

**INCLUSIONARY ZONING FOR  
AFFORDABLE HOUSING**

**House Bill 4448**

**Sponsor: Rep. Tupac Hunter**

**Committee: Land Use and Environment**

**Complete to 10-10-03**

**A SUMMARY OF HOUSE BILL 4448 AS INTRODUCED 3-25-03**

House Bill 4448 would create a new act to allow a local unit of government to use inclusionary zoning to increase the availability of affordable dwelling units within its jurisdiction. If the local unit of government required a developer to construct one or more affordable dwelling units under this law, then the local unit of government could grant to the developer permission to construct a total number of units in excess of the number allowed by applicable density limits. Under the bill, a local unit of government could enter into agreements with developers to restrict rent or sale prices for properties designated as affordable housing units.

The bill would define “inclusionary zoning” to mean a zoning regulation, requirement, or condition of development, imposed by ordinance or regulation, or pursuant to any special permit, special exception, or subdivision plan, that promotes the development of affordable dwelling units.

The bill specifies that to qualify for inclusionary zoning, an affordable dwelling would be required to remain affordable for at least 10 years, but not more than 50 years after development.

The bill would define “affordable dwelling unit” to mean a dwelling unit which is appropriately priced for either of the following: 1) for sale to any person or family whose income does not exceed 80% of the median family income for the local area, with adjustments for family size, according to the latest figures available from the United States Department of Housing and Urban Development; or, 2) for rent to any person or family whose income does not exceed 60 percent of the median family income for the local area, with adjustments for family size, according to the latest figures available from the United States Department of Housing and Urban Development.

Analyst: J. Hunault

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