



PRINCE WILLIAM
COUNTY

Draft Affordable Dwelling Unit Ordinance

**Planning Commission
Work Session
April 17, 2024**

Overview of Presentation

- Types of development likely to result from AfDU ordinance.
- Economic situation affecting housing.
- Recent stakeholder questions/feedback to keep in mind during discussion.
- Draft Ordinance:
 - Eligibility
 - Density Bonuses
 - Affordable Dwelling Unit Standards
 - Affordability Term
 - Submittal Requirements
 - Establishment of the Housing Fund
 - Enforcement and Waivers
- Timeline
- Next Steps after AfDU Ordinance
- Work Session Discussion

Types of development likely to result from AfDU Ordinance.

SINGLE FAMILY DETACHED



DUPLEX / TRIPLEX



TOWNHOUSE



LOWER SCALE MULTIFAMILY



MID-SCALE MULTIFAMILY



HIGHER SCALE MULTIFAMILY



Why is affordable housing needed?

2030 REGIONAL HOUSING TARGETS

METROPOLITAN WASHINGTON COUNCIL OF
GOVERNMENTS (MWCOG)

1
AMOUNT

At least **320,000 housing units should be added** in the region between 2020 and 2030. This is an additional 75,000 units beyond the units already forecast for this period.

2
ACCESSIBILITY

At least **75%** of all new housing should be **in Activity Centers** or **near high-capacity transit**.

3
AFFORDABILITY

At least **75%** of new housing should be **affordable to low- and middle-income households**.

PRINCE WILLIAM COUNTY HOUSING TARGETS

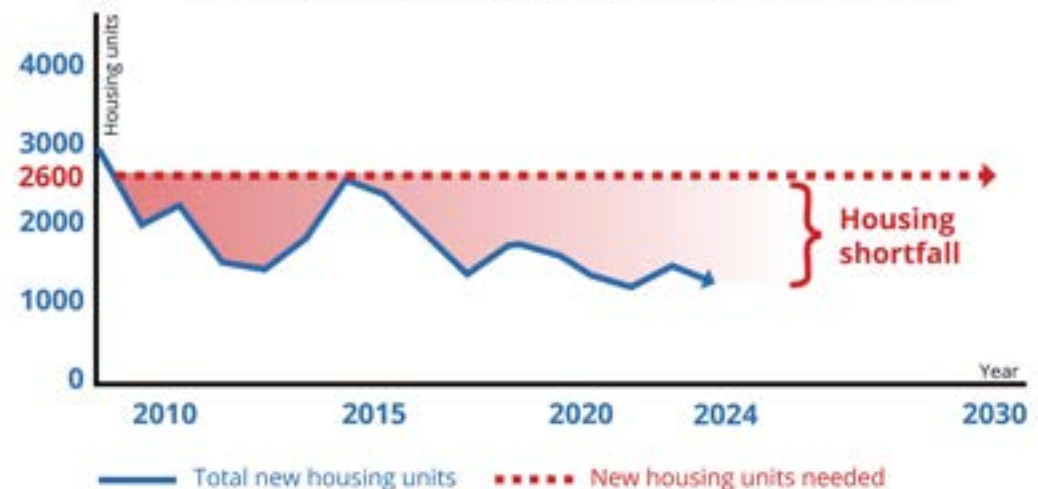
To meet Prince William County's share of the MWCOG regional housing targets, the county needs to produce

26,000 housing units by the year 2030.

To meet this target, Prince William County needs to produce

2,600 housing units each year.

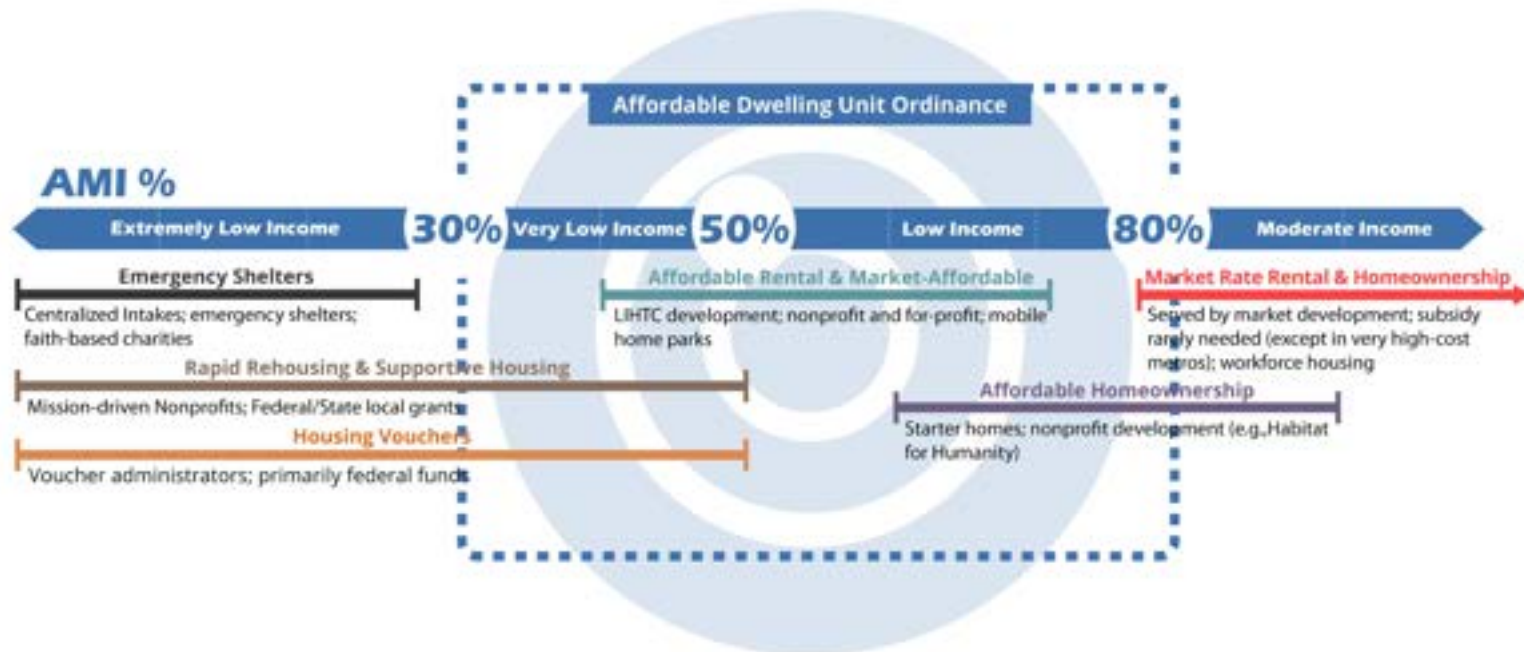
HOUSING SHORTFALL IN PRINCE WILLIAM COUNTY



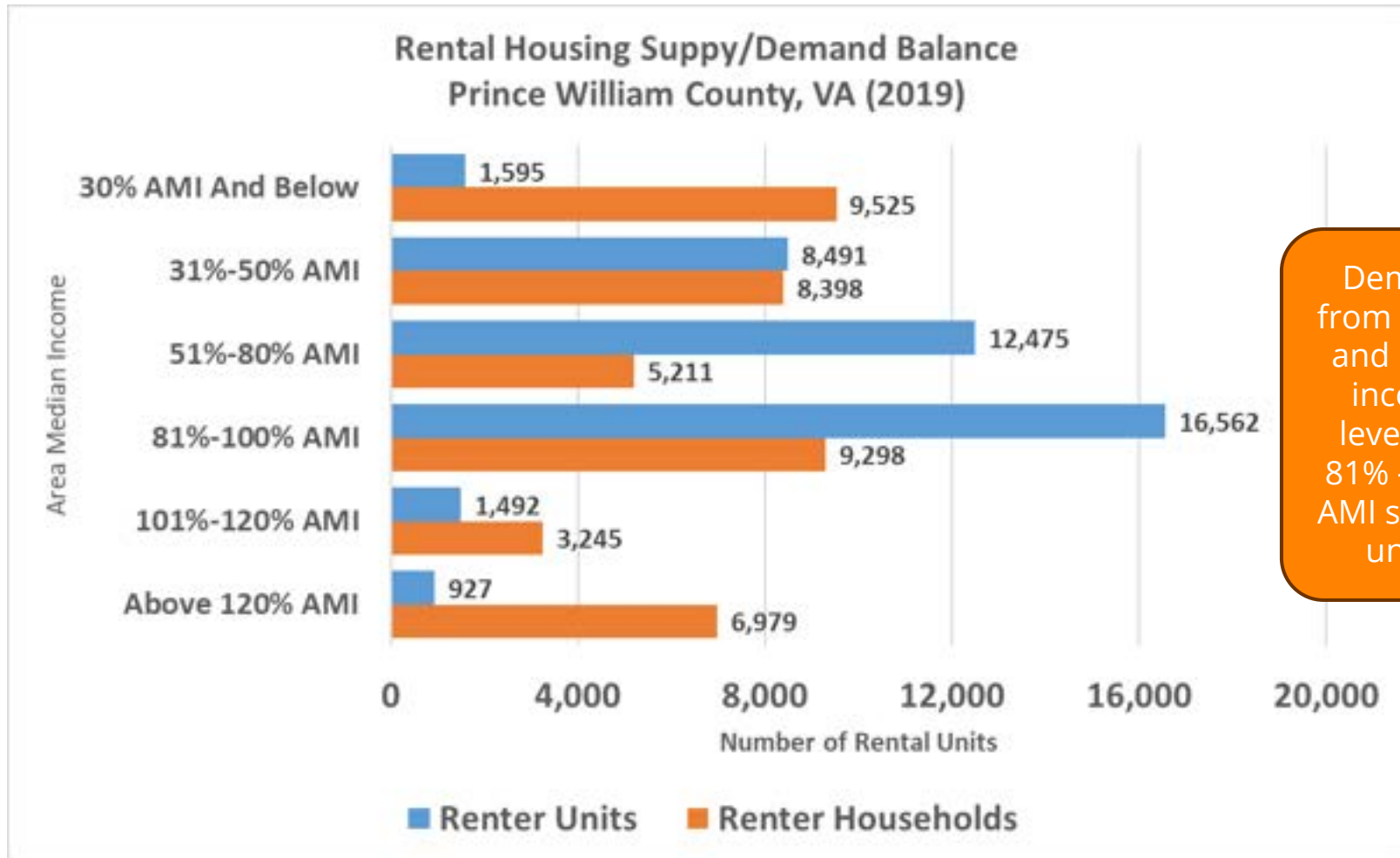
Key Components of the Ordinance

Target Income Levels

Target area median income range:
30% to 80% AMI

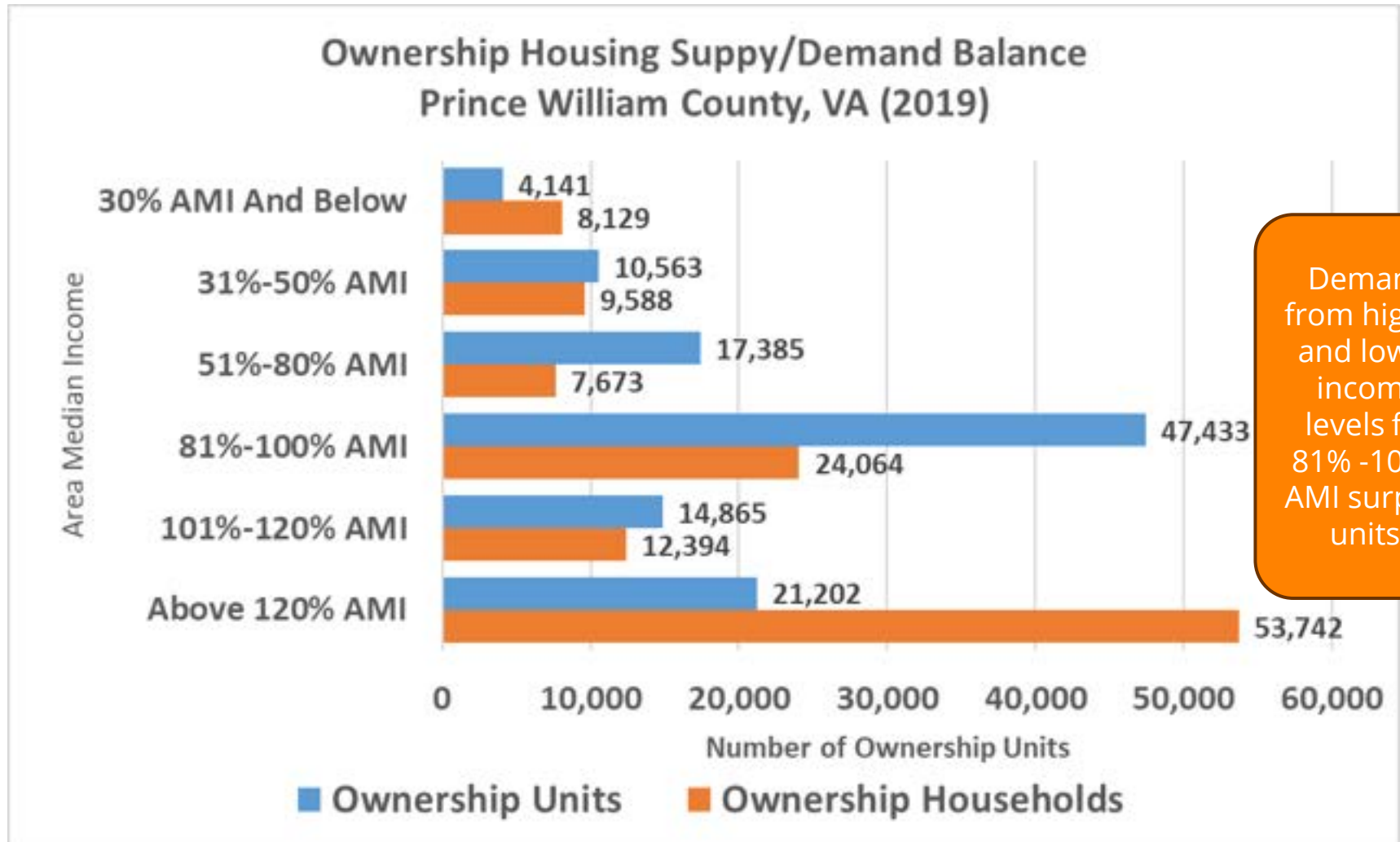


Rental Units Surplus/Gap Analysis (Based on 2019 AMI Levels)



Demand from higher and lower income levels for 81% -100% AMI surplus units.

Ownership Units



We have a housing issue on both ends of the spectrum.

Recent Stakeholder Questions/Feedback to keep in mind.



- What is the impact of the Governor's Veto of SB 597
 - Answer: No change in state enabling legislation available to PWC. It is either 15.2-2305.1 or 15.2-2305. PWC chose 2305.1 earlier in the process.
- Proximity to transit needs to be accounted for in some way.
 - Answer: 15.2-2305.1 does not give us the authority to require proximity to transit to get bonus density.
 - Answer: Bonus density based on top end of Comprehensive Plan density which already takes proximity to transit into account.
- 15.2-2305.1 mentions "rezoning"
 - Answer: We are working on clarifying language.
- Parking
- School Capacity

Affordable Dwelling Unit Ordinance

PURPOSE

To address housing needs, promote a full range of housing choices, and encourage the construction and continued existence of housing that is affordable to low- and very-low-income residents.

UNDERSTANDING THE ORDINANCE

ZONING ORDINANCE LOCATION

If adopted, the Affordable Dwelling Unit Ordinance will be located in Chapter 32, Section 290 of the Prince William County Zoning Ordinance as a zoning text amendment.

SUB-SECTION NUMBER AND TITLE

The draft contains a definitions module followed by eight sub-sections: .01 through .08.

DRAFT – Affordable Dwelling Unit Ordinance – 03-26-2024 version - DRAFT

choices, and encourage the construction and continued existence of housing affordable to low and moderate income citizens by providing for increases in density to the applicant in exchange for the applicant voluntarily electing to provide such affordable housing.

Sec. 32-290.02 – Eligibility.

- Any affordable dwelling unit development with a density greater than one (1) dwelling unit for every acre of gross land area regardless of the applicable zoning district that is the subject of an application for rezoning, special use permit, site plan review, or subdivision approval shall be eligible for the incentives in this article.
- Proposals providing a minimum of 8 affordable dwelling units qualify for eligibility under this section.
- Rezoning applications that result in the redistribution of existing affordable dwelling units within the same development to newly zoned property, without increasing the overall unit count, are not eligible for the incentives in this article.
- Notwithstanding any provisions to the contrary within this article, the standard proffer process shall remain unaffected and shall operate in parallel with the regulations herein. This article does not supersede any approved proffers. Should bonus density be granted through conditional zoning by the Board of County Supervisors, those specific conditions shall be adhered to accordingly. Any conditional rezoning that has been previously approved by the Board of County Supervisors shall not be eligible for density bonuses.

Sec. 32-290.03 – Density Bonus. In accordance with Virginia Code § 15.2-2305-1, a one-time bonus shall be approved as set forth below. Density bonuses are calculated based on the maximum allowable residential density. Notwithstanding the foregoing or anything to the contrary contained herein, in no event shall the density be greater than 50% of the applicable maximum allowable density. To receive density bonus, an affordable dwelling unit development shall include the following percentage of affordable dwelling units:

- Twenty percent (20%) of the total units of an affordable dwelling unit development for low-income households. For affordable dwelling unit development under this subsection (a), the density bonus shall be calculated as follows:

Percentage Low Income Units	Percentage Density Bonus
10	20
11	21.8
12	23
13	24.5
14	25
15	27.5
16	29
17	30.5
18	32
19	33.8
20	35
21	36.5
22	38

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Affordable Dwelling Unit Ordinance



ORDINANCE COMPONENTS

DEFINITIONS

SEC. 32-290.01 - AUTHORITY AND PURPOSE

SEC. 32-290.02 - ELIGIBILITY

SEC. 32-290.03 - DENSITY BONUS

SEC. 32-290.04 - AFFORDABLE DWELLING UNIT STANDARDS

SEC. 32-290.05 - APPLICATION SUBMITTAL REQUIREMENTS

SEC. 32-290.06 - ESTABLISHMENT OF HOUSING FUND

SEC. 32-290.07 - ENFORCEMENT, VIOLATIONS, AND CIVIL PENALTIES

Sec. 32-290.02 - Eligibility



Summary:

- (a) density must be greater than one (1) dwelling unit per acre.
- (b) must produce a minimum of 5 affordable dwelling units.
- (c) no net loss of affordable dwelling units before eligibility for bonus density.
- (d) this does not interfere with/undo rezoning/proffer process bonus density and no “double dipping” by getting bonus density through proffers and then applying this ordinance to double dip.

Sec. 32-290.02 key concepts for discussion:

- The intention is for the ordinance to apply to “by right” situations.

Sec. 32-290.03 - Density Bonuses

80% AMI Units



Percentage 80%AMI Units	Percentage Density Bonus
10	20
11	21.5
12	23
13	24.5
14	26
15	27.5
16	29
17	30.5
18	32
19	33.5
20	35
21	36.5
22	38

Sec. 32-290.03 - Density Bonuses - 80% AMI Units Continued



Percentage 80%AMI Units	Percentage Density Bonus
23	39.5
24	41
25	42.5
26	44
27	45.5
28	47
29	48.5
30	50
31	51.5
32	53
33	54.5
34	56
35 or more	57.5

Sec. 32-290.03 Density Bonuses - 50% AMI Units



Percentage 50% AMI Units	Percentage Density Bonus
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35
12	37.5
13	40
14	42.5
15	45
16	47.5
17	50
18	52.5
19	55

Sec. 32-290.03 - Density Bonuses - 50% AMI Units Continued



Percentage 50% AMI Units	Percentage Density Bonus
20	57.5
21	60
22	62.5
23	65
24	67.5
25	70
26	72.5
27	75
28	77.5
29	80
30	82.5
31	85
32	87.5
33	90
34	92.5
35 or more	95

Sec. 32-290-04 – Affordable Dwelling Unit Standards – Exterior Appearance

Design and Quality Standards

Ensure that the affordable dwelling units are of comparable quality to market-rate units.

1 COMPATIBLE EXTERIOR APPEARANCE

The exterior appearance of affordable dwelling units be compatible with the exterior appearance of market-rate units within the same development, including:



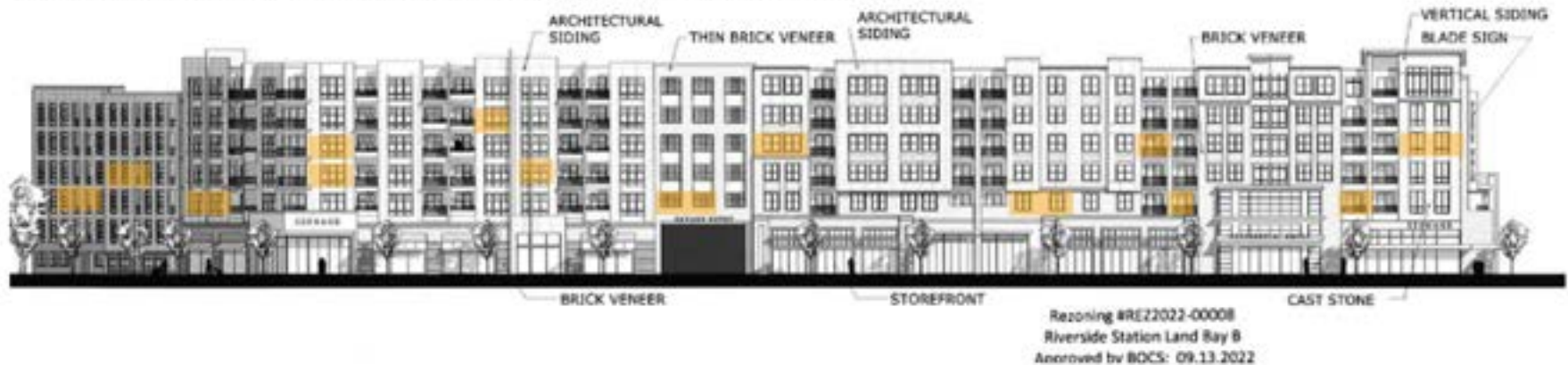
Sec. 32-290-04 – Affordable Dwelling Unit Standards – Dispersion of Units

Design and Quality Standards

Ensure that the affordable dwelling units are of comparable quality to market-rate units.

2 DISPERSION OF AFFORDABLE DWELLING UNITS

Affordable dwelling units shall be dispersed within the residential development, with unit locations comparable to those of the market-rate units.



Sec. 32-290-04 – Affordable Dwelling Unit Standards – # and Size of Bedrooms

Design and Quality Standards

Ensure that the affordable dwelling units are of comparable quality to market-rate units.

3 NUMBER AND SIZE OF BEDROOMS

The average number and size of bedrooms in the affordable dwelling units shall be the same as the average number of bedrooms and size in the market-rate units within the same affordable dwelling unit development.



Sec. 32-290-04 – Affordable Dwelling Unit Standards – Access to Amenities

Design and Quality Standards

Ensure that the affordable dwelling units are of comparable quality to market-rate units.

4 ACCESS TO AMENITIES

Affordable housing units shall have access to and enjoyment of common open space, parking, storage, and other facilities in the residential development.



Sec. 32-290.05 - Application Review Procedures



- Sec. 32-290.05 – Summary:
 - (a) The Zoning Administrator, or their designee, issues a determination regarding – the amount of density bonus, parking ratio, whether the applicant has provided adequate information regarding waivers or reductions in development standards.
 - (b) Any party aggrieved may appeal to the Board of Zoning Appeals.
 - (c) The Zoning Administrator, or their designee, may issue a written determination that a waiver or reduction, requested by the applicant, would have a specific, adverse impact upon health, safety, or the physical environment of residents of the County.
 - (d) The locality may also recommend to the applicant modifications of the initial request for waiver or reduction of the local development standards that would satisfy the County’s concerns.

Sec. 32-290.06 - Application Submittal Requirements



- Sec. 32-290.06 – Summary:
 - (a) site plan shall identify specific lots for AfDUs and specific units by unit type for AfDUs.
 - (b) Square footage, number of bedrooms and bathrooms, floor plan, proposed location and number and % by type of AfDUs
 - (c) sworn, signed and acknowledged statement from the applicant.
 - (d) number and type of unit and bedroom count for rental units to be maintained as affordable.
 - (e) 280-day timeclock for processing site or subdivision plans

Sec. 32.290.07 - Establishment of Housing Fund



- **Sec. 32-290.07 – Establishment of Housing Fund.** To assist in achieving the County’s affordable housing goals, pursuant to Virginia Code §15.2-2305.1(B)(4), the Board of County Supervisors shall establish a housing fund and operating procedures for the exclusive purpose of achieving the County’s affordable housing goals. The submission, review, or approval of any application under this chapter shall not be conditioned upon a contribution by the applicant to any County housing fund.
- The housing fund:
 - May provide funding for development loans to be awarded to eligible parties that supply affordable housing,
 - May provide flexible local funding that complements other funding for housing related activities,
 - May provide gap financing,
 - May provide loans to eligible parties
 - May be used in conjunction with other public, private, and philanthropic funding. The housing fund is not intended to replace locally allocated federal or state program funds.

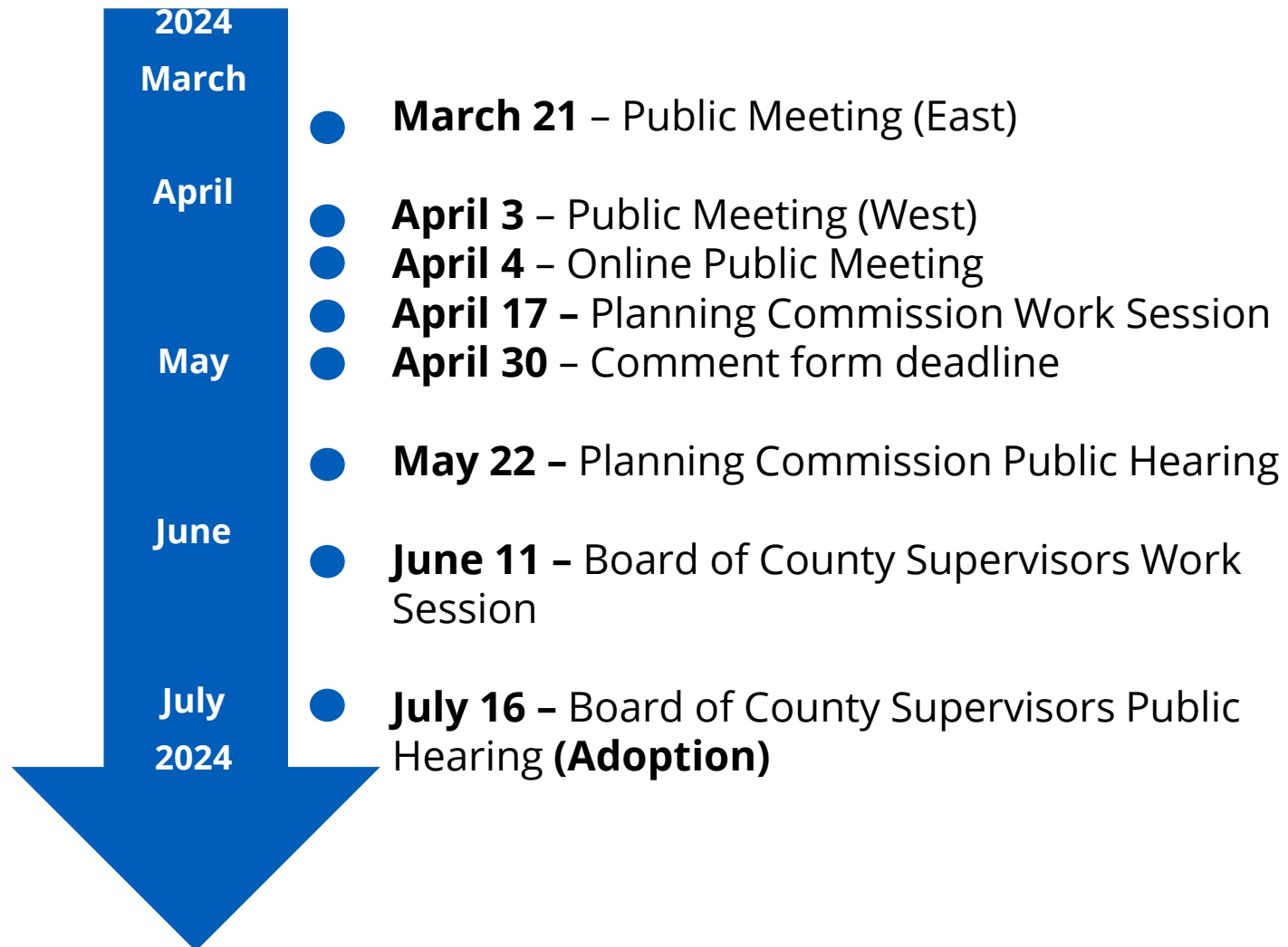
Sec. 32.290.08 – Enforcement, Violations, and Civil Penalties.

ENFORCEMENT:

- **Enforcement is voluntary**; the applicant may voluntarily elect to provide affordable housing as part of the development in exchange for increased density.
- **Sec. 32-290.08 – Enforcement, Violations, and Civil Penalties.** The Zoning Administrator or their designee may enforce compliance with the standards of this chapter and may impose penalties for noncompliance pursuant to Sec. 32-1000.01, et seq.

Next Steps

Upcoming Milestones



How to Provide Feedback



1

Visit the project website and review the draft Ordinance.



PROJECT WEBSITE
pwcva.gov/AfDU



DRAFT ORDINANCE
pwcva.gov/AfDUordinance



2

Submit your feedback in the comment form by April 30, 2024.



COMMENT FORM
tinyurl.com/AfDUfeedback

Next Steps after AfDU Ordinance PRINCE WILLIAM COUNTY

- Ideas to include in a comprehensive update to the Zoning Ordinance and/or Phase II effort:
 - Incentive Zoning
 - Accessory Dwelling Units
 - Missing Middle Housing Types
 - Review of PWC Zoning Ordinance for unintended barriers to housing
 - Other?