

# Comparing Competing Inclusionary Housing Proposals

This summary chart (current as of July 17, 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	"Compromise" Legislation File No. 161351 (as amended on July 11, 2017)	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)
<b>In-lieu Fee</b>	33%	30% rental 33% ownership	18-23% rental 25-28% ownership	30% rental 33% ownership	23% rental 28% ownership
<b>Fee Rate</b>	Flat fee rate based on unit size	Same as under existing law (but cost of construction to include development and land acquisition costs, and new Controller fee analysis by 1/31/18)	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
<b>Off-Site Rental</b>	33%	30%	18-23%	30%	23%
<b>Off-Site Ownership</b>	33%	33%	25-28%	33%	28%
<b>On-Site Rental</b>	25%	18%	14-18%	24%	18%
<b>On-Site Ownership</b>	25%	20%	17-20%	27%	20%
<b>Income Distribution On-Site</b>	15% Low Income Ownership 80% AMI or less  10% Moderate/Middle Income Ownership 120% AMI or less  OR  15% Low Income Rental 55% AMI or less  10% Moderate/Middle Income Rental 100% AMI or less	10% Low Income Ownership 80% AMI or less  5% Moderate Income Ownership 105% AMI or less  5% Middle Income Ownership 130% AMI or less  OR  10% Low Income Rental 55% AMI or less  4% Moderate Income Rental 80% AMI or less  4% Middle Income Rental 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 requirement that 2+ persons occupy Middle Income units	No recommendation (but comment re possibly setting a floor for Low Income units)	15% Low Income Ownership Average 90% AMI or less (80-100% AMI range)  12% Moderate/Middle Income Ownership Average 120% AMI or less (100-140% AMI range)  OR  15% Low Income Rental Average 60% AMI or less (40-80% AMI range)  9% Moderate/Middle Income Rental 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  Rental Average 80% AMI or less (equal distribution: 55%, 80%, 110% AMI)
<b>Income Distribution Off-Site</b>	20% Low Income Ownership Same AMI as for on-site  13% Moderate/Middle Income Ownership Same AMI as for on-site  OR  20% Low Income Rental Same AMI as for on-site  13% Moderate/Middle Income Rental Same AMI as for on-site	18% Low Income Ownership Same AMI as for on-site  8% Moderate Income Ownership Same AMI as for on-site  7% Middle Income Ownership Same AMI as for on-site  OR  18% Low Income Rental Same AMI as for on-site  6% Moderate Income Rental Same AMI as for on-site  6% Middle Income Rental Same AMI as for on-site  See also eligibility restrictions and requirement that 2+ persons occupy units priced at 100% AMI or above	No recommendation (but comment re possibly setting a floor for Low Income units)	15% Low Income Ownership Same AMI as for on-site  18% Moderate/Middle Income Ownership Same AMI as for on-site  OR  15% Low Income Rental Average 60% AMI or less (40-80% AMI range)  15% Moderate/Middle Income Rental Same AMI as for on-site	Ownership Same AMI as for on-site  OR  Rental Average 85% AMI or less (equal distribution: 55%, 80%, 120% AMI)
<b>Annual % Increase</b> (assuming nexus study to support)	No set % increase specified	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  See requirements for locking in % on date complete EE application is filed	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
<b>Grandfathering *</b> (assuming building or site permit pulled by outside date)	Varies depending on date EE application filed (by 1/12/16)	Varies depending on date EE application filed (by 1/12/16) and size of project (if over 120 feet)	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
<b>Fee for Density Bonus units</b>	Not specified	Yes, unless EE filed by 1/1/16 (and/or possibly 1/12/16 per conflicting language) 25% of total units (not just BMR) 2 + bedrooms, with minimum 10% 3 + bedrooms, unless (i) higher requirement applies in the applicable area (ii) HOME SF project, (iii) EE filed by 1/12/16 or approval by 6/15/17, (iv) an exception applies, or (v) CPC modifies	Yes, recommended	Not specified	Yes
<b>Unit Mix</b>	Requirements under other sections of the Planning Code for certain zoning districts	25% of total units (not just BMR) 2 + bedrooms, with minimum 10% 3 + bedrooms, unless (i) higher requirement applies in the applicable area (ii) HOME SF project, (iii) EE filed by 1/12/16 or approval by 6/15/17, (iv) an exception applies, or (v) CPC modifies	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

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