

**SENATE BILL NO. XX**

A BILL to amend the Code of Virginia by adding in Title 15.2 a chapter numbered XX, consisting of sections numbered XX and XXX, relating to Affordable Housing on Religious Property.

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Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in 15.2 a chapter numbered XX, consisting of sections numbered XXX and XXX, as follows:

CHAPTER XX.

AFFORDABLE HOUSING ON RELIGIOUS PROPERTY

§ XX. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Religious property" means real estate (i) owned on or before January 1, 2022, by a religious organization and (ii) for which the religious organization initially retains a majority ownership interest of the land.

"Affordable housing" as defined in 15.2-2201.

"Locality" means the same as that term is defined in § 15.2-102.

"Persons of low income" means the same as that term is defined in federal HUD regulations in the absence of a local definition.

"Religious organization" means a church, church diocese, religious congregation, religious association, or religious society.

§15.2- XX. Affordable housing; religious institutions.

A. Notwithstanding any inconsistent provision of a locality's general plan, specific plan, zoning ordinance, or regulation, upon the request of a religious organization, a housing development may be constructed if:

1. The affordable housing development is located on religious property;
2. 80 percent of the housing development's total units are for persons of low income, and
3. The housing development remains dedicated for persons of low income at the levels described in subdivision 2 for at least 60 years.

B. A housing development constructed pursuant to this chapter shall be managed by an affordable housing property manager that has entered into an agreement for such purpose with the religious organization.

C. A housing development constructed pursuant to this chapter may include preexisting ground-floor facilities, such as child care centers, for the provision of amenity spaces such as recreational, social, or educational services for use by the residents of the development and members of the local community in which the development is located and any preexisting religious institutional use, if such use is limited to the preexisting total square footage of the improvements on the property.

D. A locality may allow for housing development constructed pursuant to this chapter to be permitted through any combination of zoning district regulations, including, but not limited to, permitted uses, permitted uses within a designated overlay district, permitted uses within a designated urban development area pursuant to 15.2-2223.1, or as a special exception.