

TOOLS FOR AFFORDABLE HOUSING
Enabling Legislation

Implemented by Albemarle County		
Virginia Code Section	Tool	Description
§ 15.2-2201, 15.2-2286(A)(10)	Incentive zoning	Zoning Code Sec. 2.4.5 – Affordable housing bonus factors
§ 36-6	Cooperation in undertaking housing projects	Any locality may dedicate, sell, lease land to a housing authority; provide infrastructure/community amenities adjacent to or in connection with housing projects; provide streets, roads, sidewalks; make exceptions from building regulations and ordinances. <i>Currently use Community Development Block Grants (CDBG) for infrastructure projects supporting affordable housing.</i>
§ 15.2-958	Local funding for the repair or production of low and moderate income rental property or repair of residential property; other housing experiments Loans or grants for affordable housing – includes loans/grants for streets, sidewalks, utilities, parks, parking facilities, playgrounds, and other site improvements; as well as construction/preservation of affordable rental housing	A locality may make grants or loans to owners of residential rental property occupied, or to be occupied, by persons of low and moderate income, for the purpose of rehabilitating or producing such property. Owners assisted in this manner must provide a minimum of 20 percent of the units for low and moderate income persons as defined by the locality for a minimum of 10 years. <i>Ordinance No. 23-A.2(1): Grants or Loans for Affordable Housing. Adopted May 17, 2023.</i>

Proposed		
Virginia Code Section	Tool	Description
§ 15.2-2304	Affordable Dwelling Unit ordinances in certain localities. purpose of providing affordable shelter for all residents of the Commonwealth, the governing body of any county where the urban county executive form of government or the county manager plan of government is in effect, the Counties of Albemarle and Loudoun, and the Cities of Alexandria, Charlottesville, and Fairfax may by amendment to the zoning ordinances of such locality provide for an affordable housing dwelling unit program. The program shall address housing needs, promote a full range of housing choices, and encourage the construction and continued existence of moderately priced housing by providing for optional increases in density in order to reduce land costs for such moderately priced housing.	Proposed during May 4, 2022, Board of Supervisor work session.

Not Considered or Implemented

Virginia Code Section	Tool	Description
§ 15.2-542	Employee benefits; residence in county.	To ensure its competitiveness as an employer a county may, by ordinance provide for the use of funds, other than state funds, to provide grants, loans, and other assistance for county and school board employees, as well as employees of local constitutional officers, to purchase or rent residences, for use as the employee's principal residence, within the county.
§ 15.2-958.4	Waiver of certain fees for affordable housing.	A locality may by ordinance provide for the waiver of building permit fees and other local fees associated with the construction, renovation, or rehabilitation of housing by a § 501(c)(3) organization or a private-sector entity to assist with the provision of affordable housing. A locality may determine in its ordinance what constitutes affordable housing and may set other conditions on the waiver of fees as it deems appropriate.
§ 15.2-959	Housing research	Any locality that does not have a redevelopment and housing authority may engage in research, studies, and experimentation in housing alternatives, including the rehabilitation of existing housing stock and the construction of additional housing.

Not Considered or Implemented		
Virginia Code Section	Tool	Description
§ 36-105.1:1	Rental inspections; rental inspection districts; exemptions; penalties	A local governing body may adopt an ordinance to inspect residential rental dwelling units for compliance with the Building Code and to promote safe, decent and sanitary housing for its citizens. The rental units to be inspected must be located in a rental inspection district established by the locality.
§ 36-55.64	Creation of local housing rehabilitation zones	Any city, county, or town may establish, by ordinance, one or more housing rehabilitation zones for the purpose of providing incentives and regulatory flexibility in such zone. Incentives provided in the zone may last for a period of 10 years.
Not Considered or Implemented		
Virginia Code Section	Tool	Description
§ 36-157	Housing Revitalization Zone Act	Must apply for State designation; County may not qualify