: Community Development Department/
City Manager's Office
Timing: Annual
Funding: Alameda County HCD (federal disbursement)
Implements: Policy 6.1 (also 3.7, 3.8)



Program 6.C: Housing Staff Capacity. Maintain sufficient staffing levels to implement local housing programs, including the designation of a staff person as the City's "Housing Coordinator." Seek ways to expand staff resources and capacity in the future, potentially including a dedicated housing staff person as budget allows and workload conditions require.

Description:

Despite having a majority renter population, the City of Albany does not have a designated housing staff position. The intent of this program is to support the creation of such a position, or the dedication of a staff member within the Community Development Department as the City's Housing Coordinator. In addition to implementing Housing Element policies and programs, the Coordinator would apply for grants and seek out funding sources for housing program administration and implementation. The Coordinator would also be the liaison to the community (including the Planning and Zoning Commission and City Council) on housing issues, and would work with the County and State on housing administration.

Responsible Parties: City Manager's Office
Timing: 2023
Funding: General Fund, housing grants
Implements: Policy 6.1, 6.2, 6.3, 6.4



Program 6.D: Additional Funding Sources. Explore potential additional funding sources for housing programs, including those requiring voter approval at the City and County levels.

Description:

The City will continue to explore and support additional local funding sources to supplement existing housing resources. Although a vacancy tax on vacant residential properties was recently determined to be infeasible, the viability of such a tax should be revisited every two years. Consideration should also be given to a local sales tax, real estate transfer tax, parcel tax, or other measure that would require voter approval and would result in a dedicated funding stream for housing programs or seed money for the Affordable Housing Fund (Program 6A).

The City will also support efforts at the Countywide level to generate revenue for housing programs, such as the Measure A1 Housing Bond Measure. Staff will apply for Countywide grants and other resources that may be available through these programs.

Where feasible, the City may also partner with other cities (including comparably sized cities in nearby counties) to implement programs that would be infeasible for Albany to undertake alone. This can create “economies of scale” which allow Albany to contribute a proportional share of program administration costs and reap the full benefits of a program without bearing the burden of staffing or funding a program on its own. The City’s resources are limited, and partnerships with other jurisdictions can help close funding gaps.

Responsible Parties:	Community Development Department
Timing:	Program Feasibility Assessment every two years, starting in 2024
Funding:	General Fund
Implements:	Policy 6.1, 6.2, 6.3, 6.4



Program 6.E: Collaboration with Non-Profits. Coordinate with local and regional non-profit housing advocacy groups, volunteer organizations, local service organizations, the faith community, and other community-based organizations to supplement staff resources, identify potential new housing opportunities, and support housing initiatives.

Description:

This would include local housing groups as well as regional organizations such as East Bay Housing Organizations and East Bay for Everyone. It also includes partnerships with affordable housing developers, organizations such as ECHO Housing, and supportive service providers such as Berkeley Food and Housing. Collaborations with these organizations currently exist but could be expanded or leveraged to supplement City resources.

The City will also work with the local faith community, both to facilitate the assistance they provide to residents in need and also to discuss potential housing opportunities. The passage of AB 1851 makes it much easier for churches and other religious institutions to build housing on their properties. The City will support such efforts in the event they are proposed in Albany.

Collaborations and partnerships could also be pursued with local and regional Community Land Trusts (CLTs). These non-profit organizations acquire properties and create affordable resident-owned cooperatives. The City's role would be to provide technical assistance, facilitate permitting when applications are received, and advise CLTs of opportunities in Albany.

Responsible Parties:	Community Development Department
Timing:	Annual outreach to housing advocates
Funding:	General Fund
Implements:	Policy 6.6 and 6.7



Program 6.F: Mortgage Credit Certificate Program. Continue to participate in the Alameda County HCD Mortgage Credit Certificate Program, which provides home ownership opportunities for moderate income first- time home buyers.

Description:

The Mortgage Credit Certificate (MCC) is a federal program to assist first-time buyers in purchasing a home. It is administered by Alameda County Housing and Community Development. The program allows homeowners to take a tax credit of 20% of their annual mortgage interest. Homeowners adjust their federal withholding to reflect the value of the MCC, resulting in thousands of dollars in tax savings each year. This substantially increases the affordability of the home and makes purchases possible for persons who might not otherwise qualify. Funding to support this program is currently not available but may be restored during the planning period. If funding is restored, the City will advertise their availability to Albany residents.

Responsible Parties:	Community Development Department
Timing:	Annual
Funding:	Alameda County MCC program (federal)
Implements:	Policy 6.1



Program 6.G: Technical Assistance. Work with local non-profit developers to identify potential housing sites, and to pursue available funding, including CDBG and HOME funds, for the construction of affordable housing.

Description:

A number of non-profit developers are active in the East Bay area. Over the past few decades, they have collectively built thousands of units of affordable housing in the region, providing an essential resource for the region's lower income households. Albany is committed to working with such developers to encourage the construction of affordable housing within the city. The City will provide technical assistance in the completion and/or co-sponsoring of applications for funds, and will work with non-profit developers to address issues of concern and to explore incentives to reduce project costs. This could also include assistance with lot consolidation, notification when development opportunities arise, and information about local development standards and density bonus laws. The City will provide outreach to non-profit housing developers at least once a year to discuss needs and opportunities for affordable housing in Albany and to identify potential funding opportunities.

Responsible Parties:	Community Development Department
Timing:	Annual
Funding:	General Fund (staff time)
Implements:	Policy 6.6, 6.7, and 6.8

QUANTIFIED OBJECTIVES BY INCOME CATEGORY, 2023-2031

The quantified housing objectives in Table 6-1 have been established for the 2023-2031 planning period. The new construction objectives correspond to the City's Regional Housing Needs Allocation for the planning period and include an allocation for extremely low-income households as well as very low-income households. The rehabilitation targets are principally associated with minor rehabilitation loans through Alameda County programs. The conservation programs are aimed at the protection of existing housing resources in the City of Albany, including units with affordability restrictions and units which are affordable "by design."

**Table 6-1:
Quantified Objectives for 2023-2031**

Income Group	New Construction	Rehabilitation	Conservation
Extremely Low	154	16	16 (Creekside Apts) 4 (Inclusionary)
Very Low	154		
Low	178	16	
Moderate	175		
Above Moderate	453		
TOTAL	1,114	32	

Housing Element Implementation and Progress Reporting

Section 65400 of the California Government Code requires cities to file annual reports with the State Department of Housing and Community Development (HCD). The report must cover the status and progress in implementing the jurisdiction's housing element, including the progress the jurisdiction is making toward meeting its Regional Housing Needs Allocation. In addition to the annual report, the Planning and Zoning Commission will also receive mid-term updates from staff on Housing Element implementation for the next two years. The need for future mid-term updates in years (in addition to the annual update) will be evaluated in 2026. Each annual and mid-term update should include a hearing before the Planning Commission, and a staff report published on the City's website.

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