

116TH CONGRESS
2D SESSION

H. R. 4351

IN THE SENATE OF THE UNITED STATES

MARCH 3, 2020

Received; read twice and referred to the Committee on Banking, Housing, and
Urban Affairs

AN ACT

To require certain grantees under title I of the Housing and Community Development Act of 1974 to submit a plan to track discriminatory 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Yes In My Backyard
3 Act”.

4 **SEC. 2. PURPOSE.**

5 The purpose of this Act is to discourage the use of
6 discriminatory land use policies and remove barriers to
7 making housing more affordable in order to further the
8 original intent of the Community Development Block
9 Grant program.

10 **SEC. 3. LAND USE PLAN.**

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

14 “(n) PLAN TO TRACK DISCRIMINATORY LAND USE
15 POLICIES.—

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

1 “(A) whether the recipient has already
2 adopted the policy in the jurisdiction served by
3 the recipient;

4 “(B) the plan of the recipient to implement
5 the policy in that jurisdiction; or

6 “(C) the ways in which adopting the policy
7 will benefit the jurisdiction.

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

10 “(A) Enacting high-density single-family
11 and multifamily zoning.

12 “(B) Expanding by-right multifamily zoned
13 areas.

14 “(C) Allowing duplexes, triplexes, or
15 fourplexes in areas zoned primarily for single-
16 family residential homes.

17 “(D) Allowing manufactured homes in
18 areas zoned primarily for single-family residen-
19 tial homes.

20 “(E) Allowing multifamily development in
21 retail, office, and light manufacturing zones.

22 “(F) Allowing single-room occupancy de-
23 velopment wherever multifamily housing is al-
24 lowed.

25 “(G) Reducing minimum lot size.

1 “(H) Ensuring historic preservation re-
2 quirements and other land use policies or re-
3 quirements are coordinated to encourage cre-
4 ation of housing in historic buildings and his-
5 toric districts.

6 “(I) Increasing the allowable floor area
7 ratio in multifamily housing areas.

8 “(J) Creating transit-oriented development
9 zones.

10 “(K) Streamlining or shortening permit-
11 ting processes and timelines, including through
12 one-stop and parallel-process permitting.

13 “(L) Eliminating or reducing off-street
14 parking requirements.

15 “(M) Ensuring impact and utility invest-
16 ment fees accurately reflect required infrastruc-
17 ture needs and related impacts on housing af-
18 fordability are otherwise mitigated.

19 “(N) Allowing prefabricated construction.

20 “(O) Reducing or eliminating minimum
21 unit square footage requirements.

22 “(P) Allowing the conversion of office units
23 to apartments.

24 “(Q) Allowing the subdivision of single-
25 family homes into duplexes.

1 “(R) Allowing accessory dwelling units, in-
2 cluding detached accessory dwelling units, on all
3 lots with single-family homes.

4 “(S) Establishing density bonuses.

5 “(T) Eliminating or relaxing residential
6 property height limitations.

7 “(U) Using property tax abatements to en-
8 able higher density and mixed-income commu-
9 nities.

10 “(V) Donating vacant land for affordable
11 housing development.

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

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

22 (b) EFFECTIVE DATE.—The requirements under
23 subsection (n) of section 104 of the Housing and Commu-
24 nity Development Act of 1974 (42 U.S.C. 5304), as added
25 by subsection (a), shall—

Attest: **CHERYL L. JOHNSON,**
Clerk.