

118TH CONGRESS
1ST SESSION

S. 1688

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.

IN THE SENATE OF THE UNITED STATES

MAY 18, 2023

Mr. YOUNG (for himself and Mr. SCHATZ) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Yes In My Backyard
5 Act”.

6 **SEC. 2. PURPOSE.**

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

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

4 **SEC. 3. LAND USE PLAN.**

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

8 “(n) PLAN TO TRACK DISCRIMINATORY LAND USE
9 POLICIES.—

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

21 “(A) whether the recipient has already
22 adopted the policy in the jurisdiction served by
23 the recipient;

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

1 “(C) the ways in which adopting the policy
2 will benefit the jurisdiction.

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

5 “(A) Enacting high-density single-family
6 and multifamily zoning.

7 “(B) Expanding by-right multifamily zoned
8 areas.

9 “(C) Allowing duplexes, triplexes, or
10 fourplexes in areas zoned primarily for single-
11 family residential homes.

12 “(D) Allowing manufactured homes in
13 areas zoned primarily for single-family residen-
14 tial homes.

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

17 “(F) Allowing single-room occupancy de-
18 velopment wherever multifamily housing is al-
19 lowed.

20 “(G) Reducing minimum lot size.

21 “(H) Ensuring historic preservation re-
22 quirements and other land use policies or re-
23 quirements are coordinated to encourage cre-
24 ation of housing in historic buildings and his-
25 toric districts.

1 “(I) Increasing the allowable floor area
2 ratio in multifamily housing areas.

3 “(J) Creating transit-oriented development
4 zones.

5 “(K) Streamlining or shortening permit-
6 ting processes and timelines, including through
7 one-stop and parallel-process permitting.

8 “(L) Eliminating or reducing off-street
9 parking requirements.

10 “(M) Ensuring impact and utility invest-
11 ment fees accurately reflect required infrastruc-
12 ture needs and related impacts on housing af-
13 fordability are otherwise mitigated.

14 “(N) Allowing prefabricated construction.

15 “(O) Reducing or eliminating minimum
16 unit square footage requirements.

17 “(P) Allowing the conversion of office units
18 to apartments.

19 “(Q) Allowing the subdivision of single-
20 family homes into duplexes.

21 “(R) Allowing accessory dwelling units, in-
22 cluding detached accessory dwelling units, on all
23 lots with single-family homes.

24 “(S) Establishing density bonuses.

1 “(T) Eliminating or relaxing residential
2 property height limitations.

3 “(U) Using property tax abatements to en-
4 able higher density and mixed-income commu-
5 nities.

6 “(V) Donating vacant land for affordable
7 housing development.

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

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

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

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

24 (2) apply to recipients of a grant under sub-
25 section (b), (d)(1), or (d)(2)(B) of section 106 of the

- 1 Housing and Community Development Act of 1974
- 2 (42 U.S.C. 5306) before, on, and after such date.

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