

# HOUSE BILL No. 4180

February 3, 2005, Introduced by Rep. Hunter and referred to the Committee on Commerce.

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

1 available from the United States department of housing and urban  
2 development.

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

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

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

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

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

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