



DEPARTMENT OF  
**PLANNING AND  
DEVELOPMENT  
REVIEW**

**CITY PLANNING  
COMMISSION**

**ORDINANCE:** 2023-196

**PETITIONER:** City of Richmond, 900 E. Broad Street, Richmond, Va. 23219

**LOCATION:** Citywide

**PURPOSE:** To amend the City's Zoning Ordinance for the purpose of permitting accessory dwelling units in additional zoning districts.

### What is the context?

An accessory dwelling unit (ADU) is a small, independent dwelling unit, with kitchen and bathroom, on the same lot as a residential structure. ADUs come in many forms:



▲ Accessory dwelling units (or ADUs) come in many shapes and styles.

*Spevack and Stanton 2021*



ADUs benefit the community in several ways, as they:

- increase overall number of housing units
- increase number of affordable housing units
- increase diversity, location of housing unit types
- use infrastructure and limited land more efficiently

ADUs also benefit property owners in several ways, as they:

- provide a source of supplemental income
- provide housing options for an evolving household
- build in a more energy-efficient manner
- benefit existing homeowners over developers

We should also consider concerns that may accompany ADUs including:

- structural dimensions: size, setbacks, height
- architecture and design
- occupancy: total number of bedrooms
- use: short-term rentals
- affordability

In many older areas of Richmond, some residential properties were developed with accessory buildings which were originally designed and used for carriage houses with dwelling purposes. With limited exceptions, the zoning ordinance has prohibited accessory dwelling units and residential occupancy of accessory buildings since 1927.

### **How did we draft this proposal?**

This ordinance was drafted as part of “three zoning changes” (parking, ADUs, and STRs) discussed over the last year. Our public engagement efforts included:

- 441 attendees at five public meetings (in person and virtual)
- 860 attendees at two telephone town halls (on for at least five minutes)
- 151 participants in six focus groups
- 850 responses to two online surveys
- additional presentations at district and neighborhood association meetings
- [<https://www.rva.gov/planning-development-review/zoning-changes>]

### **What changes are we proposing?**

The proposed ordinance will permit one ADU located on the same lot as a single-family dwelling in all residential zoning districts. The ADU cannot exceed one-third (1/3) of the floor area of the main single-family dwelling or 500 square feet, whichever is greater. This size limitation ensures that the ADU be incident and subordinate to the principal use of the property. The ADU must adhere to the underlying zoning district requirements regarding setbacks, lot coverage, height, etc. These proposed regulations will allow by-right ADUs without the need of special approval, unless located in a City

Old and Historic District. Any proposed ADU that does not meet these regulations will require approval through either City Council or the Board of Zoning Appeals.

### **Why make this change?**

The *Richmond 300* Master Plan envisions an equitable, sustainable, and beautiful Richmond that ensures a high quality of life for all existing and future residents. *Richmond 300* contains goals, objectives, and strategies to provide inclusive housing with access to quality housing choices for all Richmonders. ADUs can help increase housing options for existing and new residents, regardless of income.

*Richmond 300* specifically references ADUs as opportunities to provide housing options throughout the city. Objective 14.5 encourages more housing types throughout the city and greater density along enhanced transit corridors and at Nodes by amending the Zoning Ordinance. Strategy (c) of this objective states the city should update the Zoning Ordinance to allow for ADUs by-right with form-based requirements in all residential zones. Objective 14.9 focuses on assisting households that desire to age in place in their neighborhoods. Strategy (h) recommends the city amend the Zoning Ordinance to ADUs in all residential zones to allow for in-law apartments. The proposed ADU ordinance will help achieve these objectives and strategies listed in *Richmond 300*.

ADUs are also listed as primary uses (predominant uses found in the area that establish the basic characteristics of the area) in the Residential and Neighborhood Mixed-Use future land use designations in *Richmond 300*. These two future land use categories are largely comprised of residential zoning districts, which will permit by-right *Richmond 300* under the proposed ordinance. ADUs located in these future land use categories can facilitate the efficient use of existing housing stock while maintaining the character of these communities. The proposed ordinance to permit ADUs aligns with the Residential and Neighborhood Mixed-Use future land use designations in *Richmond 300*.

### **What is our recommendation?**

Recommend that the City Council **approve** ORD. 2023-196. To amend and reordain City Code §§ 30-402.2, 30-411.3, 30-412.2, 30-413.3, 30-413.13, 30-414.2, 30-416.2, 30-418.2, 30-419.4, 30-420.2, and 30-426.2, all concerning permitted accessory uses and structures in certain zoning districts, and § 30-1040.3, concerning additional exceptions granted by the Board of Zoning Appeals; and to amend ch. 30, art. XII of the City Code by adding therein a new § 30-1220.31:1, concerning certain definitions.

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