



# CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council

**Meeting:** March 18, 2024

**Subject:** Proposed amendments to Chapter 36.2, Zoning, of the Code of the City of Roanoke (1979), as amended, by amending and reordaining, adding, or deleting the following code sections to remove barriers for the creation of affordable housing, to make the zoning ordinance consistent with state code, to create an additional zoning district (UC Urban Center), and to make changes to the use tables for the residential, multiple purpose, industrial, and planned unit development districts; such amendments not constituting a comprehensive rezoning or change of any densities that would decrease permitted density in any district, unless otherwise noted

## Summary:

By a vote of 5-1, with Commissioner P. Smith absent, the Commission recommends approval of the proposed amendments.

## Background:

Since the adoption of the current zoning code in 2005, City Council has adopted 19 amendments to ensure the code remains a relevant tool for implementing the comprehensive plan. This update will be the second substantial update to the zoning ordinance since the adoption of *City Plan 2040* in December 2020.

Roanoke's residential zoning districts cover just over half of Roanoke's land area (14,600 acres). Most of those districts are exclusionary because they permit only one type of housing by-right. These exclusionary districts cover 13,319 acres, or 91% of our residentially zoned land.

Localities across the United States are working to repeal exclusionary zoning for two compelling reasons: First, because exclusive single-family districts have constricted the housing supply by excluding other housing types, in turn contributing to a crisis level national housing shortage; and second, because exclusionary zoning is a persisting legacy of racial and economic segregation.

In recent months, our counterparts in Arlington and Charlottesville have adopted reform packages to eliminate their exclusionary zoning. The Zoning Reform package proposed by Roanoke’s planning staff is comparable to those efforts.

The proposed amendments make six important changes related to housing:

1. Regulate dwellings as a land use

Planning and zoning staff proposes a simple approach. Rather than regulating different housing types as uses (single-family, two-family, townhouse, multifamily, etc.), the fundamental activity occurring, which is “dwelling,” will be permitted in all residential districts and most multiple purpose districts. The proposed code would then specify how many dwellings would be permitted on a given lot based on its zoning district and type of lot. Generally, additional dwellings would be permitted on corner lots because there is more street frontage. This familiar pattern of development is common in Roanoke’s neighborhoods and the proposed zoning changes would reinforce this type of development.

2. Reclassify Dwelling Types

In open house sessions, staff heard that it is important for new development to fit into the existing fabric of the neighborhoods. Staff agrees and recommends limits on form that address the compatibility of buildings that contain two or more dwellings. Working from well-accepted housing models, we created limits on scale and design standards for small apartment buildings, townhouses, and cottage court developments. Two-dwelling buildings are regulated the same as one-dwelling buildings.

The proposed code will classify new and existing dwelling types in order to manage form, location, and orientation of structures so they will be compatible in neighborhood settings.

Another change would expand the use of accessory dwelling units. Now permitted in an accessory building physical separated from a house, the proposed amendments would permit them within a house.

Amendments would also remove prohibitions on separate utility metering.

3. *Define Household to include Family and Nonfamily Living Arrangements*

The current code defines a household based on the familial relationships of the occupants and some forms of group living are already classified as a family by federal law. The proposed amendments redefine the term household in a way that will retain existing family living arrangements, maintain federally required living arrangements, and add nonfamily living arrangements for up to eight people sharing a dwelling.

4. *Simplify various Group Care Facility types into a single Group Living land use*

The proposed text amendments would allow for permanent group housing for nine or more people in more areas and remove discriminatory limitations on housing choice. With the proposed changes, the zoning code will govern the land use taking place rather than the condition or prior status of people. The proposed code would regulate group living just like multifamily dwellings.

In consideration of the ideas of equity expressed in City Plan 2040, someone's status as disabled, formerly homeless, veteran, in recovery, or formerly incarcerated should not be a consideration in regulating where people live. These distinctions work to severely limit where certain people can live, and therefore, compound whatever vulnerability they may experience. The amended code will permit a dispersed, dignified, and low impact model for permanent housing for our vulnerable populations. Staff proposes removal of the discriminatory and exclusionary regulations contained in the current zoning code.

5. *Replace Transitional Living Group Care Facility with small scale Community Housing Services and larger scale Regional Housing Services*

By defining a small-scale Community Services use classification, the proposed text amendment would remove barriers to small-scale temporary housing in multiple purpose districts and higher intensity residential districts.

The current code classifies a shelter as a "Group Care Facility, transitional living facility." This use is extremely restricted; the zoning code permits it only in the INPUD district and further requires a special exception from the board of zoning appeals. This practice has the effect of concentrating sheltering operations.

Staff recommends the creation of two new uses to replace transitional living facility: Community Housing Services and Regional Housing Services. This approach provides for a small, limited community scale version that may be more broadly permitted around the City. Enabling a model of small-scale sheltering options distributed among higher intensity districts is a less impactful, more equitable, and more accessible alternative to one large facility. The Community Housing Services use would be a small-scale operation limited to twelve people and occupying no more than 10,000 square feet of gross floor area. These would be permitted by right in CG, CLS, D, IN, ROS, and UF districts.

Regional housing services would continue to be very restricted, permitted only in the INPUD district with a special exception.

6. *Ensure the City uses remaining land efficiently*

This proposal would make changes to the dimensional regulations of each residential zoning district that would allow for the more efficient development of the limited vacant residentially zoned land within the City. Roanoke is nearly built-out, which creates issues when faced with a deficit of housing. An example of the changes that are under consideration include the reduction of lot area per dwelling unit requirements and the reduction of minimum lot sizes.

Other important proposed changes to the zoning code:

1. *Remove Barriers to Child Care and Adult Care*

The proposed code changes make Adult Day Care Homes and Family Day Homes as permitted uses in all residential districts. These are small-scale counterparts of Day Care Center uses and very beneficial services for communities. Under the current code, however, they require a special exception. The extra cost and effort are significant barriers. These services are extremely limited in Roanoke. The intent is to remove land use barriers to establishing these reasonable and compatible community uses in neighborhood settings.

2. Creation of a new UC Urban Center zoning district

The purpose of the proposed UC - Urban Center District is to permit a mixture of retail, office, residential, and light industrial uses in a concentrated pedestrian-friendly area outside of Downtown. The streets form an interconnected grid and accommodate multiple modes of transportation: pedestrian, bicycles, transit, automobiles. Buildings are located adjacent to the sidewalk and often adjoin each other. Parking is generally concentrated in parking structures or is located to the side or rear of principal buildings. Toward that end, the Urban Center District is intended to accomplish the following:

- 1) Facilitate pedestrian ways and create a convenient and harmonious development of buildings, streets, and open space;
- 2) Promote activity on public streets and to protect amenities provided through public investment; and
- 3) Provide for a mix of high-density residential, commercial, retail, government services, entertainment and cultural facilities, and live/work space.

3. Adjusting where certain uses are permitted, not permitted or require a special exception

The proposed code changes allow additional uses within a PUD District for a more complete neighborhood with safe and convenient access to a variety of goods and services including housing options, commercial services, schools and places of worship, open space, and civic amenities.

These amendments were developed by planning staff, guided by priority and action items highlighted in *City Plan 2040*.

Staff briefed the Planning Commission its progress with the proposed amendments in multiple work sessions in recent months and briefed City Council at its February 5 regular meeting. Both bodies indicated support for continuing the process.

The Planning Commission initiated consideration of the proposed amendments by motion at its regular meeting on February 12, 2024.

**Considerations:**

The basis for these changes are rooted in the City’s comprehensive plan, *City Plan 2040*. The table below summarizes the policies and actions that relate to the proposed zoning text amendments.

Proposed Amendment	Supporting Policy from <i>City Plan 2040</i>
<p>Regulate Dwellings as a land use</p> <p>Reclassify Dwelling Types</p> <p>Define Household to include Family and Nonfamily Living Arrangements</p> <p>Ensure the City uses remaining land efficiently</p>	<p><b><u>Interwoven Equity</u></b></p> <p><b>Priority Three: Neighborhood Choice</b></p> <p><u>Policy 1:</u> Identify and remove barriers to housing choice</p> <ul style="list-style-type: none"> <li>• Reconsider housing policies rooted in racial segregation efforts such as exclusionary zoning districts that exclude all but single-family houses</li> <li>• Work to reduce tenure bias, that is, the favoring of owner-occupants over renter occupants, by reviewing City policy and plans to eliminate such bias</li> </ul> <p><u>Policy 4:</u> Develop varied and affordable housing options in each neighborhood</p> <ul style="list-style-type: none"> <li>• Ensure affordable housing is available in all neighborhoods in the city</li> <li>• Promote complete neighborhoods, so all neighborhoods have a broad range of housing types, including multifamily housing</li> </ul> <p><b><u>Livable Built Environment</u></b></p> <p><b>Priority Four: Housing</b></p> <p><u>Policy 1:</u> Enable affordable and accessible housing options in all neighborhoods</p> <p><u>Policy 3:</u> Enable a range of housing types in each part of the community to achieve inclusive, livable neighborhoods that prosper over time</p> <ul style="list-style-type: none"> <li>• Consider ways to introduce different housing types into neighborhoods that lack housing diversity while being mindful of and responsive to concerns about neighborhood character, design, and maintenance</li> <li>• Explore opportunities for alternative living arrangements, such as group living and co-housing, near neighborhood centers</li> </ul>

Proposed Amendment	Supporting Policy from <i>City Plan 2040</i>
<p>Simplify various Group Care Facility types into a single Group Living land use</p> <p>Replace Transitional Living Group Care Facility with small scale Community Housing Services and larger scale Regional Housing Services</p>	<p><b><u>Interwoven Equity</u></b></p> <p><b>Priority One: Trust</b></p> <p><u>Policy 1:</u> Remove legal elements of institutional or structural bias</p> <ul style="list-style-type: none"> <li>• Review and eliminate City codes and policies based on explicit or implicit biases, and advocate the same approach for state laws and policies</li> <li>• Enable complete neighborhoods to develop within the framework of the zoning code, providing access to affordable housing, services, and employment</li> </ul> <p><u>Policy 2:</u> Lead community healing</p> <ul style="list-style-type: none"> <li>• Build capacity (ability and experience) for neighborhood-based organizations to carry out or direct appropriate community improvements and services</li> </ul> <p><b>Priority Two: Break the Cycle of Poverty</b></p> <p><u>Policy 2:</u> Provide supportive interventions strategically</p> <ul style="list-style-type: none"> <li>• Ensure preventive mechanisms are in place for helping at-risk people to prevent more serious issues (e.g., underemployment, homelessness, health issues, and unsafe housing conditions)</li> <li>• Make gateways to services accessible in neighborhoods</li> </ul> <p><b>Priority Three: Neighborhood Choice</b></p> <p><u>Policy 2:</u> Understand the connection between finances, housing, and literacy in order to remove barriers for vulnerable people like veterans, formerly incarcerated people. And people recovering from addiction</p> <ul style="list-style-type: none"> <li>• Review and reexamine how and where zoning codes permit group care facilities and group homes providing housing and supportive services and support distribution of such housing in neighborhood settings dispersed throughout the City</li> <li>• Continue housing first programs and test other innovative housing approaches</li> </ul>

Proposed Amendment	Supporting Policy from <i>City Plan 2040</i>
<p>Simplify various Group Care Facility types into a single Group Living land use</p> <p>Replace Transitional Living Group Care Facility with small scale Community Housing Services and larger scale Regional Housing Services</p>	<p><b><u>Livable Built Environment</u></b></p> <p><b>Priority Four: Housing</b></p> <p><u>Policy 3</u>: Enable a range of housing types in each part of the community to achieve inclusive, livable neighborhoods that prosper over time</p> <ul style="list-style-type: none"> <li>• Explore opportunities for alternative living arrangements, such as group living and co-housing, near neighborhood centers</li> </ul>



## **Public Outreach and Comment:**

Coming off the heels of the Comprehensive Plan update, *City Plan 2040*, the major text amendments described above were major themes of that plan and were thoroughly discussed during the 2½ year planning process within the community. The plan was a well-vetted document with specific action items prescribed. The proposed zoning changes will continue a major step of plan implementation.

To set the stage and start more focused engagement, staff held six open house sessions at all of our libraries to communicate our housing issues and ideas for removing barriers to housing development. Staff created an online survey as another opportunity for input. Planroanoke.org has a page dedicated to information about zoning reform.

Following the input sessions, planning and zoning staff began to look at options for barrier removal presented above. With definitive proposals to present, planning and zoning staff hosted another round of open houses for community engagement at all six library locations and hosted one public meeting virtually. The first round presented the concepts and issues the amendments would be designed to address. Staff used feedback from these sessions to craft specific amendments. Once specific changes were developed, staff briefed City Council and went back through another round of open house sessions, plus a virtual session. In all there were 13 meetings held to discuss the zoning reform proposals.

Additionally, City Planning Staff, in conjunction with the Office of Community Engagement and RVTV, developed and produced several Public Service Announcements that were shared through the [planroanoke.org/zoning/](https://planroanoke.org/zoning/) page, the City's Main Facebook page, and the Planning, Building and Development Department's Facebook page. These PSAs were developed over several months and were updated in order to reflect changes in the timing of the Planning and City Council public hearings. Additionally, these informational PSAs were cross-posted among all of the City's other social media channels. See below for a link to that PSA:

<https://planroanoke.org/zoning/>

### Planning Commission:

Public comments concerned: past zoning codes creating blight and this proposal reducing blight, not enough public outreach, this proposal bringing uncertainty for neighborhoods that may cause homeowners to leave, support for removing discriminatory language, concern that the increased property values from this proposal may encourage demolition and rebuilding, this proposal bringing needed housing units for the over 50% of renters struggling with housing affordability, 2005 downzoning not bringing beneficial change to neighborhoods and this proposal allowing the creation of needed housing, and great community outreach.

Commissioners discussed: great community outreach, anticipated additional housing units from this proposal resulting in approximately 50 units per year, the desire for a citywide impact study of this proposal, residential density bringing additional positive uses to neighborhoods and increasing property values, density of housing increases historically being positive within our community, and this proposal meeting goals within *City Plan 2040* of a walkable city, equity, and improving transit.

**Conclusions and Recommendations:**

Planning Commission recommends approval as the proposed Zoning Ordinance amendments to make the City’s zoning ordinance easier to use for its citizens, and to make the City’s zoning ordinance consistent with state code and the recently updated Comprehensive Plan, *City Plan 2040*.

-----  
Frank Martin, Chair  
City Planning Commission

Enclosure: Attachment A, *Proposed Zoning Ordinance Amendments*

Distribution:

- Robert S. Cowell, Jr., City Manager
- Angela O'Brien, Assistant City Manager
- Chris Chittum, Executive Director of Community Development and Placemaking
- R. Wayne Leftwich, Jr., Planning Manager
- Katharine Gray, Planning Commission Agent
- Jillian Moore, Deputy Director/Development Services Manager
- Phillip Moore, Zoning Administrator
- Timothy Spencer, City Attorney
- Laura Carini, Senior Assistant City Attorney

<b>36.2-310 Purposes of the residential districts</b>	
Purpose statements for residential districts.	<p>The current purpose statements actually describe the exclusionary nature of the current residential districts. Staff recommends amendment of these statements of purpose to make the descriptions of the residential districts more inclusive of other housing types and land uses. The proposed amendments result in these purpose statements:</p> <p>The purposes of the <b>R-12, R-7, R-5, R-3, and RM-1 districts</b> are to provide a range of housing options and to provide opportunities for compatible home-based entrepreneurship. Dimensional and supplemental regulations implement standards that control building form building placement and other characteristics of development. These districts cover the majority of the City’s land area and contain most of Roanoke’s housing supply.</p> <p>The purpose of the <b>RM-2 district</b> is to provide for all housing types with an emphasis on townhouses, cottage courts, and apartment buildings. This district is generally mapped in areas near or adjacent to neighborhood and other commercial centers, but also may be applied to existing apartment buildings in neighborhood contexts.</p> <p>The purpose of the <b>RMF district</b> is to provide for unified development of 10 or more dwellings.</p> <p>While these purpose statements have no regulatory impact on development, it is important for regulations to be consistent with these purpose statements.</p>
<b>36.2-311. Use table for residential districts</b>	
Basic residential Uses	<p>The amendment removes regulation by housing type and instead lists “dwellings” as a permitted use in all districts. This change is not fundamentally different from the current code because each district already permits some form of “dwelling” as a land use.</p> <p>The proposed code relies more properly on the dimensional regulations in section 36.2-312 to control how many dwellings the code permits on a given lot.</p>
Accommodations and Group Living Uses	<p>Current code excludes certain types of group living based on the status of the residents rather than impacts of the land use. Decades of exclusionary zoning have limited housing opportunities for vulnerable populations and thus contributed to homelessness. Proposed amendments eliminate the array of different housing arrangements and replace them with a simplified and equitable approach. The amendments simplify group living arrangements into a small-scale version and a large-scale version.</p> <p>Group living, with 8 or fewer residents, meets the definition of household. In fact, federal and state laws reinforce this idea for certain protected classes of people. The</p>

	<p>amended code will permit a dispersed, dignified, and low impact model for permanent housing for our vulnerable populations.</p> <p>Large-scale group living, with nine or more residents, is permitted in multifamily districts and multiple purpose districts because it is fundamentally the same as a multiunit dwelling.</p> <p>The proposed approach treats these uses similar to their counterpart residential uses and eliminates discrimination based on the status or history of people.</p> <p>Note that all group living arrangements are for <i>permanent</i> housing (30 days or more). Sheltering operations remain excluded from residential districts.</p>																											
<p>Commercial Uses</p>	<p>Amendments propose Adult Day Care Homes and Family Day Homes as permitted uses in all residential districts. These are small-scale counterparts of Day Care Center uses. Under the current code, they require a special exception. These services are extremely limited in Roanoke; the intent is to remove land use barriers to establishing these reasonable and compatible uses in neighborhood settings.</p>																											
<p><b>36.2-312 Dimensional regulations for residential districts</b></p>																												
<p>Minimum lot area for each dwelling unit</p>	<p>The proposed amendment reduces lot area required for each dwelling unit. Amendments coordinate permitted housing types and maximum number of units for interior and corner lots to determine the maximum number of dwellings that may be established on a given lot. This regulation works hand-in-hand with a new regulation that provides an absolute limit on the number of dwellings allowed on a lot, regardless of the lot’s size. This approach will ensure the number of dwellings is within the norm found in traditional neighborhoods that are zoned R-12, R-7, R-5, R-3, and RM-1.</p> <p>The resulting minimum lot area for each dwelling unit ranges from 1,000 square feet to 2,500 square feet. The lot area for RA and RMF is unchanged.</p> <table border="1" data-bbox="440 1373 1469 1467"> <thead> <tr> <th></th> <th>RA</th> <th>R-12</th> <th>R-7</th> <th>R-5</th> <th>R-3</th> <th>RM-1</th> <th>RM-2</th> <th>RMF</th> </tr> </thead> <tbody> <tr> <td>Minimum lot area for each dwelling</td> <td>43,560</td> <td>2,500</td> <td>2,000</td> <td>1,500</td> <td>1,000</td> <td>1,500</td> <td>1,000</td> <td>1,000</td> </tr> </tbody> </table>		RA	R-12	R-7	R-5	R-3	RM-1	RM-2	RMF	Minimum lot area for each dwelling	43,560	2,500	2,000	1,500	1,000	1,500	1,000	1,000									
	RA	R-12	R-7	R-5	R-3	RM-1	RM-2	RMF																				
Minimum lot area for each dwelling	43,560	2,500	2,000	1,500	1,000	1,500	1,000	1,000																				
<p>Maximum dwelling units on a corner lot; interior lot.</p>	<p>A new regulation establishes an absolute maximum number of dwelling units for corner lots and for interior lots regardless of lot size. In general, corner lots can accommodate more dwelling units than interior lots.</p> <table border="1" data-bbox="440 1661 1414 1843"> <thead> <tr> <th></th> <th>RA</th> <th>R-12</th> <th>R-7</th> <th>R-5</th> <th>R-3</th> <th>RM-1</th> <th>RM-2</th> <th>RMF</th> </tr> </thead> <tbody> <tr> <td>Corner lot maximum number of dwellings</td> <td>1</td> <td>3</td> <td>4</td> <td>6</td> <td>6</td> <td>8</td> <td>No limit</td> <td>No limit</td> </tr> <tr> <td>Interior or through lot maximum number of dwellings</td> <td>1</td> <td>1</td> <td>2</td> <td>3</td> <td>3</td> <td>4</td> <td>No limit</td> <td>No limit</td> </tr> </tbody> </table>		RA	R-12	R-7	R-5	R-3	RM-1	RM-2	RMF	Corner lot maximum number of dwellings	1	3	4	6	6	8	No limit	No limit	Interior or through lot maximum number of dwellings	1	1	2	3	3	4	No limit	No limit
	RA	R-12	R-7	R-5	R-3	RM-1	RM-2	RMF																				
Corner lot maximum number of dwellings	1	3	4	6	6	8	No limit	No limit																				
Interior or through lot maximum number of dwellings	1	1	2	3	3	4	No limit	No limit																				

	<p>This approach moves away from regulating by TYPE of housing permitted. Various housing types may or may not be permitted based on the number of dwellings permitted.</p>																											
<p>Minimum lot area and minimum lot frontage (for subdivision)</p>	<p>The minimum lot area and minimum lot frontages control the size of lots when subdividing land. Generally, larger lot sizes and lot frontages create inefficient development patterns that consume land unnecessarily and thus reduce housing development opportunities.</p> <p>The proposed amendment decreases the minimum lot area and frontage for most residential districts.</p> <table border="1" data-bbox="440 636 1453 829"> <thead> <tr> <th></th> <th>RA</th> <th>R-12</th> <th>R-7</th> <th>R-5</th> <th>R-3</th> <th>RM-1</th> <th>RM-2</th> <th>RMF</th> </tr> </thead> <tbody> <tr> <td>Minimum area of a lot</td> <td>217,800</td> <td>8,000</td> <td>5,500</td> <td>4,000</td> <td>3,000</td> <td>4,000</td> <td>4,000</td> <td>15,000</td> </tr> <tr> <td>Minimum frontage of a lot</td> <td>500</td> <td>60</td> <td>50</td> <td>40</td> <td>30</td> <td>40</td> <td>50</td> <td>50</td> </tr> </tbody> </table>		RA	R-12	R-7	R-5	R-3	RM-1	RM-2	RMF	Minimum area of a lot	217,800	8,000	5,500	4,000	3,000	4,000	4,000	15,000	Minimum frontage of a lot	500	60	50	40	30	40	50	50
	RA	R-12	R-7	R-5	R-3	RM-1	RM-2	RMF																				
Minimum area of a lot	217,800	8,000	5,500	4,000	3,000	4,000	4,000	15,000																				
Minimum frontage of a lot	500	60	50	40	30	40	50	50																				
<p><b>36.2-314. Purposes of multiple purpose districts</b></p>																												
<p>Purpose statement</p>	<p>The proposed amendment to the MX district purpose is to better reflect the character of the district:</p> <p>The purpose of the <b>MX District</b> is to accommodate residential uses and low intensity, small-scale commercial uses. Dimensional regulations implement neighborhood design principles for urban neighborhoods by controlling building size and building placement. The regulations of the district are intended to protect the character and scale of such a mixed-use development pattern by permitting low-intensity development at a scale that recognizes and respects residential patterns of development.</p> <p>A statement purpose for the proposed new <b>UC Urban Center District</b> is added:</p> <p>The purpose of the Urban Center District is to permit a mixture of retail, office, residential, and light industrial uses in a concentrated pedestrian-friendly area outside of Downtown. The streets form an interconnected grid and accommodate multiple modes of transportation: pedestrian, bicycles, transit, automobiles. Buildings are located adjacent to the sidewalk and often adjoin each other. Parking is generally concentrated in parking structures or is located to the side or rear of principal buildings. Toward that end, the Urban Center District is intended to accomplish the following:</p> <ol style="list-style-type: none"> <li>(1) Facilitate pedestrian ways and create a convenient and harmonious development of buildings, streets, and open space;</li> <li>(2) Promote activity on public streets and to protect amenities provided through public investment; and</li> </ol>																											

(3) Provide for a mix of high-density residential, commercial, retail, government services, entertainment and cultural facilities, and live/work space.

**36.2-315. Use table for multiple purpose districts.**

Uses permitted in multiple purpose districts.

The proposed amendment carries forward the same approach as residential districts by added the *dwelling* use as a permitted use.

District	MX	CN	CG	CLS	D	IN	ROS	UF	UC
Dwellings	P	P	P	P	P	P	P	P	P

The simplified and equitable group living approach is carried into the multiple purpose districts, with small scale permitted by right and larger scale regulated by the special exception process in some districts.

District	MX	CN	CG	CLS	D	IN	ROS	UF	UC
Group living	S	S	P	P	P	S		P	P

Additional low-intensity business development is permitted by right in the MX district.

Amendments expand districts where child and adult care is permitted to remove barriers for creation of new services.

Certain automobile oriented activities move from permitted to require a special exception to provide more oversight: Drive through facilities and kiosks, rental, repair, service, sales, painting, body shop, limousine service.

Certain passive, low-activity uses are disallowed in multiple purpose districts: mobile home sales, storage building sales, self-storage building.

An impactful change is the definition of a new use related to temporary sheltering of vulnerable populations. The current code classifies a shelter as a "Group Care Facility, transitional living facility." This use is extremely restricted; the zoning code permits it only in the INPUD district and further requires a special exception from the board of zoning appeals.

Staff recommends the creation of two new uses to replace transitional living facility: **Community Housing Services** and **Regional Housing Services**. This approach provides for a small, limited community scale version which may be more broadly permitted around the City. Enabling a model of small-scale sheltering options distributed among higher intensity districts is a less impactful, more equitable, and more accessible alternative to one large facility.

Community housing services: a small-scale operation providing temporary occupancy, and may provide mental health counseling, employment services, permanent housing assistance, and other supportive services. The temporary housing capacity of a

	<p>community housing services operation shall be limited to twelve people and occupy no more than 10,000 square feet of gross floor area.</p> <p>Regional housing services: an operation providing temporary occupancy, and may provide mental health counseling, employment services, permanent housing assistance, and other supportive services. The temporary housing capacity of a regional housing services operation is not limited.</p> <p>Proposed amendments permit Community Housing Services by right in CG, CLS, D, IN, ROS, and UF districts and MXPUD and INPUD districts. Regional Housing Services would be very restricted, permitted only in the INPUD district with a special exception.</p>
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**36.2-316. Dimensional regulations for multiple purpose districts**

Lot area and lot frontage regulations	<p>Reduce lot area required for each dwelling in the MX district.</p> <p>Adjust dimensions of lot size and frontage.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th>MX</th> <th>CN</th> <th>CG</th> <th>CLS</th> <th>D</th> <th>IN</th> <th>ROS</th> <th>UF</th> </tr> </thead> <tbody> <tr> <td>Minimum lot area for each dwelling</td> <td><b>1,000</b></td> <td><b>None</b></td> <td>None</td> <td>None</td> <td>None</td> <td>None</td> <td>None</td> <td>None</td> </tr> <tr> <td rowspan="2">Lot area</td> <td>Minimum</td> <td><b>2,500</b></td> <td><b>2,500</b></td> <td>10,000</td> <td>43,560</td> <td>None</td> <td>None</td> <td>None</td> </tr> <tr> <td>Maximum</td> <td><b>15,000</b></td> <td>2 ac.</td> <td>3 ac.</td> <td>None</td> <td>None</td> <td>5 ac.</td> <td>None</td> </tr> <tr> <td rowspan="2">Lot frontage</td> <td>Minimum</td> <td><b>40</b></td> <td>None</td> <td><b>50</b></td> <td><b>100</b></td> <td>None</td> <td><b>50</b></td> <td>None</td> </tr> <tr> <td>Maximum</td> <td>150</td> <td>200</td> <td>None</td> <td>None</td> <td>None</td> <td>None</td> <td>200</td> </tr> </tbody> </table>		MX	CN	CG	CLS	D	IN	ROS	UF	Minimum lot area for each dwelling	<b>1,000</b>	<b>None</b>	None	None	None	None	None	None	Lot area	Minimum	<b>2,500</b>	<b>2,500</b>	10,000	43,560	None	None	None	Maximum	<b>15,000</b>	2 ac.	3 ac.	None	None	5 ac.	None	Lot frontage	Minimum	<b>40</b>	None	<b>50</b>	<b>100</b>	None	<b>50</b>	None	Maximum	150	200	None	None	None	None	200
	MX	CN	CG	CLS	D	IN	ROS	UF																																													
Minimum lot area for each dwelling	<b>1,000</b>	<b>None</b>	None	None	None	None	None	None																																													
Lot area	Minimum	<b>2,500</b>	<b>2,500</b>	10,000	43,560	None	None	None																																													
	Maximum	<b>15,000</b>	2 ac.	3 ac.	None	None	5 ac.	None																																													
Lot frontage	Minimum	<b>40</b>	None	<b>50</b>	<b>100</b>	None	<b>50</b>	None																																													
	Maximum	150	200	None	None	None	None	200																																													

**36.2-322. Use table for industrial districts**

Industrial districts	<p>Dwelling and group living uses are carried forward from residential districts, but require a special exception.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th>I-1</th> <th>I-2</th> <th>AD</th> </tr> </thead> <tbody> <tr> <td>Dwellings</td> <td>S</td> <td></td> <td></td> </tr> <tr> <td>Group Living</td> <td>S</td> <td></td> <td></td> </tr> </tbody> </table> <p>Roanoke has residential uses in industrial districts as a vestige of previous zoning remaps. Permitting residential uses by special exception allows them to continue, expand, and maintain. Permitting residential uses can enable transition from underperforming industrial land to adaptive reuse for needed housing. The amendments propose to restrict or eliminate a number of hazardous and/or nonproductive uses: storage building sales; junkyard; wrecker yard; self-storage building, self-storage facility; storage of commercial motor vehicles; storage of motor vehicles for rental; and tank farm.</p> <p>The new “community housing services” is added as a permitted use in the I-1 district.</p>		I-1	I-2	AD	Dwellings	S			Group Living	S		
	I-1	I-2	AD										
Dwellings	S												
Group Living	S												

<b>Sec. 36.2-327. Use table for planned unit development districts</b>																	
Use table	<p>Dwelling uses are carried forward and short-term rental is added.</p> <table border="1"> <thead> <tr> <th></th> <th>MPUD</th> <th>INPUD</th> <th>IPUD</th> </tr> </thead> <tbody> <tr> <td>Dwellings</td> <td>P</td> <td>P</td> <td></td> </tr> <tr> <td>Short-term Rental</td> <td>P</td> <td>P</td> <td></td> </tr> <tr> <td>Group Living</td> <td>P</td> <td>P</td> <td></td> </tr> </tbody> </table> <p>Assembly uses added</p> <p><b>Regional temporary housing services</b> replaces <b>transitional living facility</b> as a special exception in the INPUD District.</p> <p>Additional uses were added to allow for a more complete neighborhood development within a PUD including: gasoline station; workshop; exhibition, convention, and conference center; indoor recreation; and movie or performing arts theater.</p>		MPUD	INPUD	IPUD	Dwellings	P	P		Short-term Rental	P	P		Group Living	P	P	
	MPUD	INPUD	IPUD														
Dwellings	P	P															
Short-term Rental	P	P															
Group Living	P	P															
<b>Sec. 36.2-328. Dimensional regulations for planned unit development districts.</b>																	
Dimensional regulations	<p>Only technical changes are being made here to enhance readability. The development plan adopted during zoning map amendment generally controls these characteristics. A future reworking of PUD districts may eliminate this table altogether.</p>																
<b>Sec. 36.2-332. Neighborhood Design Overlay District (ND).</b>																	
Design standards for dwellings	<p>Modification and refinement of residential design standards.</p> <p>Remove requirement for two-story building between two others.</p> <p>Proposed amendments move some standards to supplemental regulations that apply throughout the city (see new 36.2-409.1).</p>																
<b>36.2-402. Accessory apartments</b>																	
Accessory apartment supplemental regulations	<p>This section replaced with new content moved to supplemental regulations for “dwellings” in Sec. 36.2-409.1.</p>																
<b>Sec. 36.2-405. Bed and breakfast, homestay, and short-term rental establishments</b>																	



<p>Supplemental regulations</p>	<p>Technical amendments reflecting new terminology for dwelling type.</p>
<p><b>36.2-409.1. Dwellings. (Supplemental regulations)</b></p>	
<p>Supplemental regulations for dwellings</p>	<p>This new section provides standards for all dwelling types, providing definition and guidance on form, building location, and orientation:</p> <p><b>36.2-409.1. Dwellings.</b> Supplemental regulations for various dwelling types prescribe the form, building location, and orientation of buildings containing dwellings in order to provide for compatibility within the context of neighborhood settings.</p> <p><b>Accessory dwellings</b> (also known as accessory dwelling unit (ADU), or accessory apartment). These standards are intended to regulate number and size of accessory dwellings to ensure they are subordinate to the principal single dwelling use to which it is accessory:</p> <ol style="list-style-type: none"> <li>1) One accessory dwelling may be established on a lot containing a new or existing single dwelling building. An accessory dwelling is not subject to minimum lot area requirement for each dwelling nor the maximum number of dwellings per lot.</li> <li>2) An accessory dwelling located in a detached accessory building shall be limited to 800 square feet or 80 percent of the gross floor area of the principal dwelling, whichever is less. The accessory building may contain other uses and shall otherwise be subject to the size and placement standards of 36.2-403.</li> <li>3) The floor area of an accessory dwelling located within a principal building shall be no more than 40 percent of the gross floor area of the building. An exterior stairway or additional entrances, if created, shall be located on facades other than the primary façade.</li> </ol> <p><b>Cottage Courts.</b> A cottage court development is a grouping of attached or detached dwellings arranged and oriented toward an interior courtyard rather than toward a street frontage. Such development is appropriate for an interior or through lot subject to these standards:</p> <p style="padding-left: 40px;">Any single building façade facing a primary street shall be 35 feet wide or less.</p> <ol style="list-style-type: none"> <li>4) Permitted only on an interior lot or a through lot with a minimum lot area of 7,000 square feet.</li> <li>5) At least two buildings shall meet the maximum yard requirement of the district.</li> <li>6) Window or door openings shall constitute at least 15 percent of façades facing the street frontage.</li> <li>7) Limited to two stories.</li> <li>8) Dwelling units have a maximum gross floor area of 1,000 square feet.</li> <li>9) Buildings may be located on unit lots within a zoning lot.</li> <li>10) At least 20% of the lot area shall be dedicated to a central courtyard. Each dwelling shall have a doorway fronting on the courtyard. Such courtyard shall have no motor vehicle access.</li> </ol> <p style="padding-left: 40px;"><b>b) One and two dwelling buildings.</b> These buildings are always oriented toward a street frontage. The following standards are provided to ensure compatibility with existing neighborhood contexts:</p> <ol style="list-style-type: none"> <li>1) The primary façade width of one and two dwelling buildings shall be within 25 percent of the average of the widths of such buildings on the same side of the same block.</li> <li>2) Any garage bay door facing a primary street shall be offset at least 24 inches behind the front façade of the dwelling and the front door. An attached garage shall not make up more than 33 percent of the front façade of the dwelling.</li> <li>3) Window and door openings shall constitute at least 15 percent of the primary façade and at least 10 percent of a secondary façade on a corner lot.</li> <li>4) Where permitted by the district, a lot may contain multiple one or two dwelling buildings.</li> </ol>

	<p>c) <b>Single-façade apartment buildings.</b> New and converted buildings oriented in a single mass with one primary facade, and containing three to eight dwellings, shall be subject to these standards:</p> <ol style="list-style-type: none"> <li>1) The maximum width of the principal façade of the building shall be 120 percent of the average widths of other dwellings on the same side of the same block.</li> <li>2) The building shall have one entrance facing the primary front yard. No additional entrances shall face the primary front yard unless recessed at least four feet behind the primary building facade.</li> <li>3) Window and door openings shall constitute at least 15 percent of the primary façade and at least 10 percent of a secondary façade on a corner lot.</li> <li>4) The front façade shall contain a front porch at least one-half the width of the building width and eight feet in depth.</li> <li>5) An addition to an existing building shall be located on the rear or side of the building, except a porch may be added to the front of the dwelling. An addition to the side of a dwelling shall be set back from the dwelling's front face by 24 inches or more.</li> <li>6) No garage door may face a primary street frontage.</li> </ol> <p>d) <b>Multiple façade apartment buildings.</b> New and converted buildings having a shape with multiple primary facades, and containing three to eight dwellings, shall be subject to these standards:</p> <ol style="list-style-type: none"> <li>1) Each façade within the primary front yard shall not exceed 120 percent of the average widths of other dwellings on the same side of the same block. Such facades shall be separated by at least 20 feet.</li> <li>2) Window and door openings shall constitute at least 15 percent of the primary façades and at least 10 percent of a secondary façade on a corner lot.</li> <li>3) An addition to an existing building shall be located on the rear or side of the building, except a porch may be added to any street-facing façade.</li> <li>4) An addition to the side of a dwelling shall be set back from the dwelling's front face by 24 inches or more.</li> <li>5) No garage door may face a primary street frontage.</li> </ol> <p>e) <b>Townhouse buildings.</b> These standards provide additional controls on the scale, massing, building placement to encourage compatibility with neighborhood contexts.</p> <ol style="list-style-type: none"> <li>1) A row of townhouses in a townhouse building shall be limited to 300 feet or less.</li> <li>2) The minimum width of a dwelling in a townhouse building is 15 feet.</li> <li>3) No parking spaces or driveways shall be permitted between a public or private street and any principal building. Exception: Parking and driveways may be located between the street and the building under the following conditions:             <ol style="list-style-type: none"> <li>(i) Each townhouse dwelling is at least 25 feet in width;</li> <li>(ii) The driveway is greater than ten feet wide.</li> <li>(iii) The garage door is no greater than ten feet wide.</li> <li>(iv) Driveways shall be located to minimize curb cuts.</li> <li>(v) Each townhouse dwelling may be located on a unit lot subdivided from the parent zoning lot.</li> <li>(vi) Window and door openings shall constitute at least 15 percent of the primary façade and at least 10 percent of a secondary façade on a corner lot.</li> </ol> </li> </ol>
<p><b>36.2-431. Townhouses and rowhouses.</b></p>	
	<p>Deletes supplemental regulations for townhouses and rowhouses. Standards are moved to the previous Section 36.2-409.1</p>

<p><b>Appendix A. Definitions</b></p>	
<p>Community housing services, regional housing services</p>	<p>New definitions for <b>community housing services</b> and <b>regional housing services</b> as forms of temporary sheltering.</p>
<p>Dwellings</p>	<p>Dwelling: a room or group of connected rooms designed for occupancy by a <b>household</b> as an independent housekeeping unit for 30 days or longer.</p> <p>Dwelling types: This code identifies the following types of dwellings for the purpose of providing supplemental regulations that prescribe form, location, and orientation.</p> <p style="padding-left: 40px;">Accessory dwelling, accessory: an additional dwelling on a lot where the principal use is a single dwelling building. (synonyms: Accessory dwelling unit, ADU, accessory apartment)</p> <p style="padding-left: 40px;">One and two dwelling building: a building that contains one or two dwellings.</p> <p style="padding-left: 40px;">Cottage court: a group of two or more buildings that contain three or more dwellings that are limited to 1,000 square feet of gross floor area. Such located on an interior or through lot with limited size detached or connected dwellings, with such buildings oriented to create a central court for common access.</p> <p style="padding-left: 40px;">Townhouse building: A building containing two or more dwellings connected by vertical walls, with each dwelling having an independent entrance.</p> <p style="padding-left: 40px;">Single façade apartment building (house form): a building that contains three to eight dwellings and has a single primary façade.</p> <p style="padding-left: 40px;">Multiple façade apartment building (courtyard form): a building that contains three to eight dwellings and has multiple primary facades.</p> <p style="padding-left: 40px;">Large apartment building: a building containing nine or more dwellings.</p>
<p>Group living</p>	<p>Defines <b>group living, small scale</b> and <b>group living, large scale</b> as forms of permanent residential occupancy.</p> <p style="padding-left: 40px;">Group living, large scale: permanent occupancy of a building by nine or more people who may be unrelated and who may receive supportive services or medical care. Large-scale group living is characterized by common areas and centralized food services and do not contain independent dwellings. Such living arrangements are commonly referred to as nursing homes, congregate care, or group care.</p> <p style="padding-left: 40px;">Note: Occupancy by fewer than nine persons is a household.</p>
<p>Household</p>	<p>Redefines household to include family and nonfamily living arrangements, including federal preemption families.</p> <p style="padding-left: 40px;">Household: a person or group of persons living within a dwelling and sharing kitchen facilities, sanitation facilities, and common areas. A household may have one of the following types of occupancy:</p> <p style="padding-left: 80px;">(a) A family of related persons of unlimited number.</p>

Appendix A: Proposed Zoning Ordinance Amendments

	<p>(b) A family defined as up to eight persons with mental illness, intellectual disability, or developmental disability who reside with one or more resident or nonresident staff persons in a residential facility for which the Department of Behavioral Health and Developmental Services is the licensing authority pursuant to the Code of Virginia (1950), as amended.</p> <p>(c) A family defined as up to eight aged, infirm, or disabled persons who reside with one or more resident counselors or other staff persons in a residential facility for which the Department of Social Services is the licensing authority pursuant to the Code of Virginia (1950), as amended.</p> <p>(d) A group of up to eight unrelated persons who may or may not receive supportive services or medical care.</p>
Occupancy	Defines permanent occupancy as 30 days or more, and temporary occupancy as less than 30 days.
Short term rental	New definition for short term rental of a dwelling for less than 30 days