

Resolution No. 3

Date: April 23, 2010

City: Washington, D.C.

NAHB Resolution

Title: NAHB Land Use Policy Statement
Original Sponsor: Land Development Committee

WHEREAS, the National Association of Home Builders recognizes the nation's desire to develop its land resources in a harmonious and environmentally acceptable manner;

WHEREAS, any land use policy must balance the basic human needs of a still expanding national population with legitimate public health, safety, welfare and environmental concerns;

WHEREAS, within that framework, housing opportunities for Americans at all income levels must be expanded and the freedom of housing choice must be assured; and

WHEREAS, there is a large body of evidence that the proliferation of regulations affecting land development has greatly increased the costs of creating new housing and, in some instances, violated property rights guaranteed under the U.S. Constitution,

NOW, THEREFORE, BE IT RESOLVED that the National Association of Home Builders urge the ongoing monitoring of all land use and environmental laws, regulations, rules, ordinances, policies, and review and approval procedures policies at all levels of government to ensure:

1. That a clear and compelling need for the regulation exists,
2. That land use regulations serve a reasonable need and complement national housing goals,
3. That standards are technologically feasible, cost effective and attainable,
4. That the benefit of the standards outweighs the cost,
5. That environmental rulings and regulations are predicated on the best scientific facts after peer review,
6. That the property owner's inherent property rights and reasonable use of the land are protected, and

BE IT FURTHER RESOLVED that to attain these goals, NAHB urge 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 affect land use,

BE IT FURTHER RESOLVED that NAHB urge state and local governments to do the following:

7. Review existing development regulations to determine their relevance to questions of health and safety, and amend or eliminate requirements that do not represent a legitimate public purpose in order to reduce land development costs and, ultimately, costs to the consumer,
8. Update land use plans regularly and ensure that implementing regulations also are updated and capital improvement programs developed that clearly link to those plans,
9. Recognize that certainty, stability, and predictability in the development approval process benefits both the public and the private sectors,
10. Show a commitment to implementing adopted plans and regulations and approve developments that comply with those, rather than relying on time-consuming and costly case-by-case reviews and citizen negotiations,
11. Allow for more minor amendments to applications to be handled administratively, and allow for extensions to development approvals and reduced fees based on fluctuating market conditions;
12. 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,
13. Allow, encourage, and incentivize more innovative developments such as cluster, infill, mixed use, higher density, and transit oriented development by offering procedural and financial incentives such as uses by right, expedited permitting, waived or reduced fees, tax credits, land aggregation, density bonuses, and alternate development standards.

Board of Directors Action:	Approved
Executive Board Action:	Recommends Approval
Resolutions Committee Action:	Recommends Approval
Environmental Issues Committee Action:	Recommends Approval
State and Local Government Affairs Committee Action:	Recommends Approval
Federal Government Affairs Committee Action:	Recommends Approval
Construction, Codes and Standards Committee Action:	Recommends Approval
Land Development Committee Action:	Recommends Approval
Land Use Policy Subcommittee of the Land Development Committee Action:	Recommends Approval