

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3507
OFFERED BY MR. FLOOD OF NEBRASKA

Strike all after the enacting clause and insert the following:

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 AND REDUCE DISCRIMINATORY
15 LAND USE 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

1 recipient shall have prepared and submitted, not less
2 frequently than once during the preceding 5-year pe-
3 riod, in accordance with this subsection and in such
4 standardized form as the Secretary shall, by regula-
5 tion, prescribe, with respect to each land use policy
6 described in paragraph (2) that is applicable to the
7 jurisdiction served by the recipient, a description
8 of—

9 “(A) whether the recipient has already
10 adopted the policy in the jurisdiction served by
11 the recipient;

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

14 “(C) the ways in which adopting the policy
15 will benefit the jurisdiction.

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

18 “(A) Enacting high-density single-family
19 and multifamily zoning.

20 “(B) Expanding by-right multifamily zoned
21 areas.

22 “(C) Allowing duplexes, triplexes, or
23 fourplexes in areas zoned primarily for single-
24 family residential homes.

1 “(D) Allowing manufactured homes in
2 areas zoned primarily for single-family residen-
3 tial homes.

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

6 “(F) Allowing single-room occupancy de-
7 velopment wherever multifamily housing is al-
8 lowed.

9 “(G) Reducing minimum lot size.

10 “(H) Ensuring historic preservation re-
11 quirements and other land use policies or re-
12 quirements are coordinated to encourage cre-
13 ation of housing in historic buildings and his-
14 toric districts.

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

17 “(J) Creating transit-oriented development
18 zones.

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

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

24 “(M) Ensuring impact and utility invest-
25 ment fees accurately reflect required infrastruc-

1 ture needs and related impacts on housing af-
2 fordability are otherwise mitigated.

3 “(N) Allowing prefabricated construction.

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

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

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

10 “(R) Allowing accessory dwelling units, in-
11 cluding detached accessory dwelling units, on all
12 lots with single-family homes.

13 “(S) Establishing density bonuses.

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

16 “(U) Using property tax abatements to en-
17 able higher density and mixed-income commu-
18 nities.

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

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

1 “(4) ACCEPTANCE OR NONACCEPTANCE OF
2 PLAN.—The acceptance or nonacceptance of any
3 plan submitted under this subsection in which the
4 information required under this subsection is pro-
5 vided is not an endorsement or approval of the plan,
6 policies, or methodologies, or lack thereof.”.

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

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

13 (2) apply to recipients of a grant under sub-
14 section (b), (d)(1), or (d)(2)(B) of section 106 of the
15 Housing and Community Development Act of 1974
16 (42 U.S.C. 5306) before, on, and after such date.

