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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To direct the Secretary of Housing and Urban Development, acting through the Assistant Secretary for Policy Development and Research, to publish guidelines and best practices for State zoning and local zoning frameworks, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. FLOOD introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the Secretary of Housing and Urban Development, acting through the Assistant Secretary for Policy Development and Research, to publish guidelines and best practices for State zoning and local zoning frameworks, 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 “Housing Supply and
5 Innovation Frameworks Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the followings:

3 (1) As of 2022 in the United States, there was
4 an estimated housing shortage of 3,850,000 homes.
5 This housing supply shortage has resulted in a
6 record number of cost-burdened households across
7 regions and spanning the large and small cities,
8 towns, and coastal and rural communities of the
9 United States.

10 (2) Several factors contribute to the under-
11 supply of housing in the United States, particularly
12 workforce housing, including rising costs of con-
13 struction, a shortage of labor, supply chain disrup-
14 tions, and a lack of reliable funding sources.

15 (3) Regulatory barriers at the State and local
16 levels, such as zoning and land use regulations, also
17 inhibit the creation of new housing to meet local and
18 regional housing needs.

19 (4) State and local governments are proactively
20 exploring solutions for reforming regulatory barriers,
21 but additional resources, data, and models can help
22 adequately address these challenges.

23 (5) While land use regulation is the responsi-
24 bility of State and local governments, there is Fed-
25 eral support for necessary reforms, and there is an
26 opportunity for the Federal Government to provide

1 support and assistance to State and local govern-
2 ments that wish to undertake necessary reforms in
3 a manner that fits their communities' needs.

4 (6) Therefore, zoning ordinances or systems of
5 land use regulation that have the intent or effect of
6 restricting housing opportunities based on economic
7 status or income without interests that are substan-
8 tial, legitimate, nondiscriminatory and that outweigh
9 the regional need for housing are contrary to the re-
10 gional and national interest.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13 (1) AFFORDABLE HOUSING.—The term “afford-
14 able housing” means housing in which the occupant
15 is paying no more than 30 percent of gross income
16 for housing costs.

17 (2) ASSISTANT SECRETARY.—The term “Assist-
18 ant Secretary” means the Assistant Secretary for
19 Policy Development and Research of the Depart-
20 ment of Housing and Urban Development.

21 (3) FRAMEWORK-RELATED TERMS.—

22 (A) LOCAL ZONING FRAMEWORK.—The
23 term “local zoning framework” means the local
24 zoning codes and other ordinances, procedures,

1 and policies governing zoning and land-use at
2 the local level.

3 (B) STATE ZONING FRAMEWORK.—The
4 term “State zoning framework” means the
5 State legislation or State agency and depart-
6 ment procedures, or such legislation or proce-
7 dures in an insular area of the United States,
8 enabling local planning and zoning authorities
9 and establishing and guiding related policies
10 and programs.

11 (4) SECRETARY.—The term “Secretary” means
12 the Secretary of Housing and Urban Development.

13 **SEC. 4. GUIDELINES ON STATE AND LOCAL ZONING FRAME-**
14 **WORKS.**

15 (a) ESTABLISHMENT.—Not later than 3 years after
16 the date of enactment of this section, the Assistant Sec-
17 retary shall publish documents outlining guidelines and
18 best practices to support production of adequate housing
19 to meet the needs of communities and provide housing op-
20 portunities for individuals at every income level across
21 communities with respect to—

22 (1) State zoning frameworks; and

23 (2) local zoning frameworks.

24 (b) CONSULTATION; PUBLIC COMMENT.—During the
25 one year period beginning on the date of enactment of this

1 section, in developing the guidelines and best practices re-
2 quired under the previous subsection, the Assistant Sec-
3 retary shall—

4 (1) publish draft guidelines in the Federal Reg-
5 ister for public comment; and

6 (2) establish a task force for the purpose of
7 providing consultation to draft guidelines published
8 under the previous clause, the members of which
9 shall include—

10 (A) planners and architects;

11 (B) advocates with experience in affordable
12 housing, community development efforts, and
13 fair housing;

14 (C) housing developers, including afford-
15 able and market-rate housing developers, manu-
16 factured housing developers, and other business
17 interests;

18 (D) community engagement experts and
19 community members impacted by zoning deci-
20 sions;

21 (E) public housing authorities and transit
22 authorities;

23 (F) members of local zoning and planning
24 boards and local and regional transportation
25 planning organizations;

1 (G) State officials responsible for housing
2 or land use, including members of State zoning
3 boards of appeals;

4 (H) academic researchers; and

5 (I) home builders.

6 (c) CONTENTS.—The guidelines and best practices
7 required under subsection (a) shall—

8 (1) with respect to State zoning frameworks,
9 outline potential models for updated State enabling
10 legislation or State agency and department proce-
11 dures;

12 (2) include recommendations regarding—

13 (A) the reduction or elimination of parking
14 minimums;

15 (B) the increase in maximum floor area
16 ratio requirements and maximum building
17 heights and the reduction in minimum lot sizes
18 and set-back requirements;

19 (C) the elimination of restrictions against
20 accessory dwelling units;

21 (D) increasing by-right uses, including du-
22 plex, triplex, or quadplex buildings, across cities
23 or metropolitan areas, including mechanisms,
24 such as proximity to transit, to determine the
25 jurisdictional level for rezoning and ensures de-

1 velopment that does not disproportionately bur-
2 den residents of economically distressed areas;

3 (E) review of by-right development pro-
4 posals to streamline review and reduce uncer-
5 tainty, including—

6 (i) nondiscretionary, ministerial re-
7 view; and

8 (ii) entitlement and design review
9 processes;

10 (F) the reduction of obstacles to a range of
11 housing types at all levels of affordability, in-
12 cluding manufactured and modular housing;

13 (G) State model zoning regulations for di-
14 recting local reforms, including mechanisms to
15 encourage adoption;

16 (H) provisions to encourage transit-ori-
17 ented development, including increased permis-
18 sible units per structure and reduced minimum
19 lot sizes near existing or planned public transit
20 stations;

21 (I) potential reforms to the public engage-
22 ment process, including—

23 (i) meaningful access for persons with
24 limited English proficiency and effective

1 communication improvements for persons
2 with disabilities;

3 (ii) leveraging of virtual meeting tech-
4 nologies; and

5 (iii) proactive outreach in commu-
6 nities;

7 (J) reforms to protest petition statutes;

8 (K) the standardization, reduction, or
9 elimination of impact fees;

10 (L) cost effective and appropriate building
11 codes;

12 (M) models for community benefit agree-
13 ments;

14 (N) mechanisms to preserve affordability,
15 limit disruption of low-income communities, and
16 prevent displacement of existing residents;

17 (O) with respect to State zoning frame-
18 works, a model for a State zoning appeals proc-
19 ess, which would—

20 (i) create a process for developers or
21 builders requesting a variance, conditional
22 use, or zoning district change or otherwise
23 petitioning a local zoning or planning
24 board for a project including a State-de-
25 fined amount of affordable housing to ap-

1 peal a rejection to a State body or regional
2 body empowered by the State;

3 (ii) establish qualifications for com-
4 munities to be exempted from the appeals
5 process based on their available stock of
6 affordable housing; and

7 (iii) establish a State zoning appeals
8 board to consider appeals to a variance re-
9 jection and objectively evaluate petitions
10 based on the potential for environmental
11 damage and infrastructural capacity;

12 (P) with respect to State zoning frame-
13 works, best practices on the disposition of land
14 owned by State governments for affordable
15 housing development;

16 (Q) with respect to local zoning frame-
17 works—

18 (i) the simplification and standardiza-
19 tion of existing zoning codes;

20 (ii) maximum review timelines;

21 (iii) differentiations between best
22 practices for rural, suburban, and urban
23 communities, and communities with dif-
24 ferent levels of density or population dis-
25 tribution; and

1 (iv) best practices for the disposition
2 of land owned by local governments; and

3 (R) other land use measures that promote
4 access to new housing opportunities identified
5 by the Secretary; and

6 (3) consider—

7 (A) local housing needs, including ways to
8 set and measure housing goals and targets;

9 (B) a range of affordability for rental
10 units, with a prioritization of units attainable to
11 extremely low-income, low-income, and mod-
12 erate income residents;

13 (C) a range of affordability for homeown-
14 ership units attainable to low-income and mod-
15 erate-income residents;

16 (D) with respect to State zoning frame-
17 works, distinctions between States providing
18 constitutional or statutory home rule authority
19 to municipalities and States operating under
20 the Dillon rule, as articulated in *Hunter v.*
21 *Pittsburgh* (207 U.S. 161 (1907));

22 (E) accountability measures;

23 (F) the long-term cost to residents and
24 businesses if more housing is not constructed;

1 (G) barriers to individuals seeking to ac-
2 cess affordable housing in growing communities
3 and communities with economic opportunity;

4 (H) consistency with respect to fair hous-
5 ing and civil rights requirements;

6 (I) effects of adopting any recommenda-
7 tions on eligibility for Federal discretionary
8 grants under the Department of Housing and
9 Urban Development, the Department of Trans-
10 portation, and the Department of Agriculture,
11 and tax credits for the purpose of housing or
12 community development;

13 (J) coordination between infrastructure in-
14 vestments and housing planning;

15 (K) with respect to State zoning frame-
16 works, statewide mechanisms to preserve exist-
17 ing affordability over the long term, including
18 support for land banks and community land
19 trusts;

20 (L) with respect to State zoning frame-
21 works, guidance to States on collecting and
22 maintaining proactive data on the current rent-
23 al housing market and rental registries;

24 (M) public comments described in sub-
25 section (b)(1); and

1 (N) other considerations as identified by
2 the Secretary.

3 **SEC. 5. REPORTING.**

4 Not later than 2 years after the date on which the
5 Assistant Secretary publishes the guidelines and best prac-
6 tices for State and local zoning frameworks, the Assistant
7 Secretary shall submit to Congress a report describing—

8 (1) the States that have adopted recommenda-
9 tions from the guidelines and best practices, pursu-
10 ant to section 4 of this Act;

11 (2) a summary of the localities that have adopt-
12 ed recommendations from the guidelines and best
13 practices, pursuant to Section 4 of this Act;

14 (3) a list of States that adopted a State zoning
15 framework;

16 (4) a summary of the modifications that each
17 State has made in their State zoning framework;
18 and

19 (5) a general summary of the types of updates
20 localities have made to their local zoning framework.

21 **SEC. 6. ABOLISHMENT OF REGULATORY BARRIERS CLEAR-**
22 **INGHOUSE.**

23 (a) IN GENERAL.—The Regulatory Barriers Clear-
24 inghouse established pursuant to section 1205 of the

1 Housing and Community Development Act of 1992 (42
2 U.S.C. 12705d) is abolished.

3 (b) REPEAL.—Section 1205 of the Housing and
4 Community Development Act of 1992 (42 U.S.C. 12705d)
5 is repealed.

6 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

7 There is authorized to be appropriated to the Sec-
8 retary of Housing and Urban Development to carry out
9 this Act \$3,000,000 for each of fiscal years 2026 through
10 2030.