
Rising Cities Bonus Code

the two economists argue that there is a “reform deficit” in the urban policy profession. it’s true that we have a shortage of people in the urban policy profession who are committed to thinking critically about the idea of cities as inclusive. incentives are also offered in the state ahbp on a graduated scale for all affordable housing units—up to four additional stories and up to 25 percent density bonus. the state ahbp also incorporates the state inclusionary housing program, which is designed to provide a direct subsidy to developers for the inclusion of affordable units. this program requires that developers of ahbp projects include up to 20 percent affordable units, and that projects include an additional 20 percent affordable units for each additional five percent of increase in density. in other words, the incentive structure of the ahbp is used to ensure that the city achieves its housing goals. despite the legal barriers, rising cities have become increasingly common. according to a recent study from the university of pennsylvania, the number of upzonings approved by the city of san jose has nearly doubled in recent years. the study found that the city of san jose has approved a rising cities upzoning by volume on almost a yearly basis since the city adopted the inclusionary zoning program in 2014, with the latest upzoning occurring in may of 2018. overall, the city of san jose has approved nearly \$7.5 billion in rising cities zoning since the program’s implementation. however, the city has also received a number of challenges and appeals in recent years regarding the implementation and interpretation of the program.

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the ahbp is more effective than upzonings because: there is a higher probability of permanently affordable housing when the ahbp is used, compared to upzoning. it is unlikely that upzoning would be used to meet the larger goal of the rising cities bonus law. it is more likely that upzoning would be used to achieve smaller goals, such as the creation of a small development. when upzoning is done in a piecemeal fashion, it is easy to exempt a portion of the development from the ahbp, which will not be permanent. the ahbp has been shown to be effective in many cities, and it is easy to use it in san francisco. the most effective tool to produce middle-income housing is to require a certain percentage of units in new housing developments be permanently affordable. this is what the ahbp does and what has proven to be effective in cities across the country. most importantly, the ahbp is a better tool for achieving the goals of the rising cities bonus law: to create a stable, long-term supply of low-income housing and to preserve the city’s character and minimize the possibility of displacement. developers can also set aside 20 percent of new units in a residential development as affordable to households with low- to moderate- incomes, but they do not have to do so at the community-wide level. instead, they can set aside affordable units in units in one building but not in units in other buildings. if a developer does not set aside affordable units, the city can require them under the inclusionary housing program (section 415 of the sf planning code). 5ec8ef588b

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