

ISSUE #1

MARKUP #1 ->

**Section 1: [Purchaser's Handbook / ARC Standards, Section 7.11] Electric Vehicle Charging Stations Prohibition on Ex**

Electric vehicle charging stations and related pedestals or wall-mounted charging equipment must be installed entirely inside an enclosed garage and may not be installed on the exterior of any residence, driveway, or parking pad visible from any street or adjacent Lot.



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

**Sec. Purchaser's Handbook / ARC Standards, Section 7.11 (p. 1): Renewable Energy, EV Charging, Standby Generator, Hurricane Protection, Drought Landscaping, or OTARD Conflict: Clause restricts street-facing solar collectors, EV charging stations, standby generators, hurricane shutters, drought-tolerant xeriscaping, gardens, clotheslines, or wildfire defensible space in conflict with VA law.**

Statutory / Legal Reference: Va. Code §§ 55.1-1820.1 (Solar) & 55.1-1823.1 / 55.1-1962.1 (EV Charging); Va. Code Ann. §§ 55.1-1800 to 55.1-1836 (Virginia Property Owners' Association Act); 47 C.F.R. § 1.4000 (FCC OTARD Rule)  
Statutory Comparison: Under Va. Code §§ 55.1-1820.1 (Solar) & 55.1-1823.1 / 55.1-1962.1 (EV Charging); Va. Code Ann. §§ 55.1-1800 to 55.1-1836 (Virginia Property Owners' Association Act), covenants and architectural rules may not ban street-facing solar collectors where required for south/east/west orientation, prohibit EV charging stations in garages/driveways/carports, ban permanent standby generators or code-approved hurricane shutters, mandate irrigated turf in violation of water-wise landscaping statutes, or penalize wildfire defensible-space clearing.

**CURRENT WORDING IN DOCUMENT:**

[Purchaser's Handbook / ARC Standards, Section 7.11] Electric Vehicle Charging Stations Prohibition on Exterior Driveways - Electric vehicle charging stations and related pedestals or wall-mounted charging equipment must be installed entirely inside an enclosed garage and may not be installed on the exterior of any residence, driveway, or parking pad visible from any street or adjacent Lot.

**SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):**

**Amend Section Purchaser's Handbook / ARC Standards, Section 7.11 to permit solar energy systems (including street-facing orientations within statutory efficiency safe harbors), EV charging stations, standby generators, hurricane protection, water-wise xeriscaping, solar drying lines, and OTARD antennas in accordance with Va. Code §§ 55.1-1820.1 (Solar) & 55.1-1823.1 / 55.1-1962.1 (EV Charging); Va. Code Ann. §§ 55.1-1800 to 55.1-1836 (Virginia Property Owners' Association Act).**