

HOUSE BILL No. 4479

March 20, 2007, Introduced by Reps. Young, Hammon, Lahti, McDowell and Accavitti and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

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

1 development.

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

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

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

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

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

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