

1 ~~under section 811 of the Cranston-Gonzalez~~
2 ~~National Affordable Housing Act (42 U.S.C.~~
3 ~~8013), a private nonprofit organization, as de-~~
4 ~~finied under subsection (k)(6) of that section.~~

5 **SEC. 107. HOUSING SUPPLY FRAMEWORKS.**

6 (a) DEFINITIONS.—In this section:

7 (1) AFFORDABLE HOUSING.—The term “afford-
8 able housing” means housing for which the monthly
9 payment is not more than 30 percent of the monthly
10 income of the household.

11 (2) ASSISTANT SECRETARY.—The term “Assist-
12 ant Secretary” means the Assistant Secretary for
13 Policy Development and Research of the Depart-
14 ment of Housing and Urban Development.

15 (3) LOCAL ZONING FRAMEWORK.—The term
16 “local zoning framework” means the local zoning
17 codes and other ordinances, procedures, and policies
18 governing zoning and land-use at the local level.

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

21 (5) STATE ZONING FRAMEWORK.—The term
22 “State zoning framework” means the State legisla-
23 tion or State agency and department procedures, or
24 such legislation or procedures in an insular area of
25 the United States, enabling local planning and zon-

1 ing authorities and establishing and guiding related
2 policies and programs.

3 (b) GUIDELINES ON STATE AND LOCAL ZONING
4 FRAMEWORKS.—

5 (1) IN GENERAL.—Not later than 3 years after
6 the date of enactment of this Act, the Assistant Sec-
7 retary shall publish documents outlining guidelines
8 and best practices to support production of adequate
9 housing to meet the needs of communities and pro-
10 vide housing opportunities for individuals at every
11 income level across communities with respect to—

12 (A) State zoning frameworks; and

13 (B) local zoning frameworks.

14 (2) CONSULTATION; PUBLIC COMMENT.—Dur-
15 ing the 2-year period beginning on the date of enact-
16 ment of this Act, in developing the guidelines and
17 best practices required under paragraph (1), the As-
18 sistant Secretary shall—

19 (A) publish draft guidelines and best prac-
20 tices in the Federal Register for public com-
21 ment; and

22 (B) establish a task force for the purpose
23 of providing consultation to draft the guidelines
24 and best practices published under subpara-

1 graph (A), the members of which shall in-
2 clude—

3 (i) urban planners and architects;

4 (ii) housing developers, including af-
5 fordable and market-rate housing devel-
6 opers, manufactured housing developers,
7 cooperative housing developers, and other
8 business interests;

9 (iii) community engagement experts
10 and community members impacted by zon-
11 ing decisions;

12 (iv) public housing agencies and tran-
13 sit authorities;

14 (v) members of local zoning and plan-
15 ning boards and local and regional trans-
16 portation planning organizations;

17 (vi) State officials responsible for
18 housing or land use, including members of
19 State zoning boards of appeals;

20 (vii) academic researchers; and

21 (viii) home builders.

22 (3) CONTENTS.—The guidelines and best prac-
23 tices required under paragraph (1) shall—

24 (A) with respect to State zoning frame-
25 works, outline potential models for updated

1 State enabling legislation or State agency and
2 department procedures;

3 (B) include recommendations regarding—

4 (i) the reduction or elimination of
5 parking minimums;

6 (ii) the increase in maximum floor
7 area ratio requirements and maximum
8 building heights and the reduction in min-
9 imum lot sizes and set-back requirements;

10 (iii) the elimination of restrictions
11 against accessory dwelling units;

12 (iv) increasing by-right uses, including
13 duplex, triplex, or quadplex buildings,
14 across cities or metropolitan areas;

15 (v) mechanisms, including proximity
16 to transit, to determine the appropriate
17 scope for rezoning and ensure development
18 that does not disproportionately burden
19 residents of economically distressed areas;

20 (vi) provisions regarding review of by-
21 right development proposals to streamline
22 review and reduce uncertainty, including—

23 (I) nondiscretionary, ministerial
24 review; and

1 (II) entitlement and design re-
2 view processes;

3 (vii) the reduction of obstacles, regu-
4 latory or otherwise, to a range of housing
5 types at all levels of affordability, including
6 manufactured and modular housing;

7 (viii) State model zoning regulations
8 for directing local reforms, including mech-
9 anisms to encourage adoption;

10 (ix) provisions to encourage transit-
11 oriented development, including increased
12 permissible units per structure and re-
13 duced minimum lot sizes near existing or
14 planned public transit stations;

15 (x) potential reforms to strengthen
16 the public engagement process;

17 (xi) reforms to protest petition stat-
18 utes;

19 (xii) the standardization, reduction, or
20 elimination of impact fees;

21 (xiii) cost-effective and appropriate
22 building codes;

23 (xiv) models for community benefit
24 agreements;

1 (xv) mechanisms to preserve afford-
2 ability, limit disruption of low-income com-
3 munities, and prevent displacement of ex-
4 isting residents;

5 (xvi) with respect to State zoning
6 frameworks—

7 (I) State model codes for direct-
8 ing local reforms, including mecha-
9 nisms to encourage adoption;

10 (II) a model for a State zoning
11 appeals process, which would—

12 (aa) create a process for de-
13 velopers or builders requesting a
14 variance, conditional use, special
15 permit, zoning district change,
16 similar discretionary permit, or
17 otherwise petitioning a local zon-
18 ing or planning board for a
19 project, including a State-defined
20 amount of affordable housing to
21 appeal a rejection to a State body
22 or regional body empowered by
23 the State; and

24 (bb) establish qualifications
25 for communities to be exempted

1 from the appeals process based
2 on their available stock of afford-
3 able housing; and

4 (III) streamlining of State envi-
5 ronmental review policies;

6 (xvii) with respect to local zoning
7 frameworks—

8 (I) the simplification and stand-
9 ardization of existing zoning codes;

10 (II) maximum review timelines;

11 (III) best practices for the dis-
12 position of land owned by local gov-
13 ernments for affordable housing devel-
14 opment;

15 (IV) differentiations between best
16 practices for rural, suburban, and
17 urban communities, and communities
18 with different levels of density or pop-
19 ulation distribution; and

20 (V) streamlining of local environ-
21 mental review policies; and

22 (xviii) other land use measures that
23 promote access to new housing opportuni-
24 ties identified by the Secretary; and

25 (C) consider—

- 1 (i) the effects of adopting any rec-
2 ommendation on eligibility for Federal dis-
3 cretionary grants and tax credits for the
4 purpose of housing or community develop-
5 ment;
- 6 (ii) coordination between infrastruc-
7 ture investments and housing planning;
- 8 (iii) local housing needs, including
9 ways to set and measure housing goals and
10 targets;
- 11 (iv) a range of affordability for rental
12 units, with a prioritization of units attain-
13 able to extremely low-, low-, and moderate-
14 income residents;
- 15 (v) a range of affordability for home-
16 ownership;
- 17 (vi) accountability measures;
- 18 (vii) the long-term cost to residents
19 and businesses if more housing is not con-
20 structed;
- 21 (viii) barriers to individuals seeking to
22 access affordable housing in growing com-
23 munities and communities with economic
24 opportunity;

1 (ix) with respect to State zoning
2 frameworks—

3 (I) distinctions between States
4 providing constitutional or statutory
5 home rule authority to municipalities
6 and States operating under the Dillon
7 Rule, as articulated in *Hunter v.*
8 *Pittsburgh*, 207 U.S. 161 (1907); and

9 (II) Statewide mechanisms to
10 preserve existing affordability over the
11 long term, including support for land
12 banks and community land trusts;

13 (x) public comments elicited under
14 paragraph (2)(A); and

15 (xi) other considerations, as identified
16 by the Assistant Secretary.

17 (c) ABOLISHMENT OF THE REGULATORY BARRIERS
18 CLEARINGHOUSE.—

19 (1) IN GENERAL.—The Regulatory Barriers
20 Clearinghouse established pursuant to section 1205
21 of the Housing and Community Development Act of
22 1992 (42 U.S.C. 12705d) is abolished.

23 (2) REPEAL.—Section 1205 of the Housing and
24 Community Development Act of 1992 (42 U.S.C.
25 12705d) is repealed.

1 (d) REPORTING.—Not later than 5 years after the
2 date on which the Assistant Secretary publishes the final
3 guidelines and best practices for State and local zoning
4 frameworks under this section, the Assistant Secretary
5 shall submit to Congress a report describing—

6 (1) the States that have adopted recommenda-
7 tions from the guidelines and best practices, pursu-
8 ant to subsection (b);

9 (2) a summary of the localities that have adopt-
10 ed recommendations from the guidelines and best
11 practices, pursuant to subsection (b);

12 (3) a list of States that adopted a State zoning
13 framework;

14 (4) a summary of the modifications that each
15 State has made in their State zoning framework;

16 (5) a general summary of the types of updates
17 localities have made to their local zoning framework;

18 (6) with respect to the States that have adopted
19 a State zoning framework or recommendations from
20 the guidelines and best practices, the effect of such
21 adoptions; and

22 (7) a summary of any recommendations that
23 were routinely not adopted by States or by localities.

24 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
25 tion may be construed to permit the Department of Hous-

1 ing and Urban Development to take an adverse action
2 against or fail to provide otherwise offered actions or serv-
3 ices for any State or locality if the State or locality de-
4 clines to adopt a guideline or best practice under sub-
5 section (b).

6 ~~**TITLE II—BUILDING MORE IN**~~
7 ~~**AMERICA**~~

8 ~~**SEC. 201. INCREASING HOUSING IN OPPORTUNITY ZONES.**~~

9 ~~(a) COVERED GRANT DEFINED.—In this section, the~~
10 ~~term “covered grant” means any competitive grant relat-~~
11 ~~ing to the construction, modification, rehabilitation, or~~
12 ~~preservation of housing, as determined by the Secretary~~
13 ~~of Housing and Urban Development.~~

14 ~~(b) PRIORITY.—When awarding a covered grant, the~~
15 ~~Secretary of Housing and Urban Development may give~~
16 ~~additional weight to applicants with proposed activities or~~
17 ~~projects that are located in or substantially and directly~~
18 ~~benefit a community designated as a qualified opportunity~~
19 ~~zone under section 1400Z-1 of the Internal Revenue Code~~
20 ~~of 1986.~~

21 ~~**SEC. 202. WHOLE-HOME REPAIRS ACT.**~~

22 ~~(a) DEFINITIONS.—In this section:~~

23 ~~(1) AFFORDABLE UNIT.—The term “affordable~~
24 ~~unit” means a unit for which the monthly rental~~
25 ~~payment is not more than 30 percent of the gross~~