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SENATE BILL NO. 1178

Offered January 8, 2025

Prefiled January 8, 2025

A BILL to amend the Code of Virginia by adding sections numbered 15.2-2223.6, 15.2-2292.3, and 36-139.9:1, relating to faith and housing; comprehensive plan; zoning; Department of Housing and Community Development.

Patrons—Hashmi, Salim, Srinivasan and Williams Graves; Delegate: McClure

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 15.2-2223.6, 15.2-2292.3, and 36-139.9:1 as follows:

§ 15.2-2223.6. Comprehensive plan; faith and housing.

Beginning July 1, 2025, a locality shall, during the next scheduled and all subsequent reviews of its comprehensive plan, as required in § 15.2-2230, incorporate into its comprehensive plan strategies to support affordable housing development by religious organizations.

Such strategies may include (i) increases in residential density on real estate owned by religious organizations as described in § 58.1-3617 that can be developed into affordable housing, (ii) streamlined or administrative approval processes for affordable housing developed on land owned by religious organizations, (iii) a designated staff person to assist faith communities developing affordable housing, and (iv) a rebuttable presumption that increased density shall be allowed on land owned by religious organizations.

§ 15.2-2292.3. Faith and housing; approval process.

A. Notwithstanding any other provision of law, general or special, any locality may by ordinance adopt a faith and housing program that creates an expedited or simplified zoning or approval process for religious organizations or property tax-exempt nonprofit organizations as articulated in § 58.1-3609 to develop or use their lands or facilities for affordable housing as defined in § 15.2-2201. The proposed ordinance shall be published in accordance with § 15.2-2204.

B. A locality that adopts an ordinance pursuant to this section:

1. Shall create a process to expedite the process for a religious organization or property tax-exempt nonprofit organization to develop affordable housing on its property. Such ordinance may include: (i) creating a zoning overlay district for all land owned by religious organizations or property tax-exempt nonprofit organizations to increase residential density, (ii) waiving or reducing fees related to the rezoning process, (iii) guaranteeing a fair review by the zoning commission and the local governing body within three months, and (iv) reducing by at least half the timeline associated with rezoning for religious organizations or property tax-exempt nonprofit organizations.

2. May request administrative support from the Department of Housing and Community Development (DHCD) in preparation of such ordinance.

3. May, in conjunction with a developer for a proposed project, apply for funds through DHCD for infrastructure upgrades to allow for multi-family housing on land owned by religious organizations or property tax-exempt nonprofit organizations.

§ 36-139.9:1. Local faith and housing ordinance.

The Department shall (i) develop program guidelines and standards for providing assistance to localities implementing faith and housing ordinances, including planning and zoning support and assistance with infrastructure upgrades that support the development of affordable housing pursuant to § 15.2-2292.3, and (ii) include faith and housing ordinances in the comprehensive statewide housing needs assessment to be performed at least every five years pursuant to subdivision 30 of § 36-139.