

Date: 8/11/2016

City: Miami, FL

NAHB Recommendation

Title: Streamlining State and Local Permitting Requirements
Sponsor: Multifamily Council
Submitted by: Dan Markson

WHEREAS, the National Association of Home Builders (NAHB) recognizes that the need for workforce and affordable housing is a continuing concern in most communities;

WHEREAS, the reasons for this shortfall of workforce and affordable housing include costly and unnecessary regulations, comprehensive plans that do not sufficiently correlate projected job growth with housing need, zoning ordinances that limit the range of allowed housing types, growth controls that limit land supply, and lengthy and complex development approval processes;

WHEREAS, research indicates that inclusionary zoning is a complex market intervention requiring sophisticated administration by local governments that generally increases the price of market rate housing and is not effective in meeting housing demand and thus affordability;

WHEREAS, NAHB supports addressing housing affordability through the use of a competitive housing market that encourages and accommodates housing options for all income levels;

WHEREAS, NAHB supports the provision of affordable housing through a broad and comprehensive strategy to address housing affordability at the state and local level that closely examines the causes of that problem and relies on a variety of targeted approaches to address those causes, including direct income and housing subsidies, removal of zoning and regulatory barriers to provide for a sufficient number of housing units to meet projected growth, rather than relying primarily on mandatory inclusionary zoning;

WHEREAS, the type and location of housing constructed by NAHB members is influenced by both market forces and local zoning, as well as other local, state and federal laws, rules, regulations and programmatic requirements, including but not limited to, the Low Income Housing Tax Credit Program, Federal Housing Administration Mortgage Insurance, HOME Investment Partnerships Program, and the Community Development Block Grant Program;

WHEREAS, the National Association of Home Builders (NAHB) supports the goals of the Fair Housing Act, as amended, to protect individuals' ability to own or rent property free from discrimination and ensure that those individuals have equal access to housing, regardless of race, color, national origin, religion, sex, disability, and familial status;

WHEREAS, the U.S. Supreme Court has held that Fair Housing Act liability can be premised on discriminatory effects, in addition to discriminatory intent.

WHEREAS, the U.S. Department of Housing and Urban Development's (HUD) Affirmatively Furthering Fair Housing Rule seeks to promote housing choice for all Americans and to desegregate racially and economically segregated neighborhoods;

WHEREAS, despite obligations of state and local jurisdictions as recipients of HUD's HOME Investment Partnership grants and Community Development Block Grant funds to affirmatively further fair housing, NAHB builders continue experiencing vehement opposition from communities intent on preventing new construction in their neighborhoods;

WHEREAS, NAHB supports legislation and regulation that allows all individuals the opportunity to pursue their American Dream and seek the housing of their choice while allowing its' members to develop and build safe and affordable housing in all areas where it is needed;

WHEREAS, NAHB has urged federal, state, and local governments to take affirmative steps, both now and in the future, to reduce the cost of housing through reform of regulations that, directly or indirectly, adversely affect land use;

WHEREAS NAHB has urged state and local governments to establish streamlined and expedited permitting procedures, including "one stop" permit systems or ombudsmen, time limits on permit reviews and decisions; permit tracking systems that are accessible to applicants, and expedited land use appeals processes; and

WHEREAS several state legislatures have enacted laws to streamline the permitting process for affordable housing developments that may provide instructive models to overcome unfounded, subjective and possibly discriminatory policies, procedures and processes localities have used to block new residential construction,

NOW, THEREFORE, BE IT RECOMMENDED that NAHB staff conduct research and develop targeted resources to streamline the residential land use planning approval and permitting processes so that NAHB members can advocate at the state and/or local levels.

BE IT FURTHER RECOMMENDED that such resources be consistent with NAHB policies 2015.6 No. 4 Fair Housing Act Discrimination, 2010.4 No. 4 Inclusionary Zoning and 2010.4 No.3 NAHB Land Use Policy Statement.

BE IT FURTHER RECOMMENDED that such resources become part of NAHB's Affirmatively Furthering Fair Housing Toolkit for Members.

Board of Directors Action:	Approved
Executive Board Action:	Recommends Approval
Resolutions Committee Action:	Recommends Approval
Land Development Committee Action:	Recommends Approval
Housing Finance Committee Action:	Recommends Approval
State and Local Government Affairs Committee Action:	Recommends Approval
Multifamily Council Board of Trustees Action:	Recommends Approval

Cost Estimate Table

2016 Mid-Year Board Meeting

Recommendation No. 2

Title: Streamlining State and Local Permitting Requirements

Check one of the four boxes below:

- This recommendation requires additional budget appropriations, which will be presented and considered as part of NAHB's normal budget review process. The amount of the new budget request to be presented to the NAHB Budget Committee is _____.
- The above recommendation can be implemented using already approved budget and staff resources, but may require some shifting of priorities in terms of staff time and other resources. The preliminary cost estimates for implementing the above recommendation are (**bold** one):
 - Less than \$20,000.
 - Between \$20,000 and \$50,000.
 - Between \$50,000 and \$100,000.
 - More than \$100,000.
- Impractical to provide a preliminary cost estimate at this time.
- No cost implications.