

119TH CONGRESS
1ST SESSION

S. _____

To require certain grantees under title I of the Housing and Community Development Act of 1974 to submit a plan to track overly burdensome land use policies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. YOUNG (for himself, Mr. SCHATZ, Mr. CRAMER, Ms. SMITH, Ms. LUMMIS, and Mr. WARNOCK) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require certain grantees under title I of the Housing and Community Development Act of 1974 to submit a plan to track overly burdensome land use policies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Identifying Regulatory
5 Barriers to Housing Supply Act”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to discourage the use of
8 overly burdensome land use policies and remove barriers

1 to making housing more affordable in order to further the
2 original intent of the Community Development Block
3 Grant program.

4 **SEC. 3. FINDINGS.**

5 Congress finds the following:

6 (1) The United States has a shortage of mil-
7 lions of homes, contributing to a record number of
8 cost-burdened households across rural, urban, and
9 suburban communities.

10 (2) The housing shortage is constraining the
11 economy and costing the people of the United States
12 about \$2,000,000,000,000 per year in lost opportu-
13 nities and lower productivity.

14 (3) Zoning and land use policy reforms are one
15 part of the solution to addressing the rising cost of
16 housing, alongside policies that invest in fair and af-
17 fordable housing throughout the United States.

18 (4) The Department of Housing and Urban De-
19 velopment should maintain adequate staffing levels
20 to implement this legislation, assist communities in
21 overcoming zoning and land use challenges unduly
22 constraining housing, and support quality and af-
23 fordable housing programs serving the most vulner-
24 able in the United States.

1 **SEC. 4. LAND USE PLAN.**

2 (a) IN GENERAL.—Section 104 of the Housing and
3 Community Development Act of 1974 (42 U.S.C. 5304)
4 is amended by adding at the end the following:

5 “(n) PLAN TO TRACK AND REDUCE OVERLY BUR-
6 DENSOME LAND USE POLICIES.—

7 “(1) IN GENERAL.—Prior to receipt in any fis-
8 cal year of a grant from the Secretary under sub-
9 section (b), (d)(1), or (d)(2)(B) of section 106, each
10 recipient shall have prepared and submitted, not less
11 frequently than once during the preceding 5-year pe-
12 riod, in accordance with this subsection and in such
13 standardized form as the Secretary shall, by regula-
14 tion, prescribe, with respect to each land use policy
15 described in paragraph (2) that is applicable to the
16 jurisdiction served by the recipient, a description
17 of—

18 “(A) whether the recipient has already
19 adopted the policy in the jurisdiction served by
20 the recipient within the preceding 5-year period;

21 “(B) the plan of the recipient to adopt and
22 implement the policy in that jurisdiction; and

23 “(C) the ways in which adopting the policy
24 will benefit the jurisdiction.

25 “(2) LAND USE POLICIES.—The policies de-
26 scribed in this paragraph are as follows:

1 “(A) Expanding by-right multifamily zoned
2 areas.

3 “(B) Allowing duplexes, triplexes, or
4 fourplexes in areas zoned primarily for single-
5 family residential homes.

6 “(C) Allowing manufactured homes in
7 areas zoned primarily for single-family residen-
8 tial homes.

9 “(D) Allowing multifamily development in
10 retail, office, and light manufacturing zones.

11 “(E) Allowing single-room occupancy de-
12 velopment wherever multifamily housing is al-
13 lowed.

14 “(F) Reducing minimum lot size.

15 “(G) Ensuring historic preservation re-
16 quirements and other land use policies or re-
17 quirements are coordinated to encourage cre-
18 ation of housing in historic buildings and his-
19 toric districts.

20 “(H) Increasing the allowable floor area
21 ratio by allowing a higher ratio of total floor
22 area in a building in comparison to its lot size.

23 “(I) Creating transit-oriented development
24 zones.

1 “(J) Streamlining or shortening permitting
2 processes and timelines, including through one-
3 stop and parallel-process permitting.

4 “(K) Eliminating or reducing off-street
5 parking requirements.

6 “(L) Ensuring impact and utility invest-
7 ment fees accurately reflect required infrastruc-
8 ture needs and related impacts on housing af-
9 fordability are otherwise mitigated.

10 “(M) Allowing off-site construction, includ-
11 ing prefabricated construction.

12 “(N) Reducing or eliminating minimum
13 unit square footage requirements.

14 “(O) Allowing the conversion of office
15 units to apartments.

16 “(P) Allowing the subdivision of single-
17 family homes into duplexes.

18 “(Q) Allowing accessory dwelling units, in-
19 cluding detached accessory dwelling units, on all
20 lots with single-family homes.

21 “(R) Establishing density bonuses.

22 “(S) Eliminating or relaxing residential
23 property height limitations.

1 “(T) Using property tax abatements to en-
2 able higher density and mixed-income commu-
3 nities.

4 “(U) Donating vacant land for affordable
5 housing development.

6 “(V) Enacting other relevant high-density
7 single-family and multifamily zoning policies
8 that the recipient chooses to report.

9 “(3) EFFECT OF SUBMISSION.—A submission
10 under this subsection shall not be binding with re-
11 spect to the use or distribution of amounts received
12 under section 106.

13 “(4) ACCEPTANCE OR NONACCEPTANCE OF
14 PLAN.—The acceptance or nonacceptance of any
15 plan submitted under this subsection in which the
16 information required under this subsection is pro-
17 vided is not an endorsement or approval of the plan,
18 policies, or methodologies, or lack thereof.

19 “(5) PROHIBITION ON USE OF INFORMATION
20 FOR ENFORCEMENT.—Information provided by a re-
21 cipient to the Secretary under this subsection may
22 not be used as the basis for any enforcement ac-
23 tion.”.

24 (b) EFFECTIVE DATE.—The requirements under
25 subsection (n) of section 104 of the Housing and Commu-

1 nity Development Act of 1974 (42 U.S.C. 5304), as added
2 by subsection (a), shall—

3 (1) take effect on the date that is 1 year after
4 the date of enactment of this Act; and

5 (2) apply to recipients of a grant under sub-
6 section (b), (d)(1), or (d)(2)(B) of section 106 of the
7 Housing and Community Development Act of 1974
8 (42 U.S.C. 5306) before, on, and after such date.