



# Zoning Amendments Report and Study

Roanoke, VA

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# Introduction

On March 18, 2024, Roanoke City Council adopted zoning amendments (referred to in this report as the “March 2024 Amendments”), following the Planning Commission’s March 10, 2024 recommendation. Both the City Council and the Planning Commission conducted public hearings. In addition, their actions followed a robust public engagement process including work sessions, twelve public information meetings, and a survey conducted between September 2023 and March 2024. All public outreach was performed in the context of implementing City Plan 2040, which itself had an extensive stakeholder engagement process that spanned three years.

The effect of the March 2024 Amendments, in general, is to allow by right all types of dwellings, including some types of multifamily dwellings, in all the residential zoning districts and certain multiple purpose zoning districts in the City. The uses of land allowed by right<sup>1</sup> in these residential districts are no longer limited to single-family residential uses.

The March 2024 Amendments are in effect and part of the current zoning code. After the City Council’s adoption of the March 2024 Amendments, a number of citizens filed a lawsuit challenging their adoption and validity. On June 17, 2024, City Council initiated a process to consider adopting zoning amendments similar in substance to the March 2024 Amendments and, to the extent necessary, the repeal of the March 2024 Amendments. The City Council Resolution stated that the additional legislative process will address any uncertainty as to the adoption or effect of the March 2024 Amendments and provide additional opportunities for public comment, Planning Commission review, and City Council review.

Based on its review—both prior to and after adoption of the March 2024 Amendments—planning staff recommends zoning amendments that effectively readopt/reaffirm the March 2024 Amendments, with the only modifications made to Section 36.2-403 and Section 36.2-409.1 of the zoning code.<sup>2</sup> Given the near identity between the March 2024 Amendments and the proposed amendments, this report will use the term “Zoning Amendments” to refer to them both, and generally discusses changes that the “Zoning Amendments” make compared against Roanoke’s pre-March 18, 2024 zoning code (not the current zoning code).

There has been significant public support for the Zoning Amendments, and the underlying concepts, throughout the community engagement processes for both City Plan 2040 and the March 2024 Amendments.

This report assembles and presents the planning staff’s study of relevant information about the goals and results (projected and Roanoke’s experience since March 18, 2024) of the Zoning Amendments. For this study, planning staff has reviewed and considered these information resources (among others): City Plan 2040 ; the 2021 Housing Needs Assessment by the Virginia Tech Center for Housing Research; the December 2020 Citywide Housing Study prepared by RKG Associates, Inc., and JM Goldson/Community

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<sup>1</sup> “By right” means the land use is permitted without any legislative action such a special exception or special use permit.

<sup>2</sup> Documents explaining the proposed amendments, the changes to the current zoning code, as well as the changes compared to the pre-March 18, 2024 zoning code are currently available at: <https://planroanoke.org/zoning/> and for physical inspection at the Office of the City Clerk, Suite 456, Noel C. Taylor Municipal Building, 215 Church Avenue SW, Roanoke, Virginia, 24011.

Preservation and Planning for the Roanoke Valley-Alleghany Regional Commission; extensive information collected by and resulting from planning staff study; citizen comments; the concerns identified by the plaintiffs in the lawsuit challenging the adoption of the March 2024 Amendments; the City's experience with the March 2024 Amendments since adoption; and the experience of other localities in Virginia and across the country.

Roanoke's residential zoning districts cover just over half of Roanoke's land area (14,600 acres). Under the pre-March 18, 2024 zoning, most of these residential districts permitted only single-family dwellings by right. These limited districts covered 13,319 acres, or 91% of the area zoned for residential uses in the Roanoke. In these single-family residential districts, multifamily dwellings were not allowed by right. Multifamily dwellings were allowed by right in only a small area of the City.

The Zoning Amendments address the need for additional housing in Roanoke, the need for more affordable housing, and the need to make the residential zoning provisions more inclusive and to reduce the effect of zoning regulations that exclude residents based on racial or economic factors. The Zoning Amendments allow different types of dwellings, including townhouses, small apartment buildings, cottage courts, one-unit dwellings, and two-unit dwellings by right in all residential districts and certain multiple purpose zoning districts. Supplemental regulations in Section 36.2-409.1 provide design standards for the various housing types to manage the form, location, and orientation of structures so they are compatible in neighborhood settings.

These revisions are intended to allow different types of dwellings and thus increase the diversity of housing available in Roanoke over the long range. More specifically, the Zoning Amendments address multiple needs: to generally increase the supply of housing ; to increase the supply of affordable housing; and to address the exclusionary history of zoning provisions that limited a large geographic area of Roanoke to single-family residential uses and the persistent exclusionary effects of such zoning restrictions today. Furthermore, the Zoning Amendments implement specific policies stated in City Plan 2040 .<sup>3</sup>

This study analyzes the expected effect of the Zoning Amendments, over time, while taking into account the expected rate of change related to the Zoning Amendments and the expected effects on infrastructure, parking, traffic and public services. As explained in this report, staff concludes that the expected rate of change on the number of new dwelling units and related density will inherently be incremental and gradual over time with limited, if any, effects on infrastructure and public services.

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<sup>3</sup> The Planning Commission's March 18, 2024 report to City Council (pp. 6-8) includes a summary of policies and statements from the City Plan 2040 that relate to the Zoning Amendments.



During the ensuing 90 years, zoning evolved into a regulating system that micromanaged the residential land uses that had previously developed according to need and market conditions. City Plan 2040 notes that Roanoke was not unique in this evolution:

“The idea of regulating and arranging uses of land began almost as soon as human settlement began and remains the very essence of city planning. Early planning prescribed how various essential uses—the public square, sites for civic buildings, and the streets—are organized on the landscape.

During the 20th century, rapid urbanization led to land use regulation becoming a core activity of local governments. Rather than organizing important activities, however, land use regulation evolved into a practice of excluding urban activities from one another. City planning during the second half of the 20th century had a heavy focus on separating land uses. Zoning emerged as a tool to exclude noxious industrial uses from residential areas, but then cities started using it to exclude commercial uses from residential areas. Eventually, it became common to designate vast areas of the city exclusively for single-family dwellings, prohibiting all other uses including other types of residential buildings.”<sup>4</sup>

Roanoke’s 2005 zoning code contains seven residential zones. Prior to amendments in 2024, in five of those districts, single-family dwelling was the only principal residential use permitted by right.

City Plan 2040 states:

“This plan recommends continued long-range *movement away* from obsolete policies of excluding land uses and continued *movement toward* policies that promote (or permit) mixing and diversity.... Each neighborhood should welcome people of varied demographic dimensions such as income, race or ethnicity, life stage, familial status, housing preference, housing type, and mobility. Such diversity tends to occur naturally in the absence of artificial and deliberate actions to prevent it, so local government’s role is to remove or relax barriers (e.g., exclusive zoning practices).”<sup>5</sup>

The planning staff’s recommended Zoning Amendments address the ongoing effects of single-family only zoning restrictions that continue racial and economic exclusion. The Zoning Amendments also open up land to other types of housing as part of a larger strategy to address chronic housing shortages and escalating housing costs in Roanoke. As noted above, there has been significant public support for the concepts underlying the Zoning Amendments.

From the community engagement sessions and after adoption of the March 2024 Amendments, planners have also heard concerns ranging from mild inconvenience to grave concern. These concerns have resulted in considerable discussion on Nextdoor and the imprecisely-named “Mass rezoning” Facebook page.<sup>6</sup> In these forums, and in the lawsuit filing, there are assertions that the changes will overtax the city’s infrastructure, result in overcrowding, increase traffic, depopulate the city, increase “parking congestion”, increase property values, decrease property values, reduce tree canopy, and generally affect the “character” of neighborhoods. Some opponents say the City did not engage the

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<sup>4</sup> City Plan 2040 City Design: Land Use Background

<sup>5</sup> City Plan 2040 City Design: Land Use Interventions

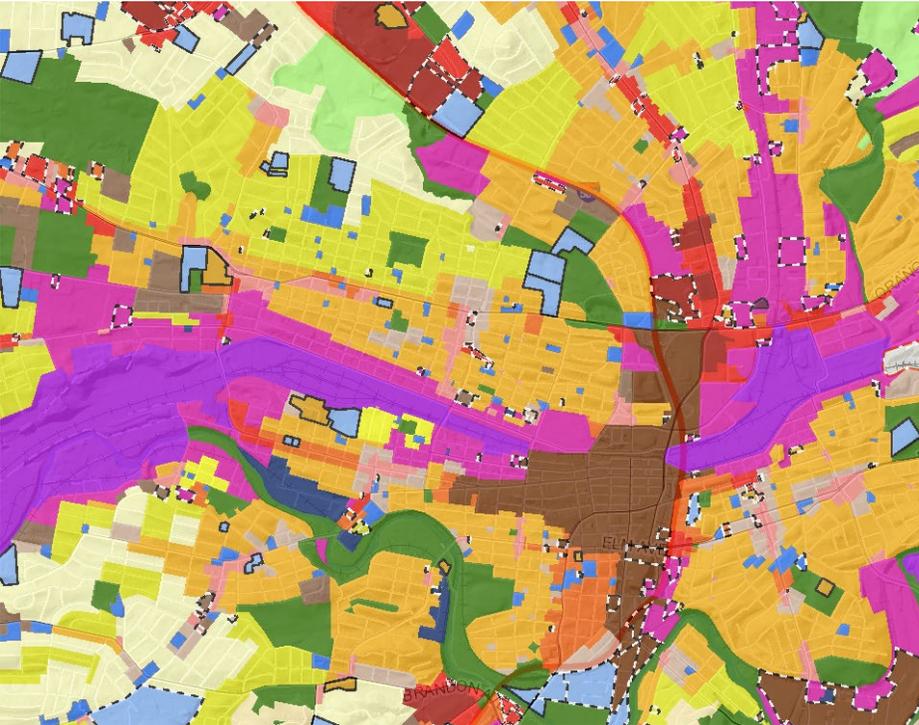
<sup>6</sup> A rezoning is a change or amendment to the zoning map. The Zoning Amendments do not change the zoning map.

public and assert that “people don’t know,” despite the unprecedented engagement process and considerable news coverage prior to adoption.

In the study that follows, planning staff concludes the increases in housing units will be modest and therefore readily accommodated by our existing civic and infrastructure capacity and that the potential negative effects cited by opponents are not likely to be realized.

# Description of Zoning Amendments

The zoning code has two parts. The first is the zoning map, which draws districts over the entire city. Every part of the city is zoned a specific district. Below is an excerpt from the Roanoke zoning map. The yellow and orange areas are residential districts.



The second part of the zoning code is the text, which spells out what can happen in each district. The regulations are the same in each district, meaning the regulations for an RM-1 district in Old Southwest are the same as an RM-1 district in the Hollins Road area.

The Zoning Amendments make changes only to the **text**. They change the names of some districts, but there was no remapping of districts. The new district names represent the more inclusive character of the districts after amendment.

Each district has a list of permitted land uses and a table of dimensional regulations like setbacks, height, lot coverage, and so on. These dimensional regulations address lot size, frontage, and the number of dwellings allowed on a lot. Each type of dwelling is subject to development standards that require that any new dwellings are compatible with existing uses. Accessory dwelling units are allowed only as an accessory to a single-unit dwelling.

The Zoning Amendments change how Roanoke regulates housing. Since 1932, housing was regulated by **type** (single-family, two-family, townhouse, multifamily). This became increasingly complex over time, as each housing type had to be defined meticulously so it could be included or excluded from districts. The Zoning Amendments simplify the code by focusing on the actual activity occurring, which is a **dwelling**.

The number of dwellings permitted on a lot is moved to the dimensional regulations. There is a minimum land area required for each dwelling. Each district also has a maximum number of dwellings permitted on a corner lot and on an interior lot. These two specifications work together to determine how many dwellings the code permits on a given lot.

**Sec. 36.2-311. Use table for residential districts.**

District	RA	R-12	R-7	R-5	R-3	RM-1	RM-2	RMF
Dwellings	P	P	P	P	P	P	P	P
P means permitted								

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

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

This change makes the R-12, R-7, R-5, R-3, and RM-1 zones more inclusive by allowing other housing types. RM-2 and RMF already permitted other housing types. The RA zone is an agricultural zone mapped on the few farms and pastures remaining in the city.

The following page contains a few examples of the maximum capacity of selected lots. These examples illustrate the operation of the dimensional regulations and the provisions addressing the maximum number of dwelling units. As noted, each type of dwelling is subject to development standards that require that any new dwellings are compatible with existing uses.



### **R12 Corner lot**

2,500 per dwelling with absolute max of 3 dwellings

28,042 sf of land area ÷ 2,500 yields up to 11 dwellings

Max per lot is 3

Permitted: 3 dwellings



### **R5 Interior lot**

1,500 per dwelling with absolute max of 3 dwellings

6,673 sf of land area ÷ 1,500 yields up to 4 dwellings

Max per lot is 3

Permitted: 3 units



### **RM-1 Interior lot**

1,500 per dwelling with absolute max of 4 dwellings

6,500 sf of land area ÷ 1,500 yields up to 4 dwellings

Max per lot is 4

Permitted: 4 dwellings

These amendments made other important changes to the Zoning Code:

- Defined Household to include Family and Nonfamily Living Arrangements.
- Simplified Group Care Facility types into a single Group Living land use
- Replaced Transitional Living Group Care Facility with small scale Community Housing Services and larger scale Regional Housing Services
- Removed barriers to child care and adult care by making Adult Day Care Homes and Family Day Home permitted uses in all residential districts.
- Created a new UC Urban Center zoning district
- Adjusted where certain uses are permitted, not permitted or require a special exception, among the various districts.

# Community Engagement

The development of the Zoning Amendments—including adoption of the March 2024 Zoning Amendments—was preceded by an extensive process of community engagement. The first step was City Council’s adoption of City Plan 2040 in December 2020. The plan describes the public participation process in developing the new comprehensive plan (pp. 18-23). The Zoning Amendments implement the priorities and policies recommended by the plan.

Next, in 2021, City Council repealed minimum parking requirements for new developments on private property. This action removed a barrier to economic development and housing development.

Third, planning staff crafted a process to provide meaningful opportunities for citizens to participate through a series of meetings and virtually. The planning staff organized a first round of public, in person, workshops, between September 2023 and October 2023. The first round of workshops was intended to inform residents about the current situation and identify possible ideas on how to address the affordable housing and equity issues.

To maximize participation, staff based the open house workshops at community libraries to reach out into neighborhoods and provide venues that were accessible, familiar and comfortable. The staff scheduled the workshops from 4pm to 6pm to accommodate a span of work schedules. Any resident could attend any of the workshops.

This first series of workshops occurred before the planning staff developed any specific zoning proposals so that the staff could consider citizen concerns before developing specific language or proposals. Staff used feedback from these sessions to craft specific possible amendments.

Following the initial input sessions, planning staff began to look at options for addressing housing barriers and the issues presented above. The planning staff conducted the second set of workshops in February 2024. The second set of workshop meetings allowed citizens to consider the specific proposals developed by the planning staff for consideration by the Planning Commission and the City Council.

In addition to the twelve workshop meetings, the 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](http://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 Commission’s and City Council public hearings. Additionally, these informational PSAs were cross-posted among all of the City’s other social media channels.

As shown above, prior to adoption of the March 2024 Amendments, the planning staff chose an “all of the above” approach to getting the word out, using media releases and direct email blasts to community members. There was a great deal of interest by the media in the effort. There were 18 different news stories in print media and broadcast news outlets. Planning staff placed nearly 300 yard signs around the community to drive people to the web page containing information about the effort and its progress.

The workshop/open house meetings had good attendance considering the subject matter. As important as they are, zoning text amendments typically garner limited community interest. In 2005, there was a complete rewrite of the code and map. Every property owner in the city was affected by the new code, but only one representative of a large land owner attended the City Council public hearing.

First Round

September 2023 Main Branch Library (10 attended)  
September 2023 Williamson Road Library (4 attended)  
October 2023 Raleigh Court Library (21 attended)  
October 2023 Gainsboro Library (5 attended)  
October 2023 Melrose Library (16 attended)  
October 2023 Belmont Library (6 attended)

Between October 2023 and January 2024, staff tested various ideas and formulated specific possible zoning text amendments. These changes were published online in advance of the second tour of neighborhoods along with explanatory notes and an ‘explainer’ video that provided an additional way to understand the changes.

Second Round

February 2024 Belmont Library (14 attended)  
February 2024 Melrose Library (6 attended)  
February 2024 On-line Meeting (12 attended)  
February 2024 Gainsboro Library (6 attended)  
February 2024 Main Library (7 attended)  
February 2024 Williamson Road Library (12 attended)  
February 2024 Raleigh Court Library (30 attended)

## Briefings/Public Hearings before Planning Commission and City Council

The Planning Commission and the City Council participated in a series of briefings, workshops and public hearings before the Planning Commission’s recommendation and the City Council’s adoption of the March 2024 Amendments.

- September 5, 2023 – discussed the initiative in the joint session of Planning Commission and City Council
- November 10, 2023 – Discussed in the Planning Commission work session
- January 12, 2024 – Staff provided a 5-page briefing memo to City Council via the City Manager.
- February 5, 2024 – Staff provided a one hour briefing to City Council on the planned engagement process and content of amendments.
- February 9, 2024 – Details of code amendments discussed in the Planning Commission work session
- March 8, 2024 – Details of code amendments discussed in the Planning Commission work session
- March 11, 2024 – Planning Commission held a public hearing
- March 18 – City Council Public Hearing

In all, print and broadcast media ran **18 articles** or stories about the amendments and the open houses to discuss them, prior to March 18, 2024. There was extensive discussion on social media for and against, particularly on the Next Door platform.

## Outreach Related to Proposed Amendments

As discussed above, on June 17, 2024, City Council initiated a process to consider proposed zoning amendments similar in substance to the March 2024 Amendments. As with the March 2024 Amendments, the planning staff, in conjunction with the Office of Community Engagement and RVTV, has developed PSAs shared through the [planroanoke.org/zoning](http://planroanoke.org/zoning) page, the City's Main Facebook page, the Planning, Building and Development Department's Facebook page, and cross-posted on the City's other social media channels. Additional PSAs are planned.

The Planning Commission and City Council will hold a joint work session on August 5, 2024, which will include a briefing and discussion on the proposed amendments. Further, the Planning Commission will hold a work session regarding the proposed amendments on August 9, 2024, and a public hearing on August 12, 2024, before making their recommendation to City Council.

City Council will hold another public hearing prior to any action on the proposed amendments.

## Conclusion

The planning staff implemented an extensive community engagement process that provided for meaningful discussion and consideration of the housing issues Roanoke faces and ideas to address those issues.

Staff briefed the Planning Commission and City Council on the Zoning Amendments on multiple occasions, and will do so in the future.

# Affordability and Housing Supply

Roanoke has a significant shortage of affordable housing and needs more and different types of housing, including “missing middle” housing. In the context of the Zoning Amendments, “middle” housing means 2-8 dwelling units on a single lot.

Virginia’s zoning statutes provide that localities should improve the public health, safety, convenience and welfare of their citizens and plan for the future development of communities.<sup>7</sup> Zoning ordinances should be designed to give reasonable consideration to facilitating the creation of a convenient, attractive and harmonious community, and to promote the creation and preservation of affordable housing suitable for meeting the current and future needs of the locality.<sup>8</sup>

## Findings

City Plan 2040 addresses the need for additional housing in a range of types and affordability,<sup>9</sup> and includes specific observations of the need for a wide range of housing options, including “missing middle” housing<sup>10</sup> and the need for more affordable housing.<sup>11</sup>

In addition to City Plan 2040, there were two significant studies of housing needs in Roanoke. The 2020 Citywide Housing Study includes the following points:

- The population of Roanoke has been gradually increasing, with the percentage of elderly population also increasing.
- The housing stock in Roanoke is older, resulting in lower residential real estate values.
- Median rents are increasing.
- A significant number of households are “cost burdened,” meaning they are spending 30% or more of their income for housing costs.
- There is a lack of affordable rental housing.

Recommendations of this study included regional coordination, developer recruitment, leveraging city owned land for housing production, and establishing an affordable housing loan fund. The first strategy was a recommended regulatory strategy that would “consider zoning changes that allow and potentially incentivize new housing types.”<sup>12</sup> The study continues on this point:

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<sup>7</sup> Section 15.2-2200 of the Code of Virginia.

<sup>8</sup> Section 15.2-2283 of the Code of Virginia.

<sup>9</sup> City Plan 2040, p. 13.

<sup>10</sup> City Plan 2040, pp. 25, 35, 77, 82.

<sup>11</sup> City Plan 2040, pp. 35, 39, 40, 81, 83.

<sup>12</sup> Citywide Housing Study p. 86

“The city’s growing population is concentrated in two primary age cohorts – younger professionals and seniors. National trends show housing preferences of both groups in close alignment with a preference toward housing in walkable locations with amenities nearby, attached ownership units or multifamily rental structures with minimal maintenance responsibilities, and amenitized buildings. If the city wants to continue to attract people to live here and retain the residents who are here already, increasing housing choice and diversity should be a key to moving forward.

“Zoning changes should respond to resident needs and desires for new housing types and structures that provide additional housing choices yet are still compatible with the built environment in which they are placed. Zoning is one of the few tools the city and local partners can change almost immediately and at very little cost that can have a direct impact on housing production. Zoning can also be used to integrate new housing types across a wide variety of area or neighborhood types in the city...”<sup>13</sup>

The study also recommends consideration of inclusionary zoning approaches that either incentivize or mandate a certain percentage of new units be designated as affordable, but cautions that mandates could prove counterproductive because they may slow the pace of development.<sup>14</sup>

A 2021 study<sup>15</sup> of housing needs revealed surprising data on how Roanoke’s housing supply is occupied by households of different income ranges. As expected, there is a significant deficit of affordable housing for extremely low income households (3,020 unit deficit). What is surprising is the pronounced deficit of units with rents that align with higher household incomes (4,905 unit deficit), and the apparent excess supply of housing units in the middle ranges.

**Unit Rent Range vs Family Income Range<sup>16</sup>**

<b>Income Range</b>	<b>Deficit of units in rent range</b>	<b>Excess units in rent range</b>
Extremely low income	-3,020	
Very low income		+3,920
Low income		+5,435
Moderate income and higher	-4,905	

<sup>13</sup> Citywide Housing Study p. 87

<sup>14</sup> Citywide Housing Study p. 93

<sup>15</sup> Virginia Eviction Reduction Pilot (VERP) Planning Grant Needs Assessment. Jones, Choi, Castro, Moore, and Nagle. Virginia Tech Center for Housing Research and Virginia Tech Institute for Policy and Governance, October 2021.

<sup>16</sup> VERP assessment; adapted from Table 9 p. 24. Source Data: 2013-2017 CHAS

What this means is that families are renting outside of their presumed affordability, *both upward and downward*. Because the extremely low cost rental units are scarce, extremely low income families are forced to seek units where there is available supply, but are beyond what they can comfortably afford. Moderate income and higher families, faced with a tight supply of units in their rental range, tap into the excess supply available in the lower cost ranges. This shift to higher rent units results in a cost-burdening situation where those households are paying more than 30% of their income for housing costs.

The need for housing affordable for extremely low income families must be addressed by government intervention in the form of assisting nonprofit or for-profit housing developers in the form of financial incentives and direct funding.

The pronounced deficit at the higher end of the housing market means that the largest cohort of households must seek housing that is in the lower income rental ranges. When new market-rate housing units are developed, the market would respond to the undersupply of housing in that price range. Presumably, many of those moderate and higher income households would move to new units in their rent range, making more lower-rent units available. The important conclusion is that ALL new housing development, regardless of the rent or cost, will have some benefit to affordability for two reasons. First, increased supply would stabilize rents throughout the market and, second, more existing affordable units would become available as moderate and high income households shift toward units in their rent range.

In this context, *all new and additional housing production helps address the need* throughout the housing market.

Zoning policies that limit allowed dwellings to single-family units contribute to the shortage of housing. In Roanoke, these policies have been in place since before World War II. During this period, much land in around Roanoke and other cities was consumed by low density development, facilitated by zoning restrictions that allowed only single-family units in residential districts.

## Conclusion

The Zoning Amendments are intended to allow the development of different types of dwelling units and more affordable housing. Provisions limiting the development in residential areas to single-family uses have been in place since the first zoning ordinance was adopted in 1932.

The change in trends of land development resulting from the Zoning Amendments will be incremental, over time. As discussed below, the housing unit gains expected under the Zoning Amendments are expected to be modest, but important, particularly to those who need housing. These expected gains will play a relatively small role in increasing affordable housing in any single year. The Zoning Amendments, however, are only one part of comprehensive efforts by the City to improve the availability, affordability, and quality of housing. Over the course of decades, the Zoning Amendments are expected to be an important factor in increasing the supply of housing and, therefore, stabilize or reduce the rate of increase in housing costs.

# Projected Housing Units Created

What will happen as a result of the Zoning Amendments? This is an important and fair question. Understanding the expected rate of change that may result from the Zoning Amendments is key to understanding the potential impacts on population, transportation, environmental concerns, infrastructure and public services.

During citizen engagement sessions, in social media threads, and in the lawsuit challenging the March 2024 Amendments, there were concerns expressed about the possibility of the rapid conversion of neighborhoods into overcrowded places of high density. Related concerns included potential impacts on parking and the character of neighborhoods.

## Findings

The data, information available, and local demographic and development trends actually suggest a slow pace of change of a few dozen new units per year spread across the entire residential geography of Roanoke. Any future change in the number of dwelling units on a lot may occur from construction of a building on a vacant lot, or by conversion to add new units within an existing or expanded building.

The expected rate of change is a projection of the net number of additional dwelling units that would result if an owner were to add one or more units to a single-unit building or build a new building with two or more units as permitted (and limited) by the Zoning Amendments.

The existing conditions in Roanoke reflect the market's reaction to longstanding constraints and limitations on the types of residential uses allowed. The development market's reaction to the Zoning Amendments will inherently be incremental. It takes time to organize and implement any real estate development project and only a limited number of lots will be available and suitable for development at any time. In these circumstances, rapid changes are unlikely.

The planning profession has established reliable tools to project capacity for new housing units on vacant land with a given zoning. There are more variables and factors that affect the projection of expected change resulting from changes to zoning provisions in the context of a fully developed city, making accurate predictions challenging.

Demographic factors affect the estimate or projection of the rate of change that may result from the Zoning Amendments. These demographics factors include population growth in Roanoke and the region over time, including the number of households, and median household income. In Roanoke, there has been slow population growth over time with an increase in the percentage of elderly people. There has also been a small increase in the number of households, and median household income is lower in Roanoke than it is in the region.

Development patterns are another factor. The analysis of development patterns includes:

**Residential Building Permits:** The number of building permits issued in recent years for residential structures, including single dwelling, two-dwelling, and multifamily structures (up to eight units); including conversions.

**Residential building permit applications 2018-2024 (YTD)**

Year	Single unit Building Permits	Two-unit Building Permits	Small Multifamily Building Permits (3 to 8 units)
2024 (YTD through July 15)	74	3	0
2023	98	5	0
2022	67	0	0
2021	46	4	6
2020	39	0	0
2019	50	1	0
2018	33	5	0

**Sales price trends for residential sales:** In Roanoke, sales prices for one-unit dwellings increased 4.8% compared to last year to an average of \$241,000. This is a pronounced increase since June 2019, when the average was just \$140,000.<sup>17</sup>

**Rent rate trends:** In Roanoke, average rental rates are volatile from month to month (increasing and declining). The overall trend is a pronounced increase from \$1,016 to \$1,225 during the period January 2023 through March 2024.<sup>18</sup>

**Construction and development cost trends:** In Roanoke, as in the rest of Virginia, construction and redevelopment costs trends have been increasing.

**Vacancy rate trends in rental housing:** Vacancy rates were steady in the years prior to 2014, remaining around 1,000 units that are vacant *and for rent*. A trend of increase began in 2014 and peaked at 2,500 vacant, for rent units in 2021.<sup>19</sup> An increase in vacancy usually indicates a lower demand in the rental market. We know, however that rents were escalating rents during that time period; it is unlikely they were vacant due to easing demand. Rather, owners may have been increasing rents in response to a strong market and holding units vacant longer until there is a willing taker for the higher rent. Another possible explanation could be the mismatch of rents and quality of available units to household incomes.

**Available units in the single-unit dwelling market:** In Roanoke, the inventory of single-unit dwellings for sale has been low. In the past year, 44% sold above the listing price and there were no price drops. There were only 115 sales and the median time on the market is a mere 8 days. Roanoke is classified as “very competitive” market.<sup>20</sup>

<sup>17</sup> [Roanoke Housing Market: House Prices & Trends | Redfin](#)

<sup>18</sup> [Average rent in Roanoke, VA & rental prices by neighborhood | Redfin](#)

<sup>19</sup> US Census ACS B25004 Vacancy Status; <https://data.census.gov/table/ACSDT5Y2022.B25004?q=B25004&g=050XX00US51770> retrieved July 2024.

<sup>20</sup> [Roanoke Housing Market: House Prices & Trends | Redfin](#)

**Market suitability of a lot for development:** The suitability and feasibility of building multifamily dwelling units on a specific lot are subject to variable factors, including:

- The number of units allowed on a lot based on its size.
- The number of units allowed based on corner vs interior lot;
- Other lot characteristics such as width, depth, topography, and amount of street frontage;
- Vehicle access from the adjacent street and alley;
- Minimum yard requirements (another way of expressing setback requirements);
- The application of development standards for specific types of multifamily dwelling units. See Zoning Code § 36.2-409.1.

In addition, some neighborhoods have more vacant lots and unoccupied structures than others. Taken together, these factors specific to Roanoke suggest moderate demand for new housing of all types, including both single family and multifamily dwelling units.

The building permit data is perhaps most relevant. Generally, construction of new single- dwelling buildings is now exceeding pre-Covid rates, while construction of buildings with 2-8 units has been negligible. “Missing middle housing” is clearly missing from Roanoke’s housing supply. Since the adoption of the March 2024, Amendments, the City received three applications for middle housing types that would net only five additional units as a result of the Zoning Amendments. By comparison, there were 44 applications for single-unit dwellings.

## Experience in Virginia

Another factor to consider is the experience and expectations of other Virginia localities. Alexandria City, Charlottesville City, and Arlington County have adopted zoning ordinance amendments that are similar to the March 2024 Amendments. The zoning ordinance amendments in these three localities allow multifamily residential uses in formerly single-family districts, with a higher number of dwelling units allowed per lot than are allowed under the Roanoke Zoning Amendments. These three localities all have higher growth and more development pressure than Roanoke. Alexandria City (159,467) and Arlington County (238,643) also have populations larger than Roanoke’s (100,014).

**Alexandria.** Alexandria adopted changes that permit up to four units on any type of lot in all residential zones. “Expanded Options in Single Family Zones” are expected to create 178 net new units over 10 years.<sup>21</sup> Adjusted for differences in population, this figure would equate to 11 units per year in Roanoke.

**Charlottesville.** Charlottesville (pop. 46,423) adopted a much more ambitious approach than Roanoke in their four residential zones. Their new code permits up to six units on a lot in two districts and up to 12 units on a lot in the other two zones. Charlottesville anticipates a maximum of approximately 1,300 net new units over a three-year period across the formerly single-family zoning districts. Their study notes the projection is not a likely outcome, but is rather a theoretical upper maximum used to evaluate a

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<sup>21</sup> <https://www.alexandriava.gov/sites/default/files/2023-09/Zoning-for-Housing-Units-Infrastructure-20230925.pdf>

maximum impact scenario for infrastructure capacity (water, sewer, stormwater, and transportation).<sup>22</sup> It its Inclusionary Zoning Analysis, the middle housing figure is 619 units over about five years, or about 124 units per year, which would equate to 267 units in Roanoke when adjusted for population.

**Arlington.** Arlington County adopted amendments that will allow up to six units on a lot in five residential zones. Their study projects 94 to 108 “missing middle” new units per year.<sup>23</sup> If adjusted to Roanoke’s population, that figure would equate to 39 to 45 units per year.

## National Experience

### Portland

Portland, Oregon (population 652,503) implemented its “Residential Infill Project” in 2021 and published a report examining the first twelve months of data after the zoning changes.<sup>24</sup> During that time, 271 middle housing units were constructed and 46 older middle housing units were replaced, resulting in a net gain of 225 units total (this net number includes the single units that would have been permitted prior to the zoning changes). This report notes that the most (86%) new missing middle housing units are within a quarter mile of “centers and corridors” with transportation (public transit) and other amenities. Adjusted for Roanoke’s population, this would be equivalent to 35 units in buildings with 2-6 units.

### Minneapolis

In 2020, Minneapolis (population 429,954) began to implement its Minneapolis 2040 comprehensive plan, which included provisions to eliminate exclusionary zoning. From 2020 through 2022, Minneapolis averaged 57 units for 2-4 unit housing, a 45% increase over the annual average for 2017 through 2019. Data from the Federal Reserve Bank of Minneapolis, however, indicates that most of the 2-4 unit housing is in areas not previously zoned for single-family housing.<sup>25</sup> Adjusted for population, this level of production would equate to 13 units.

## Expected Rate of Change

The planning staff acknowledges the uncertainty in projecting an expected rate of change given the range of variable factors involved. Based on the available information, planning staff expects the rate of change resulting from the Zoning Amendments will be incremental and gradual over the long range. This

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<sup>22</sup> City of Charlottesville, Inclusionary Zoning Analysis, August 2022, p. 43; City of Charlottesville, Infrastructure Capacity Memorandum, July 7, 2023.

<sup>23</sup> Arlington County/Partners for Economic Solutions, Missing Middle Housing Financial Analysis Results for Developments, April 8, 2022, pp. 10-11.

<sup>25</sup> Bipartisan Policy Center, Comprehensive Zoning Reform in Minneapolis, MN, October 3, 2023; <https://bipartisanpolicy.org/blog/comprehensive-zoning-reform-in-minneapolis-mn/>

conclusion is based on the demographic factors and development trends specific to Roanoke as discussed above. In developing this analysis, the planning staff applied its experience with and knowledge of development patterns and other factors in Roanoke.

Based on the information available, planning staff has created a model of the net new housing units expected to result from the Zoning Amendments. This model projects that 2% of the parcels in formerly single-family only districts will convert to some higher number of units over a thirty year period. The 2% rate of change was applied to each zoning district to derive a number of net new units expected to be added to each district over thirty years. The 2% can easily be adjusted up or down to understand the results of a higher or lower rate of change. Also, with a year or two of experience, the percentage can be adjusted to modify projections based on actual permit applications.

Based on the information available and considering the demographic factors and development trends affecting Roanoke, planning staff projects that the Zoning Amendments allowing multifamily dwelling units on lots in formerly single-family only districts will result in a net increase of new units of 1,191 over thirty years, or almost 40 units per year. When adjusted for population, the projections and actual experiences of other localities indicates a range of 11 to 45 units per year, with Charlottesville seeming an outlier in terms of its projection. As noted, Charlottesville's analysis includes a theoretical upper maximum, rather than a likely outcome. Also, Charlotte's zoning amendments allow more units on different types of lots as compared to the Roanoke Zoning Amendments. A projection of 40 units is consistent with the high end of the range of estimates and experience reported by Arlington, Alexandria, Portland, and Minneapolis.

For context, these figures represent very small percentages of Roanoke’s 44,543 housing units.

### **Additional units projected as a result of March 18, 2024 Zoning Amendments**

<b>Zoning District</b>	<b>PROJECTED additional units</b>
R-12	10
R-7	199
R-5	338
R-3	10
RM-1	635
<b>30-year TOTAL</b>	<b>1,191</b>
<b>Per year</b>	<b>40</b>

### **Conclusion**

The results of the model indicate minimal growth in a given year and modest but meaningful growth over 30 years. Actual experience during the first four-plus months since the March 2024 Amendments were adopted seems to confirm small rates of change: there were only three permit applications, that will create five additional net new units on lots in formerly single-family-only zones.

# Residential Density Changes

In each zoning district, a target or allowable density for the district is expressed by the minimum lot area per dwelling unit requirement.

## Allowable Density Prior to March 18, 2024, Zoning Amendments

District	Lot area/dwelling required	Equivalent density
R-12	12,000 sf per unit	3.1 units per acre
R-7	7,000 sf per unit	5.2 units per acre
R-5	5,000 sf per unit	7.3 units per acre
R-3	3,000 sf per unit	12.1 units per acre
RM-1	3,500 sf per unit	10.4 units per acre

The planning staff calculated the area of each district, and the number of existing lots in each district, to determine the actual development density that exists in 2024. The planning staff then calculated the potential density of the district based on the expected number of net new units allowed by the Zoning Amendments, as projected by the planning staff’s expected rate of change model.

## Findings

The actual, existing density in the residential districts in Roanoke is far below the target/allowable density as shown in the table above. There is considerable capacity to increase the number of dwelling units in all the affected residential districts and remain well below the target/allowable density.

The table below shows the projected effect on density. The net new dwelling units expected to be generated by the Zoning Amendments will result in very small increases in density that remain well below the pre-March 18, 2024, code’s target/allowable density; in most cases, remaining below half of the allowable density.

## Changes in density projected over 30 years

	ALLOWABLE Density before Amendments (units per acre)	ACTUAL Density (units per acre)	PROJECTED Density 2054 (units per acre)
R-12	3.1	1.1	<b>1.1</b>
R-7	5.2	2.1	<b>2.2</b>
R-5	7.3	2.6	<b>2.7</b>
R-3	12.1	5.8	<b>6.0</b>
RM-1	10.4	3.9	<b>4.1</b>

## Conclusion

The analysis shows that, even in the unlikely event of a flood of new conversions and new construction of middle housing, none of the residential districts will approach the density allowable under the prior zoning code. The projected post-amendment density is about half of the allowable density under the prior zoning code. The zoning amendments in R-12, R-7, R-5, R-3, and RM-1 are projected to result in small increases in density that remain well within the allowable densities under the prior zoning code. The expected results of the Zoning Amendments are minimal with respect to density.

# Equity and Exclusionary Effects

During the early decades of the 20<sup>th</sup> century, governments, developers, and corporations enforced a host of racial segregation policies. Segregation ordinances, restrictive covenants, financial redlining, and single-family zoning worked hand in hand to make it impossible for Black families to move into most neighborhoods. Fortunately, those segregation ordinances, redlining, and restrictive covenants were discarded as unconstitutional, but one tool of government-enforced segregation persists: the single-family zoning district.

City Plan 2040 has a central theme of “Interwoven Equity” which includes elements of: housing priorities; the need to dismantle the existing segregated landscape; and the need to address a history of inequity.<sup>26</sup> City Plan 2040 also states the need for and goal of a variety of housing types and affordable housing in all neighborhoods of the city.<sup>27</sup>

As noted in the Introduction, one goal of the Zoning Amendments is to reduce the persisting effects of single-family only zoning restrictions that exclude residents on the basis of race and economic status. When we hear the terms “institutional racism” or “structural racism,” they refer to effects that are not necessarily overt or direct, but rather are baked into political and social institutions and that work almost invisibly behind the scenes. Such is the case with the exclusionary effects of the single-family only restrictions in place prior to the March 2024 Amendments.

## Findings

Zoning in the United States has an unfortunate past. The overt tools of segregation, such as race based zoning ordinances, redlining, and restrictive covenants, have been prohibited by the courts and ended by other reforms. Nevertheless, most U.S. Cities remain racially segregated. The origins and genesis of single-family only zoning restrictions help explain why segregated housing patterns persist. Single-family zoning restrictions have the effect of excluding potential residents on the basis of cost and economics; single-family housing is among the most costly type of housing to develop and maintain. Single-family only zoning restrictions have the effect of continuing the exclusion of Black Americans because of their historic relative economic standing due to racist policies. In Roanoke, the zoning code prior to the March 2024 Amendments limited the use of land in most of the residential districts to single-family uses; these restrictions increased the cost of housing and effectively exclude citizens from living in those areas. This continuing exclusionary effect is a compelling reason to eliminate single-family only zoning districts.

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<sup>26</sup> City Plan 2040, pp. 4, 7, 23, 30-43.

<sup>27</sup> City Plan 2040, pp. 38 (Policy 1: Identify and remove barriers to housing choice); 39-41 (Policy 4: Develop varied and affordable housing options in each neighborhood); 79 (Policy 1: Develop all neighborhoods to be complete neighborhoods); 81 (Policy 1: Enable affordable and accessible housing in all neighborhoods); 82 (Policy 3: Enable a range of housing types in each part of the community to achieve inclusive, livable neighborhoods that prosper over time); 109 (“Each neighborhood should welcome people of varied demographic dimensions such as income, race or ethnicity, life stage, familial status, housing preference, housing type, and mobility. Such diversity tends to occur naturally in the absence of artificial and deliberate actions to prevent it, so local government’s role is to remove or relax barriers (e.g. exclusive zoning practices); 110-111 (Policy 1: Promote complete neighborhoods by allowing a mix of housing types in each neighborhood).

The historical record establishing the exclusionary intent of early zoning ordinances is clear. The issue for policy makers today is how to address the continuing effects of zoning provisions that continue patterns of racial and economic segregation.

In the recent Arlington County zoning amendments litigation, the NAACP Arlington Branch—which most would recognize as a subject matter expert—submitted a detailed explanation of the discriminatory intent of early zoning restrictions and the continuing effect of such restrictions. See “Pretrial Brief of NACCP Arlington Branch as Amicus Curiae” in *Nordgren v. County Board of Arlington*, Case No. CL23001513-00; dated July 1, 2024.

Below is a sampling of quotes by notable scholars and policy commentators on the effects of exclusionary zoning restrictions in the United States:

“Across Virginia’s three metro areas, residential racial segregation endures at moderate to high levels, and the pattern of segregation noted by scholars at the height of segregation—largely black urban centers surrounded by largely white suburbs—persists.

“Other factors such as redlining, private covenants, urban renewal, tax policies, etc., contributed to segregation during the 20th century, but *zoning remains one of the few governmental actions that perpetuate segregation today*. [Emphasis added]

McGuireWoods, *Zoning and Segregation in Virginia*, parts 1 and 2, 2021<sup>28</sup>

“... patterns and processes of racial segregation in the post-civil rights American city are strongly affected by density zoning. At any point in time from 1990 to 2000, inter-metropolitan variation in black-white segregation and black isolation was strongly predicted by a metropolitan area’s relative openness to housing construction as embodied in maximum zoning rules---the greater the allowable density, the lower the level of racial segregation.”

Rothwell and Massey, *The effect of density zoning on racial segregation in US urban areas*, National Library of Medicine, 2009

“How can we, at last, end our embrace of segregation? The most important thing we can do is to replace exclusionary zoning policies.... We cannot in good faith claim that our communities are antiracist or antipoverty if they continue to uphold exclusionary zoning—our politer, quieter means of promoting segregation”

Matthew Desmond, *Poverty, By America*, 2023, p 161

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<sup>28</sup> <https://media.mcguirewoods.com/publications/2021/Zoning-And-Segregation-In-Virginia-Study-Part1.pdf> and <https://media.mcguirewoods.com/publications/2022/Zoning-And-Segregation-In-Virginia-Part2.pdf>, retrieved 7/31/2024

“Density restrictions work to increase segregation, mainly by exacerbating the concentration of affluence. This contradicts the commonly held belief that exclusionary zoning leads to the concentration of the poor. Instead, the authors find that the main effect of density restrictions is to enable the wealthy to wall themselves off from other groups.”

Richard Florida, *How Zoning Restrictions Make Segregation Worse*, Bloomberg, 2016

“Reversing the effects of more than a century of discriminatory housing policy will require new approaches to land use.... The first is rethinking single-family residential zoning designations. These classifications were originally designed to cement racial and socioeconomic segregation, and the inequality they enforce persists today. Limiting and eliminating single-family residential zoning will help diversify segregated neighborhoods.

George Fatheree, *A Brief History of Racial Zoning and How to Reverse the Lasting Effects of Housing Discrimination*, Urban Land, 2024

## Conclusion

As can be seen, Roanoke published its intent to take action on its zoning code in City Plan 2040, adopted by City Council in December 2020. The Zoning Amendments remove exclusionary provisions of the zoning code to implement multiple policies and actions of the Interwoven Equity theme of City Plan 2040:

- Review and eliminate City codes and policies based on explicit or implicit biases, and advocate the same approach for state laws and policies. (p. 34)
- Enable complete neighborhoods to develop within the framework of the zoning code, providing access to affordable housing, services, and employment. (p. 34)
- Identify and remove barriers to housing choice.(p. 38)
- Reconsider housing policies rooted in racial segregation efforts such as exclusionary zoning districts that exclude all but single-family houses. (p. 38)
- Work to reduce tenure bias [...] the favoring of owner-occupants over renter occupants, by reviewing City policy and plans to eliminate such bias. (p. 38)
- Ensure affordable housing is available in all neighborhoods of the City. (p. 40)
- Promote complete neighborhoods, so all neighborhoods have a broad range of housing type, including multifamily housing. (p. 40)
- Pursue legislative opportunities to increase affordable housing options and opportunities. (p. 40)

# Population Change

## Impact on Schools, Public Facilities, and Infrastructure

Using the projected new housing units resulting from the Zoning Amendments, the impact on the population can be extrapolated. Roanoke has had a consistent average household size of about 2.25 people over the past two decades.

### Findings

The model projects approximately 1,200 net new households over 30 years. Assuming the current 2.25 persons per household remains constant, the resulting population increase would be 3,000, in addition to the forecast by Weldon Cooper Center of 105,079 in 2050. Over 30 years, the Zoning Amendments will potentially contribute about a tenth of a percent (0.1%) of growth each year. This variance is well within the scale of change seen between decennial Census counts.

The enrollment in Roanoke City Public Schools is approximately 14,000. The projected growth from Zoning Amendments would add less than 15 school age children per year and 450 students over 30 years. This level of variance is well within the scale of change from year to year.

The Western Virginia Water Authority indicates considerable excess capacity for growth and that the projected growth resulting from the Zoning Amendments can readily be met. The Authority indicates it has 18 million gallons per day of water supply capacity available and 22 million gallons per day of sanitary sewer capacity available to accommodate growth in the City of Roanoke.

An estimated 10,000 to 11,000 additional trips per day would be generated by the projected new households created. These would be spread across the City's developed network of local streets, collector streets, and arterial streets and would not result in any appreciable impact on the street system.

The City's system of parks and recreation facilities are distributed around the City and would easily accommodate the additional population projected from the Zoning Amendments.

### Conclusion

The population change projected to result from the Zoning Amendments will be negligible, and readily accommodated by existing infrastructure and public facilities.

# Rental vs Ownership

Some residents have expressed concern that removing exclusionary zoning will reduce homeownership in Roanoke.

## Findings

Prior to adoption of the March 2024 Amendments, Roanoke's ownership rates had been falling and renter households had been increasing. Most cities in Virginia have considerably more renter households than owner households. As of 2022, Roanoke was about half and half, with slightly more owner households. Accordingly, restricting units to single-unit detached housing (*i.e.*, the pre-March 18, 2024 zoning) does not necessarily increase ownership rates.<sup>29</sup>

Although the nature of middle housing does mean it is more likely to be renter occupied, there is nothing in a zoning code that specifies an ownership or rental arrangement. About 1,600 owner households live in types of housing other than detached single-unit structures. A third of renter households live in detached single-unit structures. (6,549 households).

## Conclusion

The nature of zoning and the projected new units created indicate that the Zoning Amendments will have little to no impact on rates of ownership. Other factors, such as general cost of housing, interest rates, availability, etc., have much greater impact on the tenure of a household.

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<sup>29</sup> 2022 1-year ACS, US Census Bureau

# Neighborhood Traffic Impacts

With respect to traffic impacts, planners looked at **maximum build out scenarios allowed by the Zoning Amendments** for neighborhood blocks. Daily and peak hour traffic volumes were calculated using trip generation factors. The results were compared to the capacity of the street.

Generally, residential streets start to reach their capacity at 1,000 trips per day or more than 100 trips in a peak hour. The City of Roanoke subdivision code only requires a wider street when capacity is projected to exceed 1,500 vehicles per day. A VDOT standard is 2,000 vehicles per day.

Single-unit dwellings generate 10 vehicle trips per day with 10% in the peak hours. Each unit of multiple dwelling residential generates eight trips per day with 10% in the peak hours.

## Findings

In all the sampled neighborhood streets, **even with the unlikely full build out**, projected trips never exceed 900 daily trips or 90 peak trips. All projections were well within the capacity of existing streets.

**R-12 District:** 3200 block Allendale SW contains 25 interior lots and 4 corner lots. The maximum buildout of 25 one-dwelling units and 12 units on the corner lots would yield 346 trips per day.. (10 trips x 25 units) + (8 trips x 12 units) = 346 vehicle trips per day. Maximum build out would be well within the capacity of the street

**R-7 District:** 2400 and 2500 block Dorchester Court NW contains 28 interior lots and four corner lots. Each interior lot could have two units and each corner lot could have four units, leading to a maximum buildout of 72 units, which would yield 352 vehicle trips per day. Maximum build out would be well within the capacity of the street.

**R-5 District:** 2200 block Denniston SW contains 25 interior lots and four corner lots. Each interior lot could have three units and each corner lot could have six units, leading to a maximum buildout of 99 units, which would yield 792 vehicle trips per day. Maximum build out would be well within the capacity of the street.

**RM-1 District:** 400 block Washington Ave SW contains 19 interior lots and four corner lots. Each interior lot could have four units and each corner lot could have eight units, leading to a maximum buildout of 108 units, which would yield 864 vehicle trips per day. Maximum build out would be well within the capacity of the street.

## Conclusion

The traffic scenarios below demonstrate that development under the Zoning Amendments will not lead to undue congestion of public streets, **even in an unlikely full build out situation**. A qualitative statement such as, "There will be more traffic." May be true, but planning staff sees no evidence that the Zoning Amendments will result in traffic that exceeds the capacities of residential streets.

# On-Street Parking

The City of Roanoke repealed minimum parking requirements for new development on private property in 2021. In doing so, the City made a policy decision that it would no longer make off-street parking a consideration in making development decisions. This action removed a barrier to economic development and housing development. In creating a development, a developer will decide if off-street parking is warranted and construct it if so. Experience with development projects since 2021 demonstrates that developers almost always include off-street parking, even when it is not required.

Some residents have expressed concern that new units resulting from the Zoning Amendments will overcrowd on-street parking.

## Findings

On-street parking is a public resource that may or may not be available to the adjacent properties based on factors such as street width and traffic volumes. Generally, all local residential access streets are open to parallel parking on both sides. In rare cases, the street is so narrow that parking must be eliminated on one or both sides to ensure at least one lane of travel. The on-street parking supply is often affected through the private action of establishing a private driveway, which reduces the opportunity of on street parking, effectively reducing the supply by a full space.

Projecting the expected rate of change over 30 years at the block level yields less than one new unit for most blocks in Roanoke. That would mean 1-3 additional vehicles if all of that unit's occupants used on-street parking. There are few, if any, blocks that could not absorb this small increase in demand.

With the prior elimination of minimum parking requirements and other zoning reform measures, the City implemented policies that place a **higher value on places for people to live** than on places for people to park.

There is no doubt that on-street parking demand and occupancy increases with more housing units. More often than not, there is unused capacity to absorb this demand. However, should on-street parking become less available or less convenient, the response should be consistent with the higher value placed on housing. Planning staff does not support prioritization of the on-street parking supply that would sacrifice potential increased housing supply. Any individual property owner who seeks parking that is always available and convenient can create that in the form of off-street parking. Indeed, many have already provided their exclusive parking with driveways off the street or spaces off alleys where available.

## Conclusion

As the scale of expected change is minimal, it is unlikely that the Zoning Amendments will contribute to on-street parking problems.

Consistent with other policy, planning staff concludes that on-street parking availability should not be a consideration for the number of housing units permitted in a zoning district.

# Assessments and Property Values

Some property owners expressed concern that increasing the number of units permitted on a lot will result in an increase in property assessments. Generally, the greater the development potential of a property, the greater its value. It may initially seem, therefore, that allowing multifamily dwelling units will result in the real estate assessment office increasing assessments on all the properties where more dwelling units are allowed under the Zoning Amendments. However, such a conclusion is questionable. As noted below, real estate assessments are based on fair market value with reference to actual sales of similar properties and actual income for similar rental properties.

Assessments will likely go up because they generally increase incrementally over time along with the actual market value of real estate, regardless of what the zoning allows. Residential assessments rarely fall and do so only in times of general economic distress such as a severe recession. The question is whether any increment of increase can be attributed to the Zoning Amendments.

## Findings

Planning staff compared dozens of multiunit zoning (RM-2) properties to properties in abutting R-12, R-7, R-5, R-3, and RM-1 districts. The comparison of land assessments reveals no distinguishable difference in the land assessments based on the difference in zoning. The data supporting this analysis is publicly available on the City's online GIS.

Differences in per-square-foot value become evident only where there is a change in class of zones (i.e., residential compared to commercial). It is true that a single property would probably be re-assessed if it moved to a different class of zoning, such as residential to commercial, through a map amendment. That is because of its development potential *relative to* other properties in the area. A zoning change that stayed within the same class, however, is likely to have little impact on the assessment. A change in zoning from one residential zone to another, say R-12 to the higher density RM-1, would have little impact on the assessment.

Likewise, if a single property's development potential is increased by a map amendment, while the property around it stays the same, it could probably become more valuable than the surrounding properties.

It is unlikely that the Zoning Amendments alone will have any measurable effect on property values. Zoning changes are unlikely to increase assessments in any case because residential land assessments are based on *actual sales* of properties in the neighborhood, not the individual speculative development potential of a property.

## Conclusion

The Zoning Amendments are unlikely to have any noticeable impact on the value of property or the assessments. In any case, an increase in assessment would be due to an actual increase in market value, indicated by comparable sales in the neighborhood.

# Environmental Concerns

Some property owners assert that the Zoning Amendments will have negative environmental impacts. Specifically, opponents cite loss of tree canopy, degraded water quality, and degraded air quality. There is no explanation of how the Zoning Amendments could have these effects.

## Findings

Every new dwelling unit that may result from the Zoning Amendments will constitute infill development within the context of a developed city. Infill development is the opposite of urban sprawl and is environmentally superior in most every aspect. There is agreement among city planners and environmental advocates that infill development is far more environmentally friendly because it uses or extends existing infrastructure systems rather than create new housing in undeveloped areas. This avoids considerable environmental impacts of developing greenfield sites in disconnected exurbs.

Planning staff considers the national Sierra Club to be a subject matter expert. Their **Guidance For Smart Growth And The Urban Infill Policy** holds the following view on the environmental and social considerations of housing policies:

“When the Sierra Club Board of Directors adopted a position opposing redlining in 1986, it clearly signaled an intent to treat housing, and particularly housing discrimination and segregation, as an environmental issue. The Board has reinforced this commitment in the new Infill Policy.

“As the lack of housing options forces people to live farther from jobs and services, we are driving more and increasing greenhouse gas emissions. For example, more than 70% of “extremely low-income renters”—those earning 30% or less of area median income—pay more than 50% of their income on rent and utilities. When the costs of transportation are taken into account, especially for households in locations lacking access to transit, the cost burden is even greater.

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“This guidance focuses on expanding housing choices in neighborhoods that offer access to educational and economic opportunity, particularly for residents who, because of race, ethnicity, and/or income, have historically been marginalized and displaced in land use decisions. It also follows the Urban Infill Policy’s recommendation that every neighborhood should host its fair share of affordable and low-income housing through equitable zoning, regulation, and investment.”

This document goes on to recommend ending exclusionary zoning (p. 62).

## Conclusion

The infill development resulting from the Zoning Amendments will have a positive environmental benefit, providing needed housing in existing developed areas with minimal disturbance to natural landscapes.

# Blight Issues

Roanoke has about 50 vacant, derelict house structures and many more in need of rehabilitation. Moreover, there are thousands of vacant lots going unused that are sometimes nuisances. Some of these code enforcement cases are resolved each year through demolition or rehabilitation. Nevertheless, each year, additional residential structures are vacated or need rehabilitation, adding to the inventory.

## Findings

Zoning restrictions that limit permitted uses to single-family dwellings contribute to neighborhood blight because these restrictions narrow a property's development potential to one option: a single-family dwelling. Derelict structures result from many root causes, but they all share a common theme: There is no viable economic use that is motivating an owner to action. Derelict houses are "upside down" financially. That is, the individual benefit, speculative sales price, or rental income would not support the costs of rehabilitation. Likewise, for a vacant lot—the income from the sale or rental of a single-dwelling house would not justify the cost of new construction.

By increasing the possible number of units, it is far more likely that rehabilitating an old house will make financial sense. Likewise, the ability to build more housing units may motivate an owner of a long-vacant lot to return it to a beneficial use.

In the first four months since the amendments were adopted, there were three permits for middle housing to be built on vacant lots in former single-family only zoning districts. All three lots had been vacant for at least 30 years; two of those lots also had multiple weed/trash violations in the past.

## Conclusion

Allowing multi-family dwellings in residential districts increases development options and therefore will **reduce blight**, by creating more economic opportunity for rehabilitation or new construction. The Zoning Amendments will aid in blight reduction.

Redevelopment of vacant houses and lots will be tracked by the planning staff.

# Objections to the Zoning Amendments

Opponents of the Zoning Amendments assert a number of policy, timing, and process objections to the Zoning Amendments—both to the March 2024 Amendments and the proposed amendments now. The “policy” objections include: the City Council should defer to the preferences of specific neighborhoods that wish to maintain single-family only zoning restrictions; the City should not allow new multifamily uses in neighborhoods that are developed for primarily single-family uses; allowing multifamily units in primarily single-family areas could change the character of those areas; and allowing multifamily units by right may result in an increase in poor quality rental housing, particularly in “vulnerable” neighborhoods. The timing and process objections include: the City should delay the Zoning Amendments to evaluate the effect of similar zoning changes in other places; the planning staff should undertake more research on the expected effect of the Zoning Amendments; the City should undertake more public outreach and allow more citizen input before implementing the Zoning Amendments. Opponents of the Zoning Amendments have stated their objections as concepts; they have not provided proposed revisions to the March 2024 Amendments that would address the stated concerns.

The planning staff has considered the objections presented and does not agree with the policy conclusions, speculative conclusions about the impact of the Zoning Amendments, nor the conceptual remedies presented, for reasons provided in this report.. As explained throughout this report, the March 2024 Amendments are already in effect. The Zoning Amendments implement provisions of the 2040 City Plan, including the provisions addressing the need for additional housing, the need for more affordable housing, the need for all neighborhoods in Roanoke to participate in providing additional housing, and the elimination of Code and other restrictions that artificially limit the supply of housing and the types of housing that are developed. Allowing the development of multifamily units in all neighborhoods is consistent with the interwoven equity provisions of City Plan 2024. Many of the most desirable areas in Roanoke include a mix of single-family and multifamily units. And the expected rate of change resulting from the Zoning Amendments is projected to be incremental and gradual over time.

City Plan 2040, and the December 2020 Citywide Housing Study and the October 2021 Housing Needs Assessment, state the need for additional housing in Roanoke. The zoning code, as it existed before March 18, 2024, restricted the development of new housing in much of Roanoke. The effect of the Zoning Amendments is expected to be incremental, but important; the Zoning Amendments will allow development of additional housing of different types, in all areas of Roanoke. Single family units are the most expensive type of housing; allowing the development of more multifamily units by right will help address the need for additional housing of all types and for more affordable housing.

The City has undertaken significant study and public outreach efforts in connection with City Plan 2024 and the March 2024 Amendments. During the comprehensive plan review process, and the process for adopting the March 2024 Amendments, there has been consistent public support for the need to address the housing, affordability and equity principles stated in City Plan 2040 and addressed in the Zoning Amendments. There has been additional study and opportunities for public input in connection with the proposed zoning amendments. There is and has been extensive information available to citizens, the planning staff, the Planning Commission, and the City Council as part of the continuing staff review and the legislative process. The adoption of the Zoning Amendments involve changes, and the

City had undertaken appropriate study and outreach to identify the need for change, and the expected effects of the changes proposed and adopted.

# Conclusions and Recommendation

In connection with the zoning amendments, staff considered community input and recommended a moderate and reasonable zoning reform package that provides for proportional increases in each formerly exclusionary residential district. As stated earlier in this report, the projected 40 new units per year created under the Zoning Amendments is modest. The new units projected are unlikely to play a substantial role in easing the current housing shortage over the short term. Zoning codes work over decades and significant gains could be realized over the long term. Staff does not expect that zoning reform will alone solve the problem of housing scarcity and affordability. It is, however, an important piece of a larger strategy that includes incentives and removing barriers to housing development.

In the process of readopting the Zoning Amendments, opponents of the Zoning Amendments raised the idea of general modifications to the Zoning Amendments, primarily to reduce the potential density of future multifamily development. The planning staff has carefully considered and analyzed these general suggestions. The planning staff continues to view the Zoning Amendments as moderate and reasonable. Despite the community discussion about theoretical worst case scenarios, staff has not seen evidence presented that supports reducing the number of dwellings permitted on a lot in the various zoning districts.

Staff is committed to monitoring and reporting the results of the Zoning Amendments to the Planning Commission and City Council. In the first four-plus months since the March 2024 Amendments were adopted, there were three permits for eight units that were able to go on vacant lots in formerly single-family only zones. These developments will result in five additional units. At that rate, there would be approximately 15 new middle housing units created over the course of a year, which is below the projections. It should be noted that all three lots had been vacant for at least 30 years, and two of the lots had multiple prior citations for weed violations.

In addition, staff anticipates that the neighborhood plans will be updated over time for consistency with City Plan 2040 and the Zoning Amendments. The effects of the Zoning Amendments over time can be evaluated as part of this process.

In summary, following its additional study after adoption of the March 2024 Amendments, staff recommends substantially the same zoning reform package (i.e., the Zoning Amendments) to the Planning Commission. Staff further commits to documenting and reporting the development outcomes that result from the reforms to inform future adjustments.