

# Comparison of Inclusionary Housing Requirements: June 2016 Proposition “C” Ballot Measure vs. Two Alternative Proposals

Issue	Prop. "C" Ballot Measure on Inclusionary Housing <sup>1</sup>	Peskin–Kim Proposed Ordinance on Inclusionary Housing Revisions <sup>2</sup>	Safai–Breed–Tang Proposed Ordinance on Inclusionary Housing Revisions <sup>3</sup>
10 – 24 dwellings <b>Fee</b>	<ul style="list-style-type: none"> <li>• Pay fee equal to 20% of total units being developed</li> </ul>		<ul style="list-style-type: none"> <li>• Pay fee equal to 20% of total units being developed</li> </ul>
25 or more dwellings <b>Fee</b>	<ul style="list-style-type: none"> <li>• Pay fee equal to 33% of total units being developed</li> </ul>	<ul style="list-style-type: none"> <li>• Rental: 30% Fee</li> <li>• Sale: 33% Fee</li> <li>• MOHCD sets Inclusionary Fees based on cost of construction for height of building:                             <ul style="list-style-type: none"> <li>– Up to 55 feet high</li> <li>– Over 55 feet up to 85 feet</li> <li>– Over 85 feet high</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Rental: 23% Fee</li> <li>• Sale: 28% Fee</li> </ul>

## On-Site Inclusionary Housing Units

10 – 24 dwellings	<ul style="list-style-type: none"> <li>• 12% affordable on-site units, or</li> <li>• Create off-site affordable units equal to 20% of the project's units</li> </ul> <p>For both project types (10–24 units and greater than 25 units)</p> <ul style="list-style-type: none"> <li>• <b>Rental</b> Units: Low-income 55% of AMI; Middle-income up to 100% of AMI</li> <li>• <b>Sale</b> Units: Low-Income up to 80% of AMI; Middle-income up to 120% of AMI</li> </ul>	<p>12% affordable units on-site, increasing 0.75% annually.</p> <ul style="list-style-type: none"> <li>• Affordable <b>Rental</b> units to households earning 40% to 80% of AMI, with average affordable rent set at 60% of AMI or less</li> <li>• On-site <b>Owned</b> units for households earning 80% to 100% of AMI, with average affordable sales prices set at 90% of AMI</li> </ul>	<p>12% affordable units on-site.</p> <ul style="list-style-type: none"> <li>• Affordable <b>Rental</b> units to households earning no more than 80% of AMI</li> <li>• On-site <b>Owned</b> units for households earning no more than 120% AMI</li> </ul>
25 or more dwellings	<ul style="list-style-type: none"> <li>• 25% affordable on-site units                             <ul style="list-style-type: none"> <li>– 15% affordable to low-income households</li> <li>– 10% affordable to middle-income households</li> </ul> </li> </ul> <p>For both project types (10–24 units and greater than 25 units):</p> <ul style="list-style-type: none"> <li>• <b>Rental</b> Units: Low-income 55% of AMI; Middle-income up to 100% of AMI</li> <li>• <b>Sale</b> Units: Low-Income up to 80% of AMI; Middle-income up to 120% of AMI</li> </ul>	<ul style="list-style-type: none"> <li>• Affordable <b>Ownership</b> (sale) units on site 27% of all units constructed on project site                             <ul style="list-style-type: none"> <li>– 15% affordable to low-income households</li> <li>– 12% affordable to moderate- and middle-income households</li> </ul> </li> <li>• Affordable <b>Rental</b> Housing Project on site shall <b>generally</b> be 24% of all units constructed on project site                             <ul style="list-style-type: none"> <li>– 15% affordable to low- or lower-income households</li> <li>– 9% affordable to moderate- and middle-income households</li> </ul> </li> <li>• <b>Rental</b> units on-site for low- to lower-income 40% to 80% of AMI, with average rents at 60% of AMI</li> </ul>	<ul style="list-style-type: none"> <li>• For <b>Ownership</b> (sale) units on-site is 20% to households earning an average of 120% of AMI; units equally distributed among households earning 90%, 120% and 140% of AMI; MOHCD has discretion to reduce AMI to maintain pricing below market in a particular neighborhood or at request of project sponsor</li> <li>• Affordable <b>Rental</b> units on-site is 18% to households earning <b>an average of</b> 80% of AMI; units equally distributed among households earning 55%, 80% and 110% of AMI; MOHCD has discretion to reduce AMI to maintain pricing below market in a particular neighborhood or at request of project sponsor</li> </ul>

- **Rental** units on-site for middle- to moderate-income 80% to 120% of AMI, with average rents at 100% of AMI or less, provided that for middle- to moderate-income single-income households maximum rent set at 100% of AMI; further MOCHD can reduce "average" AMI on request of project sponsor.
- **Owned** (sale) units on-site for low- and lower-income 80% to 100% of AMI, with average sales price at 90% of AMI
- **Owned** (sale) units on-site for middle- or moderate income 100% to 140% of AMI, with average sales price at 120% of AMI; provided that middle-moderate-income units single-income households maximum sales price set at 100% of AMI; further MOCHD can reduce "average" AMI on request of project sponsor.

**Off-Site Affordable Housing**

10 – 24 dwellings	Affordable units constructed off-site is 20% of the number of units in principal project	Affordable units constructed off-site is 20% of the number of units in principal project  – <b>Rental</b> Units must be affordable to households earning 40% to 80% of AMI, with an average affordable rent set at 60% of AMI  – <b>Ownership</b> units must be affordable to households earning 80% to 100% of AMI, with average affordable sales price set at 90% of AMI	Percentage is 20%  – <b>Rental</b> Units must be affordable to households earning up to 80% of AMI  – <b>Ownership</b> units must be affordable to households earning up to 120% of AMI
25 or more dwellings <b>Owned</b>	• 33% affordable off-site units, – 20% affordable to low-income households – 13% affordable to middle-income households	• 33% affordable off-site <b>Owned</b> units, – 18% affordable to low-income households – 15% affordable to middle-income households  • Off-site <b>Owned</b> units for low- and lower-income households earning 80% to 100% of AMI, with average affordable sales prices set at 90% of AMI  • Off-site <b>Owned</b> units for middle- and moderate-income households earning 100% to 140% of AMI, with average affordable sales price set at 120% of AMI; provided that middle- and moderate-income single-income household maximum sales price set at 100% of AMI; further MOCHD can reduce "average" AMI on request of project sponsor.	• 28% affordable off-site <b>Owned</b> units  • Units must be affordable to an average of 120% of AMI, with units equally distributed between households earning 90%, 120% and 140% of AMI; MOHCD has discretion to reduce AMI to maintain pricing below market in a particular neighborhood or at request of project sponsor

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25 or more dwellings <b>Rental</b>		<ul style="list-style-type: none"> <li>• 30% affordable off-site <b>Rental</b> units,               <ul style="list-style-type: none"> <li>– 15% affordable to low-income households</li> <li>– 15% affordable to middle-income households</li> </ul> </li> <li>• Off-site <b>Rental</b> units for low- and lower-income households earning 40% to 80% of AMI, with average affordable rent set at 60% of AMI</li> <li>• Off-site <b>Rental</b> units for middle- and moderate-income households earning 80% to 120% of AMI, with average affordable rent set at 100% of AMI, provided that middle- and moderate-income single-income household maximum rent set at 100% of AMI; further MOCHD can reduce "average" AMI on request of project sponsor.</li> </ul>	<ul style="list-style-type: none"> <li>• 23% affordable off-site <b>Rental</b> units</li> <li>• Units must be affordable to an average of 85% of AMI, with units equally distributed between households earning 55%, 80% and 120% of AMI; MOHCD has discretion to reduce AMI to maintain pricing below market in a particular neighborhood or at request of project sponsor</li> </ul>
<b>Unit Mix</b>		<p>For both on-site and off-site affordable units:</p> <ul style="list-style-type: none"> <li>• 40% minimum shall consist of two-bedroom units</li> <li>• 20% minimum shall consist of three-bedrooms or larger</li> </ul>	<p>Requires a unit mix of <b>either</b>:</p> <ul style="list-style-type: none"> <li>• 25% two-bedroom, or</li> <li>• 10% three bedroom</li> </ul>
<b>Other Requirements</b>	<p>For both project types (10–24 units and greater than 25 units)</p> <ul style="list-style-type: none"> <li>• <b>Rental</b> Units: Low-income 55% of AMI; Middle-income up to 100% of AMI</li> <li>• <b>Sale</b> Units: Low-Income up to 80% of AMI; Middle-income up to 120% of AMI</li> </ul>	<p>For all projects:</p> <ul style="list-style-type: none"> <li>• Low-income household definition changed to total household income of 40% to 80% of AMI for <b>Rental</b> units</li> <li>• Moderate- and middle-income household definition changed to total household income of 80% to 120% of AMI for <b>Rental</b> units</li> <li>• Low-income changed to 80% to 100% of AMI for <b>Purchase</b> (Sale) units</li> <li>• Moderate- and middle-income definition changed to 100% to 140% of AMI for <b>Purchase</b> (Sale) units</li> </ul>	

<sup>1</sup> **Source:** City and County of San Francisco Voter Information Pamphlet, June 7, 2016 municipal election. **Note:** The two Legislative Digests noted in endnotes 2 and 3 contained minor but differing language regarding the “Existing Law” in the current Planning Code as a result of the June 2016 election.

<sup>2</sup> **Source:** Board of Supervisors Legislative Digest, File No. 161351.

<sup>3</sup> **Source:** Board of Supervisors Legislative Digest, File No. 170208.