

**Subject: Zoning for Housing – What’s Going On?**

**Hi Neighbors:**

**What HAS been going on since Zoning for Housing passed in Alexandria?**

What We Know

The City Council adopted a series of Zoning Text Amendments, Policy Revisions and Master Plan Updates on November 23, 2023 to implement the [Zoning for Housing initiative](#). The initiative allowed up to four residential units to be permitted by-right within single-family residential zones subject to existing regulations on minimum lot size, setbacks, open space, floor area ratio, and tree canopy. This initiative was adopted to help facilitate housing production and affordability, and to address past and current barriers to housing access. At the time of adoption, City staff estimated that the initiative would yield between 150-178 new units within the City over a ten-year period.

According to a conversation with staff in early October, no new units have been generated under Zoning for Housing provisions since adoption of the amendments. This has not been independently verified. The City intends to implement a tracker to document new units created under this tool, but this work has not yet commenced and is not within the current staff work plan.

Legal Status

Zoning for Housing follows on the heels of many [similar initiatives](#) for zoning reform across the country, including – famously – in Minneapolis, Portland, the State of California, and Arlington, VA. In fact, Alexandria’s neighbor to the north, Arlington, has gone through a legal saga that could portend serious issues for our own zoning reform law. On September 27<sup>th</sup>, Circuit Court Judge David Schell [struck down](#) Arlington’s Expanded Housing Options law on four counts: 1) that there was “no evidence” presented that there were adequate studies done on the impacts to stormwater or sanitary sewer systems; 2) that there was inadequate advertising related to the intention for Arlington’s County Board to amend its Zoning Ordinance; 3) that the law “unlawfully delegated legislative responsibility” to County staff; and 4) that the law exceeds the authority granted to localities with respect to tree planting and placement standards under the Code of Virginia. The judge did not issue a written opinion but instead read the ruling from the bench.

A similar lawsuit has been brought against the City’s Zoning for Housing law and is also being heard by Judge David Schell. On August 26, 2024 the judge ruled that the [plaintiffs have standing](#). Therefore, it is likely that the suit will proceed to trial.

We will update neighbors as events occur. Stay tuned!