

# Comparing Competing Inclusionary Housing Proposals

This summary chart (current as of June 2, 2017) is for reference purposes only and assumes a principal project with at least 25 units outside of (i) the UMU, Mission NCT and SoMa NCT zoning districts, (ii) North of Market and SoMa Youth and Family SUDs, (iii) Eastern Neighborhoods Mission Plan Area, and (iv) new area plans or SUDs adopted after January 1, 2015.

	Existing Law	City Controller's Recommendation Inclusionary Housing Working Group: Final Report (2/13/17)	Supervisors Peskin/Kim Proposal File No. 161351 (as amended on 4/18/17)	Supervisors Safai/Breed/Tang Proposal File No. 170208 (as introduced on 2/28/17)	"Compromise" Legislation File No. 161351 (as amended on 5/22/17)
<b>In-lieu Fee</b>	33%	18-23% rental 25-28% ownership	30% rental 33% ownership	23% rental 28% ownership	30% rental 33% ownership
<b>Fee Rate</b>	Flat fee rate based on unit size	No recommendation but suggests new analysis to update fee schedule	Would vary based on building height and rental vs. ownership	Would be based on dollar per square foot equivalency	Same as under existing law
<b>Off-Site Rental</b>	33%	18-23%	30%	23%	30%
<b>Off-Site Ownership</b>	33%	25-28%	33%	28%	33%
<b>On-Site Rental</b>	25%	14-18%	24%	18%	18%
<b>On-Site Ownership</b>	25%	17-20%	27%	20%	20%
<b>Income Distribution On-Site</b>	15% <u>Low Income Ownership</u> 80% AMI or less  10% <u>Moderate/Middle Income Ownership</u> 120% AMI or less  OR  15% <u>Low Income Rental</u> 55% AMI or less  10% <u>Moderate/Middle Income Rental</u> 100% AMI or less	No recommendation (but comment re possibly setting a floor for Low Income units)	15% <u>Low Income Ownership</u> Average 90% AMI or less (80-100% AMI range)  12% <u>Moderate/Middle Income Ownership</u> Average 120% AMI or less (100-140% AMI range)  OR  15% <u>Low Income Rental</u> Average 60% AMI or less (40-80% AMI range)  9% <u>Moderate/Middle Income Rental</u> Average 100% AMI or less (80-120% AMI range)  Note: 100% AMI maximum for single income household	Ownership Average 120% AMI or less (equal distribution: 90%, 120%, 140% AMI)  OR  <u>Rental</u> Average 80% AMI or less (equal distribution: 55%, 80%, 110% AMI)	10% <u>Low Income Ownership</u> 80% AMI or less  5% <u>Moderate Income Ownership</u> 105% AMI or less  5% <u>Middle Income Ownership</u> 130% AMI or less  OR  10% <u>Low Income Rental</u> 55% AMI or less  4% <u>Moderate Income Rental</u> 80% AMI or less  4% <u>Middle Income Rental</u> 110% AMI or less  Note: Maximum AMI must be at least 20% below median rents or sales prices for neighborhood, as applicable  See also eligibility restrictions and maximum AMI for studio units
<b>Income Distribution Off-Site</b>	20% <u>Low Income Ownership</u> Same AMI as for on-site  13% <u>Moderate/Middle Income Ownership</u> Same AMI as for on-site  OR  20% <u>Low Income Rental</u> Same AMI as for on-site  13% <u>Moderate/Middle Income Rental</u> Same AMI as for on-site	No recommendation (but comment re possibly setting a floor for Low Income units)	15% <u>Low Income Ownership</u> Same AMI as for on-site  18% <u>Moderate/Middle Income Ownership</u> Same AMI as for on-site  OR  15% <u>Low Income Rental</u> Average 60% AMI or less (40-80% AMI range)  15% <u>Moderate/Middle Income Rental</u> Same AMI as for on-site	Ownership Same AMI as for on-site  OR  <u>Rental</u> Average 85% AMI or less (equal distribution: 55%, 80%, 120% AMI)	18% <u>Low Income Ownership</u> Same AMI as for on-site  8% <u>Moderate Income Ownership</u> Same AMI as for on-site  7% <u>Middle Income Ownership</u> Same AMI as for on-site  OR  18% <u>Low Income Rental</u> Same AMI as for on-site  6% <u>Moderate Income Rental</u> Same AMI as for on-site  6% <u>Middle Income Rental</u> Same AMI as for on-site  See also eligibility restrictions and maximum AMI for studio units
<b>Annual % increase</b> (assuming nexus study to support)	No set % increase specified	0.5% for a period of 15 years (higher % for fee/off-site if BOS wants to avoid incentivizing those options)	No set % increase specified	0.5% starting in 2019, up to 28% rental and 33% ownership for fee/off-site and up to 23% rental and 25% ownership for on-site	1% in 2018 and 2019 (low income) and 0.5% annually thereafter (moderate/middle income) for on-site, up to 24% rental and 26% ownership; no set % increase for fee or off-site
<b>Grandfathering *</b> (assuming building or site permit pulled by outside date)	Varies depending on date EE application filed (by 1/12/16)	Not discussed in report	Same as under existing law (but see proposed AMI %s) except fee/off-site requirement for projects over 120 feet reduced to 30%	Same as under existing law if on-site BMR; eliminated for fee/off-site but proposed %s generally ≤ existing grandfathering protections	Same as under existing law (but see proposed AMI %s) except fee/off-site requirement for projects over 120 feet reduced to 30%
<b>Fee for Density Bonus units</b>	Not specified	Yes, recommended	Not specified	Yes	Yes, unless EE filed by 1/1/16
<b>Unit Mix</b>	Requirements under other sections of the Planning Code for certain zoning districts	Not discussed in report	40% of BMR units 2-bedroom and 20% 3-bedroom +	25% of total units (not just BMR) 2-bedroom + or 10% 3-bedroom + unless an exception applies or CPC modifies	25% of total units (not just BMR) 2-bedroom + AND 10% 3-bedroom + unless (i) higher requirement applies in an applicable SUD (ii) HOME SF project, (iii) EE filed by 1/12/16, (iv) an exception applies, or (v) CPC modifies

\*See also reduced requirements under existing and proposed law if the EE application was filed before 1/1/13 or the project was approved before 1/12/16.