

Michael L. Toalson
Home Builders Association of Virginia

Presentation to
Joint Subcommittee Studying Development &
Land Use Tools

October 9, 2008



The Effect of Housing on the Economy



- Approximately 55 locally owned businesses involved in the construction of one house.
- New Homeowner spends an additional 15% of the home's value on furnishings and other items for the home.
- In 2005 nearly 50,000 new homes were constructed in Virginia.
- In 2008 only 20,700 homes are anticipated for construction.




**BIOHAZARD
WASTE**





Virginia  #1
Best State for Business | Ranking by Forbes.com



CapitalOne®

**Media
General**

MeadWestvaco



- Separation of homes, commercial and government services was encouraged and contributed to Urban Sprawl.

- Market factors are now driving development to mixed-use properties, eliminating the need for vehicle trips.





★ ★ ★ ★ ★ PENTAGON ROW

- Pentagon Row is a successful mixed-use development in Arlington, Virginia that combines residential, commercial and recreational opportunities all within walking distance of each other.

Property Rights



Constitution of Virginia

Article I, Section I Equality and Rights of Men

That all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, **with the means of acquiring and possessing property**, and pursuing and obtaining happiness and safety.

Article I, Section VI Free Elections. Consent of Governed

That all elections ought to be free; and that all men, having sufficient evidence of permanent common interest with, and attachment to, the community, have the right of suffrage, and **cannot be taxed, or deprived of, or damaged in, their property for public uses, without their own consent**, or that of their representatives duly elected, or bound by any law to which they have not, in like manner, assented for the public good.

Land Use Tools



Virginia has created one of the most elaborate land use policy structures in the nation. At the disposal of localities are:

- Comprehensive Plans
- Zoning Ordinances
- Subdivision Plans
- Proffers
- Impact Fees
- Special Use Permits
- Transfer of Development Rights
- Urban Development Areas



Consumer Choice in Housing





HBAV Reaction to UDAs

- The Requirement to sufficiently plan for projected population growth and commercial growth for between 10 and 20 years. HBAV does believe that the planning time period should be 20 years.
- HBAV supports the requirement of reasonable compact development of at least four residential units to the acre and the minimum floor area ratio of 0.4 for commercial development.
- HBAV strongly supports the requirement for the UDA area to be revised every five years and would suggest the “if necessary” language of the statute be deleted.
- In your concept of new urbanism in Section B. of the UDA statute you need to recognize that connectivity between existing neighborhoods and new neighborhoods will not be achieved unless such connectivity is required by the state.
- In that same new urbanism section (Section B.) you should recognize it will be all but impossible for localities to allow for a reduction in subdivision street widths and smaller turning radii unless you mandate that requirement.
- HBAV believes Section E. should be deleted or significantly revised.
- HBAV believes there should be consequences for localities who fail to comply with statutory requirement to establish a legitimate UDA.

HBAV Guiding Principles to Infrastructure Funding

- The proffer system is out of control. It lacks accountability and is excessive and unreasonable in many areas of the Commonwealth.
- The cost of new and existing homes is too high; partly because of the out of control proffer system.
- The out of control proffer system is affecting the ability of hard-working Virginians to live in safe, decent and affordable housing.
- There is a need to repeal or reform the current proffer system.
- We recognize that business expansion and resultant population growth contribute to increased demands on public infrastructure; that new housing follows that expansion and growth; and, therefore, all home purchasers have some additional responsibility to contribute to capital improvements made necessary by such expansion and growth.
- There is an immediate need to establish a method to fund these capital improvements made necessary by this increased demand for public infrastructure, which must be founded on principles of fairness and accountability.

Thank You

Questions?

Michael L. Toalson
Executive Vice President
Home Builders Association of
Virginia
707 East Franklin Street
Richmond, Virginia 23219
(804) 643-2797
mltoalson@hbav.com
www.hbav.com

