



## Home Builders Association of Virginia

# A LEGACY OF MEMBERSHIP VALUE

## Unprecedented Legislative and Regulatory Success

### PASSED

### DEFEATED

2016	<ul style="list-style-type: none"> <li>*Significant and Meaningful reform of the Virginia Proffer System</li> <li>*Consolidation of SWM and E&amp;S Laws into a single permit in Virginia</li> <li>*Prohibition of HOA and COA consent Prior to issuance of a permit or license.</li> </ul>	<ul style="list-style-type: none"> <li>*Requirement for a 5 mile radius Traffic Impact Statement for all rezonings in NV.</li> <li>* Requirement for 18 month waiting period following Rezoning approval before land could be developed by-right.</li> </ul>
2015	<ul style="list-style-type: none"> <li>*Made Permanent the prohibition on localities to accept per-lot cash proffers until after final inspection.</li> <li>*New IRC education requirements on home inspectors of new homes &amp; new requirement of new inspectors to be certified.</li> <li>*Relaxed standards for BZA approval and balanced the BZA process between landowners and localities</li> </ul>	<ul style="list-style-type: none"> <li>*New DEQ Permit requirements for water wells in Eastern Virginia Region.</li> <li>*Requirement for landlords to install new door locks with each new tenant.</li> <li>*Permission for localities to use cash proffers for purchase of Development Rights in localities.</li> <li>*Continuous Open Space Requirements in conjunction with Cluster Development</li> </ul>
2014	<ul style="list-style-type: none"> <li>* Clarified that landowners in Virginia may seek Damages and Attorney's fees in a State Court, as outlined by the U.S. Supreme Court in the Koontz case (violations of the rational nexus test in rezonings).</li> <li>* Provide an Option of landowners to waive the preliminary plan approval process for small residential construction projects (50 residential lots or less).</li> <li>* Reduced the current 10-calendar day New Condominium Sales Contract Rescission Period to 5-calendar day.</li> </ul>	<ul style="list-style-type: none"> <li>* Planning District 8 (Northern Virginia) zoning ordinances provisions that limit the number of residential units with 500 square feet or less of living space to no more than 100 residential units per 100,000 population in a locality.</li> <li>* Adds Prince William County to the list of those localities with authority to establish service districts to impose taxes or assessments upon the owners of abutting property for the underground relocation of distribution lines.</li> <li>*Eliminated onerous provisions in the 2012</li> </ul>

**PASSED**

**DEFEATED**

\* Reduced VSMP permit fees for land disturbances of less than 5 acres for all Single family home Construction.

IECC for Single Family Homes that will save builders approximately \$2,138 for each new home constructed.

2013

\*Provides Condominium Developers an Efficient Path to Extending Declarant Control beyond 5 years.  
Limitation on Previously Unbridled Local Stormwater Regulatory Powers.  
\*Prohibition on use of Cash Proffers for Maintenance/Technology Upgrades.  
\*Clarified definition of Final Site Plan for purposes of Plan Validity.  
\*Set Aside Significant Increases in USBC Energy Efficiency Requirements, Saving over \$2,138 in cost of every new.

\*Broad Impact Fee Authority for Localities.  
Mechanics Lien Limitation for Suppliers/Subs.  
\*Limitation on Amendments to POA Declarations.  
\*Increase in Local Recordation Tax for Local Affordable Housing Initiatives.

2012

\*Prohibits a Zoning Administrator from reversing Determination after 60 days based on a non-discretionary error.  
\*Extends Per Lot Cash Proffer Payment delay until 2017.  
\*Extends validity of approved Land use plans until 2017.  
\*Removes authority of localities to enforce timing of Per Lot Cash Proffer Payments.  
\*Coordinated winning lawsuit in JCC prohibiting localities from accepting Per Lot Cash Proffers until after final Inspection until July 1, 2017.

\*Impact Fees at issuance of Building Permit for all new homes.  
\*No Reduction of Performance Bonds until streets are accepted into state system.  
\*Rezoning prohibited unless in compliance with local Comp Plan.  
Limitation on Mitigation Bank Flexibility.

2011

\*Traffic Impact Statements (TIS) Eliminated for By-Right Projects TIS & Connectivity Reg. Review by VDOT.  
\*Phosphorous Ban in Fertilizers  
\*Per-Lot Cash Proffer Payment Delay extended to 2015.  
\* BZA Appeal Notice Requirement.  
\*\$5,000 Tax Credit for Construction of Accessible Homes.

\*Repeal of UDA Statute.  
\*Mandatory Accessibility Standards.  
\*No Building Permits Until Streets Accepted into State System.  
\*FP Code to Fire Services BD.  
\*POA Management to Homeowners at 80% of Lot Sales.

**PASSED**

**DEFEATED**

- \*USBC Adopted W/O Sprinklers
- \*Balanced Stormwater Regulation Adopted

2010	<ul style="list-style-type: none"> <li>*Stormwater Regulation Suspension</li> <li>*Zoning Administrator Decisions to be Vested Right</li> <li>*BZA Appeal Fee Limited</li> <li>*Per-Lot Cash Proffer Payment Delay</li> </ul>	<ul style="list-style-type: none"> <li>*Green Building Code Mandate</li> <li>*Rollback Tax Extension</li> <li>*Mandatory Accessibility Standards for all new single family homes</li> </ul>
2009	<ul style="list-style-type: none"> <li>*Plan Validity Extension</li> <li>*Bond Administrative Fee Reduction</li> <li>*Alternative Septic System Local Denial Prohibition</li> <li>*Proffer Amendment Reform</li> </ul>	<ul style="list-style-type: none"> <li>*Road Impact Fee Limit/Commercial</li> <li>*Employee Home Access Background</li> <li>*APF/Impact Fees</li> <li>*Road Access Limits</li> <li>*CO Detectors Required</li> </ul>
2008	<ul style="list-style-type: none"> <li>*Phased Development Validity Clarification</li> </ul>	<ul style="list-style-type: none"> <li>*HBAV Proffer Reform * * * * *</li> <li>*Sprinkler Mandate</li> <li>*Road Impact Fee Limit/Family Sub</li> <li>*Proffers for PDR</li> </ul>
2007	<ul style="list-style-type: none"> <li>*3202 Road Imp Fee Exp/UDA</li> <li>*HBAV Blitz</li> <li>*Eminent Domain (HBAV)</li> <li>*Notice/Right to Cure/Condo's</li> <li>*Bond Requirement Reform</li> <li>*Limits on Phased Developments</li> </ul>	<ul style="list-style-type: none"> <li>*Education Impact Fees</li> <li>*New Home Sales Tax</li> <li>*APF/Impact Fees Powers for Localities</li> <li>*Kaine APF for Localities</li> <li>*Impact Fees Powers for Localities SLAPP Legislation APF Bob Marshall/Frederick</li> </ul>
2006	<ul style="list-style-type: none"> <li>*Notice/Right to Cure Subdivision Approval</li> <li>*Efficiency/Plans to State</li> <li>*Traffic Impact Analysis</li> <li>*E/S Clarification (Rolband)</li> <li>*TDR Powers for Localities</li> </ul>	<ul style="list-style-type: none"> <li>*APF Kaine</li> <li>*Impact Fees Powers for Localities</li> <li>*Subdivision Denial/Water Supply Shortage</li> <li>*APF Bob Marshall x 5 Public Services</li> <li>*Tree Preservation Requirements</li> </ul>
2005	<ul style="list-style-type: none"> <li>*Contractor Licensing Clarification</li> <li>*Proffer Reform/Construction Requirements</li> </ul>	<ul style="list-style-type: none"> <li>*Zoning Denial/Roads</li> <li>*10 Year Zoning Validation</li> <li>*Impact Fees</li> <li>*Road Impact Fees</li> <li>*APF x 5</li> </ul>
2004	<ul style="list-style-type: none"> <li>*Revenue Bonds/Cash Proffers</li> <li>*Cash Proffer Disclosure</li> <li>*Warner Tax Increase for Education</li> </ul> <p style="text-align: center;"><b>PASSED</b></p>	<ul style="list-style-type: none"> <li>*B Marshall Plan/APF</li> <li>*Subdivision Denial/Water Supply Limits</li> <li>*Numerous Impact Fee Bills</li> </ul> <p style="text-align: center;"><b>DEFEATED</b></p> <ul style="list-style-type: none"> <li>*Zoning Denial/Level of Service</li> <li>*Henrico Road Impact Fees</li> <li>*Pre/Dev Tree Conservation Requirements</li> </ul>

2003	<ul style="list-style-type: none"> <li>*Subdivision Approval Efficiencies</li> <li>*Cash Proffer Disclosure</li> <li>*Comp Plan Affordable Housing</li> </ul>	<ul style="list-style-type: none"> <li>*B. Marshall APF x 7 Public Services</li> <li>*Water Connection Denial</li> <li>*Impact Fees</li> <li>*Zoning Denial/Water Resources</li> </ul>
2002	<ul style="list-style-type: none"> <li>*Bond Limits to Public Facilities</li> <li>*Mail Notification to Landowners on text Amendments</li> <li>*5 Year Validity of Subdivision Plats</li> <li>*Bond Release Inspection Limits</li> </ul>	<ul style="list-style-type: none"> <li>*APF</li> <li>*Impact Fees</li> <li>*Building Permit Caps for Localities</li> <li>*By-Right Denial because of</li> <li>*Lighting Levels</li> </ul>
2001	<ul style="list-style-type: none"> <li>*USBC Strengthening</li> <li>*Proffer Disclosure Requirements on Localities</li> <li>*Cluster Zoning Mandate</li> <li>*Prohibits State and Federal Duplication of Wetland Permits</li> </ul>	<ul style="list-style-type: none"> <li>*APF Powers for Localities</li> <li>*Impact Fees</li> <li>*Building Permit Caps</li> <li>*Stale Zoning Repeal</li> <li>*Expansion of Bay Act</li> </ul>
2000	<ul style="list-style-type: none"> <li>*Prohibition on SUP At Subdivision Plan Approval</li> </ul>	<ul style="list-style-type: none"> <li>*APF at Subdivision Level</li> <li>*Broad Impact Fees</li> <li>*Limits Vested Rights</li> <li>*Stale Zoning Repeal</li> <li>*Impact Fees by Referendum</li> </ul>
1999	<ul style="list-style-type: none"> <li>*Vested Rights Act</li> </ul>	<ul style="list-style-type: none"> <li>*APF for Subdivision Approval</li> <li>*50% limit on Bond Release until Project Completion</li> <li>*Downzoning Authorized by Change in Circumstance</li> <li>*Repeals Vested Rights Act</li> <li>*Limits Vested Rights Act</li> <li>*School Impact Fees</li> <li>*Annual Building Permit Limits</li> </ul>
1998	<ul style="list-style-type: none"> <li>*Requires water &amp; Sewer Fees to be Fair and Reasonable</li> </ul>	<ul style="list-style-type: none"> <li>*APF at Zoning Requirement</li> </ul>