

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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September 8, 2023

Jeff Bond, Director
Community Development Department
City of Albany
1000 San Pablo Avenue
Albany, CA 94706

Dear Jeff Bond:

RE: City of Albany's 6th Cycle (2023-2031) Adopted Housing Element

Thank you for submitting the City of Albany's (City) housing element that was adopted February 21, 2023 with technical modifications received August 16, 2023. The technical modifications were authorized by Resolution Number 2023-09 and were made available to the public for seven days before HCD's review. The City confirmed the technical modifications are consistent with the direction and authority granted by Resolution Number 2023-09. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review.

HCD is pleased to find the adopted housing element, including technical modifications, in substantial compliance with State Housing Element Law (Gov. Code, § 65580 et seq) as of the date of this letter. The adopted element, including technical modifications, addresses the statutory requirements described in HCD's April 21, 2023 review.

Additionally, the City must continue timely and effective implementation of all programs including but not limited to the following:

- Program 1.A: Single Family Zoning Reform
- Program 1.J: ADU Affordability Incentives
- Program 2B. Measure K Modifications
- Program 2.D: San Pablo Avenue Specific Plan Monitoring and Implementation
- Program 2.F: By-Right Development on Carry Over Sites
- Program 3.D: Residential Care Facilities
- Program 3.E: Developmental Disabilities
- Program 4.B: R-2 Zoning District Changes
- Program 5.D: Tenant Protection
- Program 6.E: Collaboration with Non-Profits

The City must monitor and report on the results of these and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585, subdivision (i) grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities program, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City of Albany now meets housing element requirements for these and other funding sources.

HCD appreciates the hard work and cooperation that the City staff and consultants provided throughout provided throughout the course of the housing element review. HCD wishes the City success in implementing its housing element and looks forward to following its progress through the General Plan annual progress reports pursuant to Government Code section 65400. If HCD can provide assistance in implementing the housing element, please contact me at paul.mcdougall@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager