

# Summary of proposed amendments to the text of the City of Roanoke Zoning Code 2024

Roanoke adopted changes to its zoning code on March 18, 2024, in order to increase housing options and address issues of equity in our community. These changes are technical amendments to the text and do not change the zoning of any properties.

On June 17, 2024, City Council initiated a process to consider adopting amendments similar in substance to the March 18, 2024 amendments and, if necessary, to repeal the March 18 amendments. This process was initiated to address any uncertainty as to the adoption or effect of the March 18 amendments (in light of a lawsuit filed in April 2024), and to provide additional opportunities for further public comment, Planning Commission review, and City Council review.

This summary is intended to walk through the proposed amendments in plain language so people can understand the nature of the changes and what they mean. In the summary below, we use the term “amendments;” this refers to the changes adopted on March 18 (which are already in effect and part of the current zoning code), plus additional changes proposed to Section 36.2-403 and Section 36.2-409.1.

<b>36.2-100, 36.2-105</b>	
Title and rules of interpretation	Changes citation of zoning text from “ordinance” to “code.” For the purposes of zoning, City Council adopts an ordinance and then it becomes code.  Assigns meaning to older terms that may remain in the code.
<b>36.2-201. Establishment of districts</b>	
Naming convention	Establishes a new convention for the naming of the districts. The principal change is removing the term “single-family” in order to reflect the new code provisions for residential districts.
<b>36.2-205. Dimensional regulations</b>	
How dimensional regulations are interpreted and applied	Various technical amendments were made to this section to reflect new code provisions.

<b>36.2-300. Purpose</b>	
Purpose statement for article	Improved wording
<b>36.2-310 Purposes of the residential districts</b>	
Purpose statements for residential districts.	<p>The previous purpose statements actually described the exclusionary nature of the residential districts. Staff recommended 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 resulted 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 effect 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 former code regulated residential uses by specifying different housing types in each district. The various housing types were single-family detached, single-family attached, two-family, multifamily, and townhouse.</p> <p>The amendment moved away from regulation by housing type and instead lists “dwellings” as a permitted use in all districts.</p>

	<p>This change is not fundamentally different from the current code because each district already permits some form of “dwelling” as a land use. However, the new code relies more properly on the dimensional regulations in Sec. 36.2-312 to control how many dwellings the code permits on a given lot.</p>
<p>Accommodations and Group Living Uses</p>	<p>The former code excluded 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. The amendments eliminated the array of different housing arrangements and replaced them with a simplified and equitable approach. The amendments simplified 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 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>The amendments made Adult Day Care Homes and Family Day Homes permitted uses in all residential districts. These are small-scale counterparts of Day Care Centers. Under the former code, they required a special exception. These services are extremely limited in Roanoke; the intent was to remove land use barriers to establishing these reasonable and compatible uses in neighborhood settings.</p>

**36.2-312 Dimensional regulations for residential districts**

Minimum lot area for each dwelling unit

The amendments reduced the amount of lot area required for each dwelling unit, measured in square feet. To determine how many dwellings are permitted, the lot area is divided by the lot area requirement for each dwelling.

This regulation works hand-in-hand with a regulation that specifies an absolute limit on the number of dwellings allowed on a lot, regardless of the lot's size. This approach ensures 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.

The minimum lot area per dwelling unit was as shown here:

	RA	R-12	R-7	R-5	R-3	RM-1	RM-2	RMF
Minimum lot area for each dwelling	43,560	12,000	7,000	5,000	3,000	3,500	2,500	1,000

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 was not changed.

	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

Maximum dwelling units on a corner lot; interior lot.

The amended code 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. This regulation did not exist in the former code.

	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

Various housing types may or may not be permitted based on the number of dwellings permitted.

Minimum lot area and minimum lot frontage (for subdivision)

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 and reduce housing development opportunities.

The lot size and frontage in the former code are shown here:

	RA	R-12	R-7	R-5	R-3	RM-1	RM-2	RMF
Minimum lot area	43,560	12,000	7,000	5,000	3,000	5,000	5,000	15,000
Minimum lot frontage	150	70	60	50	30	50	50	150

The amendment decreased the minimum lot area and frontage for most residential districts, resulting in the following new lot area and lot frontage requirements:

	RA	R-12	R-7	R-5	R-3	RM-1	RM-2	RMF
Minimum area of a lot	43,560	8,000	5,500	4,000	3,000	4,000	4,000	15,000
Minimum frontage of a lot	150	60	50	40	30	40	50	50

**36.2-314. Purposes of multiple purpose districts**

Purpose statement

The amendment to the purpose statement of the MX district now provides a better reflection of the character of the district:

The purpose of the **MX District** 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.

The amendments added a purpose statement for an entirely new district created: The **UC Urban Center District**. 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:

- (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.

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

Uses permitted in multiple purpose districts.

The amendment carried forward the same approach as residential districts by adding *dwelling* as a permitted use in all districts.

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 was carried over from residential districts 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

The amendments added certain low-intensity business development as permitted uses in the Multiple Purpose districts: Bed and Breakfast; short-term rental; business services; financial services; medical labs; R&D labs; commercial caterer; community market; workshop; personal service; assembly and entertainment uses.

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

Certain automobile oriented activities change from permitted to 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 were disallowed in multiple purpose districts: mobile home sales, storage building sales, self-storage building.

The former code classified a shelter as a “Group Care Facility, transitional living facility.” This use is extremely restricted; the zoning code permitted it only in the INPUD district and required a special exception from the board of zoning appeals.

Two new uses replaced the *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 community housing services operation shall be limited to twelve people and occupy no more than 10,000 square feet of gross floor area.

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.

The amendments made Community Housing Services a permitted use 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.

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

Lot area and lot frontage regulations

The amendments reduced the lot area required for each dwelling in the MX district. Residential density is not regulated in most Multiple Purpose Districts.

The lot size and frontage and frontage requirements, which apply when subdividing land into lots, were reduced to make more efficient use of land.

		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	None
	Maximum	<b>15,000</b>	2 ac.	3 ac.	None	None	5 ac.	None	3 ac.
	Minimum	<b>40</b>	None	<b>50</b>	<b>100</b>	None	<b>50</b>	None	None

Lot frontage	Maximum	150	200	None	None	None	None	None	200
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**36.2-322. Use table for industrial districts**

Industrial districts

Dwelling and group living uses were carried forward from residential districts. However, they require a special exception because the suitability can vary greatly depending on the context of existing industrial development.

	I-1	I-2	AD
Dwellings	S		
Group Living	S		

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 be maintained. Permitting residential uses can enable transition from underperforming industrial land to adaptive reuse for needed housing.

The amendments 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.

The new “community housing services” was added as a permitted use in the I-1 district.

**Sec. 36.2-327. Use table for planned unit development districts**

Use table

Dwelling uses were carried forward and short-term rental is added.

	MPUD	INPUD	IPUD
Dwellings	P	P	
Short-term Rental	P	P	
Group Living	P	P	



	<p>Assembly uses were added.</p> <p><b>Regional temporary housing services</b> replaced <i>transitional living facility</i> 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>
<b>Sec. 36.2-328. Dimensional regulations for planned unit development districts.</b>	
Dimensional regulations	The technical changes to this section enhance readability. The planned unit development plan controls these characteristics of development.
<b>Sec. 36.2-332. Neighborhood Design Overlay District (ND).</b>	
Design standards for dwellings	The amendments modified and refined residential design standards that apply in traditional neighborhoods. The requirement for a two-story building between two others was deleted. Some standards were moved to supplemental regulations that apply throughout the city (see new 36.2-409.1).
<b>36.2-402. Accessory apartments</b>	
Accessory apartment supplemental regulations	This section was deleted, with new content created in supplemental regulations for “dwellings” in Sec. 36.2-409.1.
<b>36.2-403. Accessory uses and structures</b>	
Regulations on accessory uses	<p>Delete prohibition on separate metering for accessory uses and structures.</p> <p><i>***Note, this amendment was NOT adopted March 18 and is to be considered in the upcoming action.</i></p>
<b>Sec. 36.2-405. Bed and breakfast, homestay, and short-term rental establishments</b>	

Supplemental regulations	Technical amendments reflected new terminology for dwelling type.
<b>36.2-409.1. Dwellings. (Supplemental regulations)</b>	
Supplemental regulations for <b>dwellings</b>	<p>This new section provides standards for residential dwelling types, providing definition and guidance on form, building location, transparency, and orientation. The intent of these standards is to provide for compatibility within the context of existing neighborhoods.</p> <p><b>Accessory dwellings</b> (also known as accessory dwelling unit (ADU), or accessory apartment). The standards limit an accessory dwelling to being associated with a single dwelling. The size is 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.</p> <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. The standards limit the floor area and height of units as they are, by design, intended to be a grouping of small dwellings.</p> <p><b>One and two dwelling buildings.</b> These buildings are the most common type in Roanoke. The standards call for de-emphasizing garage bay doors for compatibility with most of Roanoke’s neighborhoods. This will help new houses fit into existing neighborhoods. The standards also establish minimum window and door openings on the façade.</p> <p>Where permitted by the district, a lot may contain multiple one or two dwelling buildings. This means that where more than one dwelling is permitted on a lot, the dwellings do not necessarily need to be in one building.</p> <p><b>Single-façade apartment buildings.</b> These buildings have a single mass with one primary façade like a typical house. Standards are designed to control the bulk of these buildings (height and width) so they will generally be “house sized.”</p> <p>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. Here, the regulations require a</p>

	<p>front porch, essential to making a small apartment building fit into a neighborhood context.</p> <p><b>Multiple façade apartment buildings.</b> These buildings have a more complex shape with multiple primary facades. They often resemble the letter “C” or “H” or “W” when viewed from above. This feature enables a larger building to fit because the façade is broken into typical house-sized modules. The standards limit the width of the facades so they are comparable to other dwellings in a block.</p> <p><b>Townhouse buildings.</b> These are buildings containing dwellings sharing common vertical walls. Standards provide additional controls on the width and building placement to encourage compatibility with neighborhood contexts. Front facing parking, garage doors, and driveways are also limited.</p> <p>Note that the large apartment building, containing 9 or more units, is not regulated because they are not permitted in the R-12, R-7, R-5, R-3, or RM-1 districts.</p> <p><i>***Note, additional changes are proposed since the March 18 amendments to clarify subsections (c) and (f) based on community feedback.</i></p>
<p><b>36.2-431. Townhouses and rowhouses.</b></p>	
	<p>Deleted supplemental regulations for townhouses and rowhouses. Standards were moved to 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 <i>community housing services</i> and <i>regional housing services</i> as forms of temporary sheltering.</p>

Dwellings	<p><b>Dwelling:</b> a room or group of connected rooms designed for occupancy by a household as an independent housekeeping unit for 30 days or longer.</p> <p><b>Dwelling types:</b> This code identifies the following types of dwellings for the purpose of providing supplemental regulations that prescribe form, location, and orientation.</p> <p><b>Accessory dwelling:</b> an additional dwelling on a lot where the principal use is a single dwelling building. (synonyms: Accessory dwelling unit, ADU, accessory apartment)</p> <p><b>One and two dwelling building:</b> a building that contains one or two dwellings.</p> <p><b>Cottage court:</b> 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><b>Townhouse building:</b> A building containing two or more dwellings connected by vertical walls, with each dwelling having an independent entrance.</p> <p><b>Single façade apartment building (house form):</b> a building that contains three to eight dwellings and has a single primary façade.</p> <p><b>Multiple façade apartment building (courtyard form):</b> a building that contains three to eight dwellings and has multiple primary facades.</p> <p><b>Large apartment building:</b> a building containing nine or more dwellings.</p>
Group living	<p>Defines <b>group living, small scale</b> and <b>group living, large scale</b> as forms of permanent residential occupancy.</p> <p><b>Group living, large scale:</b> 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>Note: Occupancy by fewer than nine persons is a <b>household</b>.</p>

Household	<p>Redefines <b>household</b> to include family and nonfamily living arrangements, including living arrangements of people protected by federal law.</p> <p><b>Household:</b> 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> <ul style="list-style-type: none"> <li>• A family of related persons of unlimited number.</li> <li>• 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.</li> <li>• 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.</li> <li>• A group of up to eight unrelated persons who may or may not receive supportive services or medical care.</li> </ul>
Occupancy	<p>Defines <b>permanent occupancy</b> as 30 days or more, and <b>temporary occupancy</b> as less than 30 days.</p>
Short term rental	<p>New definition for <b>short term rental</b>, which is rental of a dwelling for less than 30 days</p>