

FACT SHEET



Expediting Affordable Housing – Local Authority

Problem: Virginia’s Joint Legislation Audit and Review Commission has identified zoning and permitting delays as significant barriers to new housing production. This law gives localities tools to speed up approvals for multi-family affordable housing projects, helping Virginia close its housing gap more efficiently.

Background: The Department of Housing and Community Development estimates that 300,000 units are needed to alleviate cost burden among renters. The shortages affect every region of the state, driving up costs for both renters and prospective homeowners and making it harder for families, seniors, and essential workers to find a safe, stable, and affordable place to live. There is a history of zoning being used to amplify discrimination in housing. Zoning played an important role in keeping people segregated by race and continues to segregate people by income. Even today, many neighborhoods that are zoned for single-family residential use are places that historically had race-restricted deeds. This new law allows an administrative process to cut through the discriminatory attitude and meet community needs.

Solution: As of July of 2026, a new law allows Virginia localities to adopt ordinances speeding up the approval process for increased density permissions (rezonings) to build affordable housing. Under these ordinances, localities could approve projects through a streamlined administrative process, cutting red tape and decreasing uncertainty.

Every locality maintains the capacity to design this “expediting affordable housing” (EAH) ordinance in a way that makes sense for the community, and

these ordinances must go through a public hearing process with city councils or county boards of supervisors before final approval.

In Virginia code, affordable housing is based on an area’s median income. This means that housing classified as “affordable” serves families making up to the local average (100% AMI). Localities are allowed to target their ordinance to focus on families earning lower incomes, but the maximum remains state-wide.

Localities adopting and successfully implementing these expedited ordinances could receive priority consideration for state infrastructure grants and loans in the future.

Development restrictions - To benefit from a local EAH ordinance, projects must meet these criteria:

- At least 75% of housing units in proposed projects must be affordable to families making the local average (or below)
- Proposed projects must be on land connected to water and sewer
- Projects must follow fair housing rules

Local Flexibility

- Localities can determine the density increase for proposed projects to benefit from the EAH ordinance
- Localities can specify locations where they would like to activate more development
- Localities can determine the level of income affordability for projects to be eligible
- This ordinance allows for increased access to opportunities for rental and homeownership

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