



WHERE WE STAND

(Approved as revised by the HBA of Greater Cincinnati Board of Directors, 3/4/21)

The following are the 2021 advocacy priorities of the Home Builders Association of Greater Cincinnati (HBA). For more information, please contact Dan Dressman, Executive Director, ddressman@cincybuilders.com.

Environmental & Energy Regulations

The HBA supports a common sense, scientific approach to safeguarding the environment that reasonably balances the protection of endangered species, clean air, and clean water, with the need to allow local communities to grow and thrive both geographically and economically to support all Americans in attaining their American Dream.

Our members strive to be good stewards of the environment. One area in which the HBA has taken affirmative action in this regard is the Green Building Initiative, which encourages builders to utilize green methods and materials.

However, our members are consistently facing onerous and unnecessary regulations from the EPA, Army Corp of Engineers, Fish & Wildlife Service, and other federal, state, and local agencies.

Examples of these regulations include:

- The EPA's Waters of the U.S. (WOTUS) regulation would expand the Clean Water Act by classifying ditches and detention basins as navigable waters of the U.S. and thus subject to federal regulation. This rule will increase the federal government's role in local land use and increase residential construction costs. The State of Ohio has more recently expanded these regulations to include "Waters of the State," effectively expanding the Federal rules and limiting and adding new housing costs.
- The Fish & Wildlife Service (FWS) has placed the northern long-eared bat on the endangered species list and the Indiana Bat. These listings add significant restrictions on residential development re, even though the FWS acknowledges that residential development has little impact on bat habitats.
- The Army Corps of Engineers is lengthening the amount of time, effort, and expense required to obtain nationwide permits' approvals. The agency is also allowing the permitting process to be muddled by speculative historic preservation initiatives.
- The U.S. Postal Service requires gang mailboxes in all new residential communities, which adversely impacts site planning, safety, and disabled persons forced to leave their homes to pick-up mail.

We oppose those regulations that do not meet the common sense, scientific, and reasonable balance test, including economic impact.

We also support reasonable energy efficiency standards but are concerned about new standards that are not cost-effective for homeowners, including such new standards that affect home appliances such as hot water heaters, furnaces, and air conditioners, and the discussion prohibiting fossil fuels as energy resources in new home construction.

Comprehensive Planning & Local Restrictions

The HBA supports good, sound planning for communities to ensure a livable community that reflects the lifestyle choices of community residents, a wide range of housing choices, and a reasonable balance of residential, commercial, and employment-based development is necessary for a thriving community. We support fair and equal housing opportunities for all persons regardless of race, ethnicity, religious affiliation, age, disability, or sexual preference.

We are concerned with several common initiatives inherent in comprehensive planning for a community and is often included in zoning texts.

- Restrictions on housing choices, which can disproportionately affect protected classes and overall affordability.
- Architectural design restrictions that mandate to homeowners how their home should look, what materials to use, and what landscaping to install, which can disproportionately affect protected classes and overall affordability.
- Lot size requirements that restrict the development of certain types of neighborhoods.
- Restrictions on the use of cul-de-sacs in communities.
- Restrictions that drive up the costs of housing, thus impacting housing affordability.
- Lack of planning for roads, infrastructure, and schools.
- The limitation on the extension of sewer and water.
- Mandating inclusionary low-income housing in market-rate residential developments, which may be at odds with project marketability and smart investment.

There are also other local regulations that can add to the costs of housing.

- Requiring the use of certain types of materials in development (e.g., backfill around pipes) when viable and more cost-effective alternatives are available.
- Requiring soil and water conservation methods that are more than necessary to protect natural resources.
- Inspection and permitting delays and inconsistency.
- Requiring union contracting on public utilities work.
- Signage restrictions

We encourage all local jurisdictions to collaborate with our members concerning regulations impacting the building industry to ensure legitimate local government objectives are met in a cost-effective and reasonable manner.

Building Codes & State Regulations

On the state level, four significant issues are of concern to the HBA.

- We oppose efforts to license or register home builders and home improvement contractors.
- We support efforts to allow townships to approve annexations of township fee-owned property but oppose measures that would effectively eliminate Type II annexations.
- We oppose mandatory radon testing, which often is misleading. Instead, homeowners should determine whether they want to test.
- We support exemptions from lead paint remediation for homeowners who do not have children or pregnant women living in a home.

There are several areas of concern regarding the state building code (Residential Code of Ohio).

- We support the statewide implementation of the statewide building code. Currently, 33 counties do not enforce the statewide building code or have a building department.
- We oppose mandatory residential sprinklers. They can be expensive and difficult to maintain while posing threats of property damage if accidentally activated or not adequately maintained. The decision should be left to the homeowner.
- We oppose code changes that would dramatically alter residential home designs and support requiring that code changes undergo a study to determine the impact on housing affordability and ease of implementation.

Taxes & Fees

The HBA is concerned that federal, state, and local taxes and fees are too high and negatively impact the home building industry.

We oppose efforts to raise local, state, and federal revenue from our members when these efforts have a negative economic impact or are disproportionately applied to our members.

- We oppose impact fees for roads, sewers, schools, and other community improvements that should be borne by the community as a whole.
- We oppose expanding the sales tax to common business-to-business transactions.
- We oppose increasing the CAT tax, which falls disproportionately on small businesses.
- We propose that permit, inspection, and plan review fees should be commensurate with staff time and expertise needed for review. Local jurisdictions should acknowledge that reviews are for the benefit of the citizens.
- We support the continuation of the mortgage interest and property tax deductions.
- We support local tax abatements that encourage Green development and visitability certified homebuilding.