

## **In Reversal, Roanoke Planning Board Advises Council Not To Approve Revised Zoning Policy**

City Council is still expected to decide on Sept. 16 whether to reapprove the zoning package.

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Roanoke's planning commission recommended Monday that City Council not readopt reforms that ended exclusively single-family zoning.

In a surprise reversal, Roanoke's planning commission recommended Monday that City Council not readopt reforms that ended exclusively single-family zoning.

The zoning reforms were similar to policies that [both the commission](#) and [Council approved in March](#), but which had been brought forth again [following a lawsuit from homeowners](#).

City Council is still expected to decide on Sept. 16 whether to reapprove the zoning package, which city staff say will reduce racial and economic inequities while also increasing Roanoke's housing stock by encouraging more development.

The reforms enable more duplexes, triplexes and small apartment buildings to be built throughout the city's residential neighborhoods.

Roanoke [began the process of redoing the zoning code update](#) because it would be easier and cheaper than fighting the claims of homeowners in court, City Attorney Tim Spencer has said. Residents argued the city did not properly notify the community about the changes, and a state law that went into effect in July clarifies how such notifications should be made.

The planning commission voted 3-2 against the city's proposal, with the outcome potentially hinging on a quirk of absences.

Commissioners Sarah Glenn and Karri Atwood, who were both absent Monday, had voted in favor back in March, while Pamela Smith, who was absent in March, was present and voted against the reforms.

Commissioner James Smith was again opposed, while Kevin Berry flipped his vote Monday to shoot down the proposal.

Berry said the additional public feedback led him to change course. He said Roanoke needs to create more housing and have walkable neighborhoods.

"However, I feared that a wide ranging resolution such as this would potentially create conflict between neighbors; one who can make major changes by right, and others who have little recourse," Berry said in an email.

Glenn said in an email that she was out of town and that it would be difficult to say how she would vote because she didn't hear residents' feedback Monday, "but my inclination heading into the meeting was to vote yes. Roanoke's zoning should be modernized in order to support diverse housing opportunities for new and existing residents."

James Smith said he is “all about erasing exclusionary zoning and laws and practices,” but thought the changes were attempting to fix a problem that workforce and economic development should be solving.

“I think it’s too broad a change and I don’t think it’s going to yield the return we think it’s going to yield,” he said.

Pamela Smith told reporters after the meeting that she agreed.

“I want to know more about the affordable housing, how we as a city can make sure that we're not just building, you know, high-rise apartments that people can’t afford,” she said.

At the urging of Council members, city planning staff have agreed to hold two community meetings about the zoning reforms before Council votes next month. Both will be held from 6 to 8 p.m., one on Tuesday, Aug. 27 at the Melrose Branch Library and the other on Thursday, Aug. 29 at the Belmont Branch Library.

Just before the planning commission meeting, about 40 people gathered downtown for a press conference hosted by some homeowners who are suing City Council.

“There's absolutely no question that there's a housing affordability crisis for many residents in our city,” Anthony Stavola, one of the plaintiffs, told the crowd. “The problem is that the amendments as proposed don't really impact that.”

Several City Council candidates and Councilwoman Stephanie Moon Reynolds attended the gathering. Zoning reform has emerged as a campaign issue in the municipal elections, with candidates across the political spectrum saying they have concerns about the policies.

In a separate lawsuit, filed Tuesday in Roanoke City Circuit Court against the Council and developers, a dozen residents in the Greater Deyerle neighborhood argue that Council improperly approved a rezoning for 24 townhomes.

James Garrett, a Republican candidate for Council, is among the plaintiffs in that case, which makes a similar argument to the zoning lawsuit about the adequacy of public notices. Homeowners around the proposed Medmont Circle project also claim that Council acted in excess of its authority in rezoning the land for mixed-use development.

All seven Council candidates said at a neighborhood forum Monday night that they oppose the overall zoning reforms as proposed. In the mayoral race, David Bowers is among the homeowners suing the city, Councilwoman Stephanie Moon Reynolds has voted against the measure, and Vice Mayor Joe Cobb has voted in favor of the policy.

Sixteen residents spoke before the planning commission Monday, and were about evenly split on the zoning reforms.

Court Rosen said the status quo that only allows for single-family homes drives up the cost of housing.

“There’s a real financial cost to artificially limiting density,” Rosen, a former councilman, told commissioners.

Alison Blanton, speaking on behalf of the Roanoke Valley Preservation Foundation, said the group is worried about how the reforms could prompt developers to tear down historic homes in favor of new apartments.

“We are not opposed to having equitable, affordable housing options,” she said. “But we are concerned about the significant increase in density that would be allowed that could, potentially, encourage demolition of historic homes.”

Matt Prescott, the owner of a small construction company, urged planning commissioners to adopt the revised zoning changes. He said he owns a few empty lots in the city where he could build duplexes.

“It's just simply not feasible to build single-family homes profitably with the past zoning restrictions,” he said. “So now that gives us much more flexibility, and I think because of that, we'll have a lot more activity. In fact, I already have two permits in the works.”

Before the vote, Berry asked Chris Chittum, who oversees the city's planning department, how the city calculated an estimated 40 new units per year under the reforms.

Chittum said planning staff assumed a 2 percent rate of change in residential building citywide over the next 30 years.

“There's obviously concerns that, you know, people might see an increase in development in their neighborhood,” Berry said. “So you're not saying that it's not possible that there is a development boom, right, that there's not five or six units that are being constructed in the neighborhood at the same time, right after this is approved?”

“That could happen. That's always possible, but the likelihood, and actually what we do see in terms of our patterns, is that they are dispersed,” Chittum replied. “We've had a difficulty with people thinking about the worst case scenario and understanding the way things actually work out, in terms of what the zoning allows versus what actually ends up on the ground, are two vastly different things.”