

119TH CONGRESS  
1ST SESSION

# S. 1299

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.

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## IN THE SENATE OF THE UNITED STATES

APRIL 3, 2025

Ms. BLUNT ROCHESTER (for herself, Mr. CRAPO, Mr. FETTERMAN, and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## 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  
5 Frameworks Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

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

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

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

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

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

1       ments that wish to undertake necessary reforms in  
2       a manner that fits their communities' needs.

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

10 **SEC. 3. DEFINITIONS.**

11       In this Act:

12               (1) AFFORDABLE HOUSING.—The term “afford-  
13       able housing” means housing for which the monthly  
14       payment is not more than 30 percent of the monthly  
15       income of the household.

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

20               (3) LOCAL ZONING FRAMEWORK.—The term  
21       “local zoning framework” means the local zoning  
22       codes and other ordinances, procedures, and policies  
23       governing zoning and land-use at the local level.

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

1           (5) STATE ZONING FRAMEWORK.—The term  
2           “State zoning framework” means the State legisla-  
3           tion or State agency and department procedures, or  
4           such legislation or procedures in an insular area of  
5           the United States, enabling local planning and zon-  
6           ing authorities and establishing and guiding related  
7           policies and programs.

8   **SEC. 4. GUIDELINES ON STATE AND LOCAL ZONING FRAME-**  
9                                   **WORKS.**

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

17                   (1) State zoning frameworks; and

18                   (2) local zoning frameworks.

19          (b) CONSULTATION; PUBLIC COMMENT.—During the  
20 2 year period beginning on the date of enactment of this  
21 Act, in developing the guidelines and best practices re-  
22 quired under subsection (a), the Assistant Secretary  
23 shall—

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

1           (2) establish a task force for the purpose of  
2 providing consultation to draft guidelines published  
3 under paragraph (1), the members of which shall in-  
4 clude—

5                   (A) planners and architects;

6                   (B) advocates with experience in affordable  
7 housing, community development efforts, and  
8 fair housing;

9                   (C) housing developers, including afford-  
10 able and market-rate housing developers, manu-  
11 factured housing developers, and other business  
12 interests;

13                   (D) community engagement experts and  
14 community members impacted by zoning deci-  
15 sions;

16                   (E) public housing authorities and transit  
17 authorities;

18                   (F) members of local zoning and planning  
19 boards and local and regional transportation  
20 planning organizations;

21                   (G) State officials responsible for housing  
22 or land use, including members of State zoning  
23 boards of appeals;

24                   (H) academic researchers; and

25                   (I) home builders.

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

3 (1) with respect to State zoning frameworks,  
4 outline potential models for updated State enabling  
5 legislation or State agency and department proce-  
6 dures;

7 (2) include recommendations regarding—

8 (A) the reduction or elimination of parking  
9 minimums;

10 (B) the increase in maximum floor area  
11 ratio requirements and maximum building  
12 heights and the reduction in minimum lot sizes  
13 and set-back requirements;

14 (C) the elimination of restrictions against  
15 accessory dwelling units;

16 (D) increasing by-right uses, including du-  
17 plex, triplex, or quadplex buildings, across cities  
18 or metropolitan areas;

19 (E) mechanisms, including proximity to  
20 transit, to determine the appropriate scope for  
21 rezoning and ensure development that does not  
22 disproportionately burden residents of economi-  
23 cally distressed areas;

1 (F) provisions regarding review of by-right  
2 development proposals to streamline review and  
3 reduce uncertainty, including—

4 (i) nondiscretionary, ministerial re-  
5 view; and

6 (ii) entitlement and design review  
7 processes;

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

11 (H) State model zoning regulations for di-  
12 recting local reforms, including mechanisms to  
13 encourage adoption;

14 (I) provisions to encourage transit-oriented  
15 development, including increased permissible  
16 units per structure and reduced minimum lot  
17 sizes near existing or planned public transit sta-  
18 tions;

19 (J) potential reforms to the public engage-  
20 ment process, including—

21 (i) meaningful access for persons with  
22 limited English proficiency and effective  
23 communication improvements for persons  
24 with disabilities;

1                   (ii) leveraging of virtual meeting tech-  
2                   nologies; and

3                   (iii) proactive outreach in commu-  
4                   nities;

5                   (K) reforms to protest petition statutes;

6                   (L) the standardization, reduction, or  
7                   elimination of impact fees;

8                   (M) cost effective and appropriate building  
9                   codes;

10                  (N) models for community benefit agree-  
11                  ments;

12                  (O) mechanisms to preserve affordability,  
13                  limit disruption of low-income communities, and  
14                  prevent displacement of existing residents;

15                  (P) with respect to State zoning frame-  
16                  works—

17                       (i) State model codes for directing  
18                       local reforms, including mechanisms to en-  
19                       courage adoption;

20                       (ii) a model for a State zoning appeals  
21                       process, which would—

22                               (I) create a process for devel-  
23                               opers or builders requesting a vari-  
24                               ance, conditional use, special permit,  
25                               zoning district change, similar discre-



1           tionary permit, or otherwise peti-  
2           tioning a local zoning or planning  
3           board for a project including a State-  
4           defined amount of affordable housing  
5           to appeal a rejection to a State body  
6           or regional body empowered by the  
7           State;

8           (II) establish qualifications for  
9           communities to be exempted from the  
10          appeals process based on their avail-  
11          able stock of affordable housing; and

12          (III) establish a State zoning ap-  
13          peals board to consider appeals to a  
14          discretionary permit rejection and ob-  
15          jectively evaluate petitions based on  
16          the potential for environmental dam-  
17          age and infrastructural capacity; and

18          (iii) best practices on the disposition  
19          of land owned by State governments for af-  
20          fordable housing development;

21          (Q) with respect to local zoning frame-  
22          works—

23                  (i) the simplification and standardiza-  
24                  tion of existing zoning codes;

25                  (ii) maximum review timelines;

1 (iii) best practices for the disposition  
2 of land owned by local governments for af-  
3 fordable housing development; and

4 (iv) differentiations between best prac-  
5 tices for rural, suburban, and urban com-  
6 munities, and communities with different  
7 levels of density or population distribution;  
8 and

9 (R) other land use measures that promote  
10 access to new housing opportunities identified  
11 by the Secretary; and

12 (3) consider—

13 (A) consistency with respect to fair hous-  
14 ing and civil rights requirements;

15 (B) the effects of adopting any rec-  
16 ommendation on eligibility for Federal discre-  
17 tionary grants provided by the Department of  
18 Housing and Urban Development, the Depart-  
19 ment of Transportation, and the Department of  
20 Agriculture, and tax credits for the purpose of  
21 housing or community development;

22 (C) coordination between infrastructure in-  
23 vestments and housing planning;

24 (D) local housing needs, including ways to  
25 set and measure housing goals and targets;

1 (E) a range of affordability for rental  
2 units, with a prioritization of units attainable to  
3 extremely low-income, low-income, and mod-  
4 erate-income residents;

5 (F) a range of affordability for homeown-  
6 ership units attainable to low-income and mod-  
7 erate-income residents;

8 (G) accountability measures;

9 (H) the long-term cost to residents and  
10 businesses if more housing is not constructed;

11 (I) barriers to individuals seeking to access  
12 affordable housing in growing communities and  
13 communities with economic opportunity;

14 (J) with respect to State zoning frame-  
15 works—

16 (i) distinctions between States pro-  
17 viding constitutional or statutory home  
18 rule authority to municipalities and States  
19 operating under the Dillon Rule, as articu-  
20 lated in *Hunter v. Pittsburgh*, 207 U.S.  
21 161 (1907);

22 (ii) statewide mechanisms to preserve  
23 existing affordability over the long term,  
24 including support for land banks and com-  
25 munity land trusts; and

1 (iii) guidance to States on collecting  
2 and maintaining proactive data on the cur-  
3 rent rental housing market and rental reg-  
4 istries;

5 (K) public comments described in sub-  
6 section (b)(1); and

7 (L) other considerations, as identified by  
8 the Secretary.

9 **SEC. 5. REPORTING.**

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

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

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

20 (3) a list of States that adopted a State zoning  
21 framework;

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

1           (5) a general summary of the types of updates  
 2           localities have made to their local zoning framework;  
 3           and

4           (6) of the States that have adopted a State zon-  
 5           ing framework or recommendations from the guide-  
 6           lines and best practices, the effect of such adoptions  
 7           on the number of building permits issued.

8   **SEC. 6. ABOLISHMENT OF REGULATORY BARRIERS CLEAR-**  
 9                           **INGHOUSE.**

10          (a) **IN GENERAL.**—The Regulatory Barriers Clear-  
 11          inghouse established pursuant to section 1205 of the  
 12          Housing and Community Development Act of 1992 (42  
 13          U.S.C. 12705d) is abolished.

14          (b) **REPEAL.**—Section 1205 of the Housing and  
 15          Community Development Act of 1992 (42 U.S.C. 12705d)  
 16          is repealed.

17   **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

18          There is authorized to be appropriated to the Sec-  
 19          retary to carry out this Act \$3,000,000 for each of fiscal  
 20          years 2026 through 2030.

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