

HOUSE BILL No. 4448

March 25, 2003, Introduced by Reps. Hunter, Kolb, Tobocman, Murphy, Stallworth, Cheeks, McConico, Rivet, Elkins, Clack, Paletko, Accavitti and Meisner and referred to the Committee on Land Use and Environment.

A bill to allow inclusionary zoning; to prescribe the powers and duties of certain local agencies and officials; and to provide certain restrictions for dwelling units built within the inclusionary zone.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "inclusionary zoning act".

3 Sec. 2. As used in this act:

4 (a) "Affordable dwelling unit" means a dwelling unit which is
5 appropriately priced for either of the following:

6 (i) Sale to any person or family whose income does not exceed
7 80% of the median family income for the local area, with
8 adjustments for family size, according to the latest figures
9 available from the United States department of housing and urban
10 development.

1 (ii) Rent to any person or family whose income does not
2 exceed 60% of the median family income for the local area, with
3 adjustments for family size, according to the latest figures
4 available from the United States department of housing and urban
5 development.

6 (b) "Inclusionary zoning" means a zoning regulation,
7 requirement, or condition of development, imposed by ordinance or
8 regulation, or pursuant to any special permit, special exception,
9 or subdivision plan, that promotes the development of affordable
10 dwelling units.

11 Sec. 3. (1) A local unit of government may use inclusionary
12 zoning to increase the availability of affordable dwelling units
13 within its jurisdiction.

14 (2) If a local unit of government requires a developer to
15 construct 1 or more affordable dwelling units under this act, the
16 local unit of government may grant to the developer permission to
17 construct a total number of units in excess of the number allowed
18 by applicable density limits.

19 (3) A local unit of government may enter into agreements with
20 developers to restrict rent or sale prices for properties
21 designated as affordable housing units.

22 Sec. 4. To qualify for inclusionary zoning, an affordable
23 dwelling unit shall remain affordable for at least 10 years, but
24 not more than 50 years, after development.