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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2021

Mr. Kilmer (for himself, Mr. Hollingsworth, Mrs. Axne, Mr. Meeks, Mr. Quigley, Mr. Case, Mrs. Torres of California, Mr. Taylor, Ms. Herrera Beutler, Ms. Foxx, and Mr. Fitzpatrick) introduced the following bill; which was referred to the Committee on Financial Services
SEC. 2. PURPOSE.

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

SEC. 3. LAND USE PLAN.

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

“(n) Plan To Track Discriminatory Land Use Policies.—

“(1) In general.—Prior to receipt in any fiscal year of a grant from the Secretary under subsection (b), (d)(1), or (d)(2)(B) of section 106, each recipient shall have prepared and submitted, not less frequently than once during the preceding 5-year period, in accordance with this subsection and in such standardized form as the Secretary shall, by regulation, prescribe, with respect to each land use policy described in paragraph (2) that is applicable to the jurisdiction served by the recipient, a description of—

“(A) whether the recipient has already adopted the policy in the jurisdiction served by the recipient;
“(B) the plan of the recipient to implement
the policy in that jurisdiction; or
“(C) the ways in which adopting the policy
will benefit the jurisdiction.
“(2) LAND USE POLICIES.—The policies de-
scribed in this paragraph are as follows:
“(A) Enacting high-density single-family
and multifamily zoning.
“(B) Expanding by-right multifamily zoned
areas.
“(C) Allowing duplexes, triplexes, or
fourplexes in areas zoned primarily for single-
family residential homes.
“(D) Allowing manufactured homes in
areas zoned primarily for single-family residen-
tial homes.
“(E) Allowing multifamily development in
retail, office, and light manufacturing zones.
“(F) Allowing single-room occupancy de-
velopment wherever multifamily housing is al-
lowed.
“(G) Reducing minimum lot size.
“(H) Ensuring historic preservation re-
quirements and other land use policies or re-
quirements are coordinated to encourage cre-
ation of housing in historic buildings and historic districts.

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


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

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

“(M) Ensuring impact and utility investment fees accurately reflect required infrastructure needs and related impacts on housing affordability are otherwise mitigated.

“(N) Allowing prefabricated construction.

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

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

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

“(R) Allowing accessory dwelling units, including detached accessory dwelling units, on all lots with single-family homes.
“(S) Establishing density bonuses.

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

“(U) Using property tax abatements to enable higher density and mixed-income communities.

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

“(3) Effect of Submission.—A submission under this subsection shall not be binding with respect to the use or distribution of amounts received under section 106.

“(4) Acceptance or Nonacceptance of Plan.—The acceptance or nonacceptance of any plan submitted under this subsection in which the information required under this subsection is provided is not an endorsement or approval of the plan, policies, or methodologies, or lack thereof.”.

(b) Effective Date.—The requirements under subsection (n) of section 104 of the Housing and Community Development Act of 1974 (42 U.S.C. 5304), as added by subsection (a), shall—

(1) take effect on the date that is 1 year after the date of enactment of this Act; and
(2) apply to recipients of a grant under subsection (b), (d)(1), or (d)(2)(B) of section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306) before, on, and after such date.