

INTRODUCED: July 27, 2026

AN ORDINANCE No. 2026-190

To establish the Affordable Dwelling Unit Advisory Committee for the purpose of advising the Council and the Mayor on the development of an affordable housing dwelling unit program.

Patrons – Mr. Breton and Mayor Avula

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEP 14 2026 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Council hereby establishes the Affordable Dwelling Unit Advisory Committee (“the Committee”) pursuant to the following provisions:

A. **Purpose.** The Committee is established for the purpose of advising the Council and the Mayor on the development of an affordable housing dwelling unit program pursuant to Chapter 435 of the 2026 Virginia Acts of Assembly (House Bill 867). Any such program shall address housing needs, promote a full range of housing choices, help ensure that the housing needs for older residents to live independently are accommodated, and encourage the construction and

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

continued existence of moderately priced housing. For purposes of section 2-773 of the Code of the City of Richmond (2020), as amended, the Committee is classified as “advisory.”

B. Composition.

1. **Appointment.** The Committee shall consist of 10 members appointed by the Council. The Council may appoint members to the Committee as of the effective date of this ordinance.

2. **Qualifications.** No individual shall be eligible for appointment to the Committee unless recommended by the Mayor. The Council shall appoint Committee members from each of the following categories:

- a. Two representatives from nonprofit affordable housing providers;
- b. One multifamily affordable housing builder or developer;
- c. One market-rate residential or mixed-use real estate developer;
- d. One land use attorney with experience in zoning and development approvals;
- e. One representative from a local affordable housing advocacy organization;
- f. One individual with expertise in affordable housing finance, lending, underwriting, tax credit financing, or housing subsidy programs;
- g. One representative from City of Richmond Department of Housing and Community Development;
- h. One representative from City of Richmond Department of Planning and Development Review; and

i. One individual currently serving as a member of either the City Planning Commission or the Council.

C. **Duties.** The Committee shall perform the following duties:

1. Assess the effectiveness and feasibility of any affordable housing dwelling unit program incentives or other measures necessary for economic viability and the development of maximum affordable units, including optional increases in density and the following implementation measures and tools:

a. Lot size reductions, dimensional and form modifications, or floor area ratio increases for the production of affordable housing units, or any combination thereof;

b. Contribution to a local housing trust fund in lieu of construction of affordable housing units;

c. Accessory housing unit allowances;

d. Housing inspection programs designed to ensure the quality and safety of affordable housing constructed in accordance with the locality's comprehensive plan;

e. Allowance of duplexes, triplexes, and quadruplexes in areas with primarily single-family detached homes for the purpose of providing affordable housing and creating mixed-income homeownership options;

f. Allowance of conversion of office, light industrial, and commercial space to multifamily use;

g. Encouragement of transit-oriented development;

h. Provision of financial incentives or removal of financial disincentives to promote development of new affordable housing where such development would not otherwise occur under existing conditions;

i. Allowance of lower-cost home construction alternatives, including manufactured or modular homes and duplex manufactured or modular homes; and

j. Other policies, measures, or tools that have a positive impact on the production and maintenance of affordable housing units.

2. Actively seek input from residents, developers of residential and mixed-use property, real estate professionals, historic preservation professionals, redevelopment and housing professionals and advocates, planners, urban design professionals, representatives of low-income and moderate-income households, and finance professionals.

3. Deliver a final written report of findings and recommendations to the Council and Mayor on the later of July 1, 2027, and the date that is six months after the effective date of a Council ordinance that comprehensively amends or replaces Chapter 30 of the Code of the City of Richmond (2020), as amended.

4. Consider what incentives, zoning tools, or regulatory changes are most likely to facilitate the construction of homes at prices lower than surrounding market-rate housing.

D. Administration.

1. **Quorum.** Six members of the Committee shall constitute a quorum.

2. **Officers.** The Committee shall select from among its membership a Chair, a Vice Chair, and such other officers as it may deem necessary to discharge its functions.

3. **Duration.** Upon appointment of its full membership, the Committee may elect officers, adopt bylaws, and conduct other business outside of its duties described in section 1(C) above. The Committee shall not begin to perform its duties described in section 1(C) above until the effective date of a Council ordinance that comprehensively amends or replaces Chapter 30 of the Code of the City of Richmond (2020), as amended. The Committee shall terminate on the date it delivers the final report described in section 1(C)(3) above.

4. **Meetings.** The Committee shall hold its first regular meeting no later than ten working days after the effective date of a Council ordinance that comprehensively amends or replaces Chapter 30 of the Code of the City of Richmond (2020), as amended. The Committee shall meet at least once every month and as often as it deems necessary to complete its duties within the time prescribed by this ordinance. The Committee shall endeavor to schedule its meetings at a time convenient for the public, and each such meeting shall include a public comment period, be video recorded, be made available to the public for live streaming over the internet, and be posted online. In accordance with section 2-796(c) of the Code of the City of Richmond (2020), as amended, the Committee's meetings shall be subject to the provisions of the Virginia Freedom of Information Act, codified as sections 2.2-3700 et seq. of the Code of Virginia (1950), as amended.

5. **Reporting.** The Committee shall provide quarterly presentations on the progress of its work to the Council's Organizational Development Standing Committee. The Committee shall deliver a final written report to the Council and the Mayor as described in section 1(C)(3) above.

6. **Records.** The Committee shall keep minutes of its meetings in accordance with the Virginia Freedom of Information Act, Code of Virginia sections 2.2-3700 et seq. All records shall be maintained as provided in section 2-798 of the Code of the City of Richmond (2020), as amended, and subject to public disclosure as provided in the Virginia Freedom of Information Act, Code of Virginia sections 2.2-3700 et seq.

7. **Procedures.** The Committee may adopt rules of procedure or bylaws not inconsistent with this ordinance to govern the conduct of its meetings and affairs.

8. **Staff and Resources.** The Office of the Council Chief of Staff, in coordination with the Department of Planning and Development Review and the Department of Housing and Community Development, shall provide such staff and resources as may be necessary to assist the Committee in performing the duties imposed by this ordinance. It is estimated that the annual operating costs of the Committee will be approximately \$5,000, plus 40 staff hours.

§ 2. This ordinance shall be in force and effect upon adoption.

DATE: July 21, 2026
TO: The Honorable Members of City Council
FROM: The Honorable Andrew S. Breton, Councilmember 1st District
The Honorable Doctor Danny K Avula, Mayor
THROUGH: RJ Warren, Council Chief of Staff
THROUGH: Will Perkins, Senior Legislative Services Manager
Sophie McGinley, Council Policy Analyst
RE: To establish the Affordable Dwelling Unit Advisory Committee for the purpose of advising the Council and the Mayor on the development of an affordable housing dwelling unit program.

CNL-2026-0045

PURPOSE: To establish the Affordable Dwelling Unit Advisory Committee for the purpose of advising the City Council on the development and implementation of an affordable dwelling unit program pursuant to § 15.2-2304 of the Code of Virginia and Chapter 435 of the 2026 Acts of Assembly (House Bill 8), to reduce housing costs and expand housing choice.

BACKGROUND: On April 8, 2026, the Virginia General Assembly adopted amendments to § 15.2-2304 of the Code of Virginia authorizing additional local tools to support affordable housing production and requiring localities adopting an affordable housing dwelling unit program after July 1, 2027, to establish an advisory committee prior to program adoption. The legislation specifically directs localities to solicit input from residents, housing advocates, developers, planning and design professionals, historic preservation professionals, and representatives of low- and moderate-income households in evaluating the feasibility and effectiveness of potential affordable housing strategies.

This ordinance establishes the Affordable Dwelling Unit Advisory Committee to fulfill those state requirements. The Committee will advise City Council on the development of an affordable housing dwelling unit program and provide recommendations intended to reduce housing costs, expand housing choice, and support the production and preservation of affordable housing opportunities throughout the city.

The Committee will evaluate the effectiveness and economic feasibility of potential housing tools authorized under state law, including missing middle housing, accessory dwelling units, adaptive

reuse, density incentives, dimensional flexibility, and other zoning and financial mechanisms intended to increase housing supply and affordability.

COMMUNITY ENGAGEMENT: This ordinance formalizes a structured public engagement process required under § 15.2-2304 of the Code of Virginia and is intended to actively seek input from residents, developers of residential and mixed-use property, real estate professionals, historic preservation professionals, redevelopment and housing professionals and advocates, planners, urban design professionals, representatives of low-income and moderate-income households, and finance professionals.

ALIGNMENT WITH STRATEGIC INITIATIVES: This ordinance advances multiple goals identified in the City’s 2025 Mayoral Action Plan (“MAP”) and supports implementation of the City’s Master Plan, Richmond 300’s Goal 14: Inclusive Housing - Preserve, expand, and create mixed-income communities by preserving existing housing units and developing new ones - both renter- and owner-occupied - throughout the city.

Also, the ordinance advances Policy Change #2 within the One Richmond: An Equitable Affordable Housing Plan “Lobby for adopt an inclusionary zoning ordinance for the Commonwealth of Virginia and the City of Richmond.” It also advances one of the top 5 priorities from the City of Richmond’s 2026 General Assembly Legislative Agenda, Inclusionary Zoning. The ordinance directly advances the “Thriving Neighborhoods” pillar, which calls for the City to “meet the housing needs of a growing city, so that Richmonders across different income levels can access affordable housing in safe neighborhoods with strong public amenities.”

Specifically, the Committee supports **Goal A, “Build more homes for more people,”** including the objectives to increase the number of new housing units annually and increase the number of middle-income and affordable housing units supported by the City each year. The Committee’s evaluation of zoning tools authorized under § 15.2-2304 of the Code of Virginia—including accessory dwelling units, duplexes, triplexes, adaptive reuse, dimensional flexibility, and transit-oriented development—supports Richmond 300 implementation strategies intended to expand housing supply, diversify housing types, and reduce barriers to housing production.

The ordinance also advances “Thriving Neighborhoods” **Goal B, “Develop a new model of affordable housing and strengthen housing stability,”** by directing the Committee to evaluate housing affordability, displacement risk, homeownership opportunities, and development

feasibility. These responsibilities align with the MAP's goals of reducing the percentage of cost-burdened households, increasing housing stability, and supporting equitable access to affordable housing opportunities throughout the city.

Additionally, this ordinance advances the "Thriving City Hall" pillar by creating a transparent, accountable, and collaborative public engagement process consistent with **Goal F, "Improve resident satisfaction and trust in City government,"** and **Goal E, "Provide white glove service for all constituents."** The ordinance establishes a structured advisory and public engagement framework that includes residents, renters, housing advocates, development professionals, and historically underrepresented stakeholders in land use and housing policy discussions. This approach supports the MAP's stated commitment to transparency, accountability, responsive government, and authentic community engagement.

The ordinance further aligns with the "Thriving and Inclusive Communities" pillar, particularly **Goal D, "Address racial inequities in health, wealth, and well-being,"** by prioritizing representation from low-income residents, renters, and individuals with lived experience of housing insecurity in the Committee appointment process. By evaluating displacement risk, affordability, and equitable access to homeownership opportunities, the Committee's work supports broader City efforts to reduce inequities in wealth-building and housing access.

FISCAL IMPACT: The annual operating cost of the Committee is estimated to be approximately \$5,000, in addition to approximately 40 staff hours to support administration, coordination, public engagement, meeting facilitation, and reporting requirements. Staff support will be provided by the Office of the Council Chief of Staff in coordination with the Department of Planning and Development Review.

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: July 27, 2026

CITY COUNCIL PUBLIC HEARING DATE: September 28, 2026

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Organizational Development

AFFECTED AGENCIES: Office of Chief Administrative Officer

Department of Planning and Development Review Department of Housing and Community Development

RELATIONSHIP TO EXISTING ORD. OR RES.: None

ATTACHMENTS: HB867.pdf

STAFF: Sophie McGinley, Council Policy Analyst (804-646-5826)

VIRGINIA ACTS OF ASSEMBLY - 2026 SESSION

CHAPTER 435

An Act to amend and reenact § 15.2-2304 of the Code of Virginia, relating to affordable housing; local zoning ordinance authority.

[H 867]

Approved April 8, 2026

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-2304 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-2304. Affordable dwelling unit ordinances in certain localities.

In furtherance of the 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, Fairfax, and Falls Church~~ *locality in the Commonwealth* 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, *help ensure that the housing needs for older residents to live independently are accommodated,* 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. *In addition to optional increases in density, the program may also include any combination of the following implementation measures and tools:*

- 1. Lot size reductions, dimensional and form modifications, or floor area ratio increases for the production of affordable housing units, or any combination thereof;*
- 2. Contribution to a local housing trust fund in lieu of construction of affordable housing units;*
- 3. Accessory housing unit allowances;*
- 4. Housing inspection programs designed to ensure the quality and safety of affordable housing constructed in accordance with the locality's comprehensive plan;*
- 5. Allowance of duplexes, triplexes, and quadruplexes in areas with primarily single-family detached homes for the purpose of providing affordable housing and creating mixed-income homeownership options;*
- 6. Allowance of conversion of office, light industrial, and commercial space to multifamily use;*
- 7. Encouragement of transit-oriented development;*
- 8. Provision of financial incentives or removal of financial disincentives to promote development of new affordable housing where such development would not otherwise occur under existing conditions;*
- 9. Allowance of lower-cost home construction alternatives, including manufactured or modular homes and duplex manufactured or modular homes; and*
- 10. Other policies, measures, or tools that have a positive impact on the production and maintenance of affordable housing units.*

Any project that is subject to an affordable housing dwelling unit program adopted pursuant to this section shall not be subject to an additional requirement outside of such program to contribute to a county or city housing fund.

Any local ordinance of any other locality providing optional increases in density for provision of low and moderate income housing adopted before December 31, 1988, shall continue in full force and effect.

Localities adopting such ordinances on or after July 1, 2027, shall, in developing and prior to adopting such housing programs, create an advisory committee and actively seek input from residents, developers of residential and mixed-use property, real estate professionals, historic preservation professionals, redevelopment and housing professionals and advocates, planners, urban design professionals, representatives of low-income and moderate-income households, and finance professionals. The advisory committee shall assess the effectiveness and feasibility of any incentives or other measures necessary for economic viability and the development of maximum affordable units. In conducting this assessment, a locality may consult with a planning district commission of which it is a member, pursuant to subsection B of § 15.2-4207.

2. That the provisions of this act shall not apply to any local ordinance adopted prior to January 1, 2026.

3. That the provisions of this act shall become effective on July 1, 2027.