| 1  | SENATE BILL NO. 233   |
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| 2  | AMENDMENT IN THE NATURE OF A SUBSTITUTE   |
| 3  | (Proposed by the Senate Committee on General Laws and Technology  |
| 4  | on)   |
| 5  | (Patron Prior to SubstituteSenator Hashmi)  |
| 6  | A BILL to amend the Code of Virginia by adding in Title 36 a chapter numbered 13, consisting of sections      |
| 7  | numbered 36-176 and 36-177, relating to Faith in Housing for the Commonwealth Act.                            |
| 8  | Be it enacted by the General Assembly of Virginia:  |
| 9  | 1. That the Code of Virginia is amended by adding in Title 36 a chapter numbered 13, consisting of            |
| 10 | sections numbered 36-176 and 36-177, as follows:  |
| 11 | CHAPTER 13.   |
| 12 | FAITH IN HOUSING FOR THE COMMONWEALTH ACT.  |
| 13 | § 36-176. Definitions.  |
| 14 | As used in this chapter, unless the context requires a different meaning:                                     |
| 15 | "Faith land" means real estate (i) owned on or before January 1, 2024, or owned for a period of               |
| 16 | not less than five years, by a religious organization and (ii) for which the religious organization initially |
| 17 | retains a majority ownership interest.  |
| 18 | "Housing development" means the same as that term is defined in § 36-141.                                     |
| 19 | "Locality" means the same as that term is defined in § 15.2-102.  |
| 20 | "Persons of low income" means the same as that term is defined in § 36-3.                                     |
| 21 | "Persons of moderate income" means the same as that term is defined in § 36-3.                                |
| 22 | "Religious organization" means a church or religious body as those terms are described in § 58.1-             |
| 23 | <u>3617.</u>  |
| 24 | § 36-177. Housing development; religious institutions.  |
| 25 | A. No locality may require a rezoning, special exception, special use, or conditional use permit for          |
| 26 | any housing development constructed by a religious organization if:   |

| 1. The housing development is located on faith land;   |  |
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| 2. All of the housing development's total units, exclusive of a manager's unit or units, are for           |  |
| persons of low income, except that up to 20 percent of the total units in the development may be for       |  |
| persons of moderate income, and five percent of the units may be for staff of the religious organization   |  |
| that owns the land;  |  |
| 3. The housing development remains dedicated for persons of low income at the levels described             |  |
| in subdivision 2 for at least 99 years; and  |  |
| 4. The housing development has a density that is no greater than 150 percent of maximum density            |  |
| allowed by the locality.   |  |
| B. A housing development constructed pursuant to this chapter shall be managed by a property               |  |
| manager with experience managing affordable housing that has entered into an agreement for such purpose    |  |
| with the religious organization.   |  |
| C. A housing development constructed pursuant to this chapter may include ground-floor facilities,         |  |
| such as child care centers, operated by community-based organizations for the provision of 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. The review and approval of a housing development constructed pursuant to subsection A shall             |  |
| be completed administratively by the locality's staff.   |  |
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