



RESIDENTIAL LAND USE REGULATION CITY OF BUENA VISTA

The City strives to ensure fair, safe, decent housing at affordable rates through our policies and regulations, and to take a long-term view to protect and enhance the character of our neighborhoods and property values. This guide highlights City of Buena Vista land use regulations applicable to long-term residential rental and short-term guest accommodation. It makes reference to sections of the City of Buena Vista Code of Ordinances, which can be found online (see link at end). Readers should also familiarize themselves with state and federal regulations such as tenant rights and fair housing.

July 2020

1. Zoning, Minimum Unit Square Footage, and Minimum Lot Size

Residential dwelling units are permitted in all zoning districts except for industrial and conservation districts. However, the number and type of dwelling units allowed in a given zoning district vary. The primary [residential districts](#) (R1, R2, R3, and R4) go from low density (1 unit allowed in R1) to multifamily (R4). Multifamily apartment buildings are also allowed in the mixed use (MU, MB, and MUC) and institutional (INST) districts. See the tables below.

The permitted number of dwelling units is partly governed by lot size (sq ft). A standard lot is 50' x 125'. Minimum lot size required:

Zone	1 Unit	2 Units	3+ Units
R1	12500 sf (2 lots)	Not Permitted	Not Permitted
R2	9375 sf (1-1/2 lots)	15625 sf (2-1/2 lots)	Not Permitted
R3	6250 sf (1 lot)	9375 sf (1-1/2 lots)	Not Permitted
R4	6250 sf (1 lot)	9375 sf (1-1/2 lots)	No minimum
MU & MB	No minimum		
INST	No minimum		

Zone	Minimum Unit Size
Single-family, two-family in R1, R2	1200 square feet
Single-family, two-family in R3	960 square feet
Single-family, two-family, townhouse in R4	960 square feet
Single-family, two-family, townhouse in MU, MB, MUC, INST	No minimum
Multifamily "efficiency" units in R4, MU, MB, MUC, INST	Studio/1 bedroom – 320 square feet 2 bedroom – 390 square feet 3 bedroom – 460 square feet

Unless a unit is an apartment that is part of a permitted multifamily development, the minimum size is 960 square feet, or 1200 square feet in the R1 or R2 districts. See [§2011](#). Also, the unit size specified only includes heated and/or habitable spaces; it does not include garages, unfinished basements, unfinished attics, or unenclosed porches.

For simplicity this document does not cover R5, R6 PUD, and MUC residential development. Please contact the Zoning Administrator for details on development in those zones.

2. Multiple Dwelling Units

Duplexes (two-family dwellings) are permitted by conditional use permit (CUP) in R2, R3, and R4 zones. Applications are reviewed and approved by the Planning Commission and City Council. Multifamily (apartments; 2 or more dwellings in a single building or development) is permitted in R4, MB, MU, MUC, INST, MXB-HT, and PUD-RES-HT zones. All duplexes and multifamily uses must submit stamped plans from a Virginia architect for building permit review.

3. Maximum Occupants and Conditional Use Permits

A dwelling unit may only be occupied by a family. A family is defined (see [302.06-1](#)) as one of the following:

- (1) An individual; or
- (2) Two (2) or more persons related by blood, marriage, adoption, or guardianship; or
- (3) Two (2) or more persons related by blood, marriage, adoption, or guardianship and not more than two (2) persons not related by blood, marriage, adoption, or guardianship; or
- (4) A group of not more than four (4) persons not related by blood, marriage, adoption or guardianship.

The focus of the dwelling unit occupancy regulations is on the number (and relationship) of people in the building and less on the physical characteristics of spaces. Any combination of occupants that does not meet that definition requires a conditional use permit under Section 711 Group Homes ([§711.00.1](#)). The conditional use permit process requires the submittal of detailed site plans and a hearing before the Planning Commission and City Council to consider potential impacts on the neighborhood. This applies to all zoning districts.

4. Basements

Bedrooms may be in a basement, but per building code ([IRC R310.01](#)) each bedroom must have an emergency exit that is large enough to climb in and out of—specifically, it must be at least a 5.7 square foot opening, at least 24” high and 20” wide, with a sill no more than 44” above the floor. A separate dwelling unit may be in a basement, but minimum unit square footages still apply, and it must have its own separate exterior door and meet other applicable building codes.

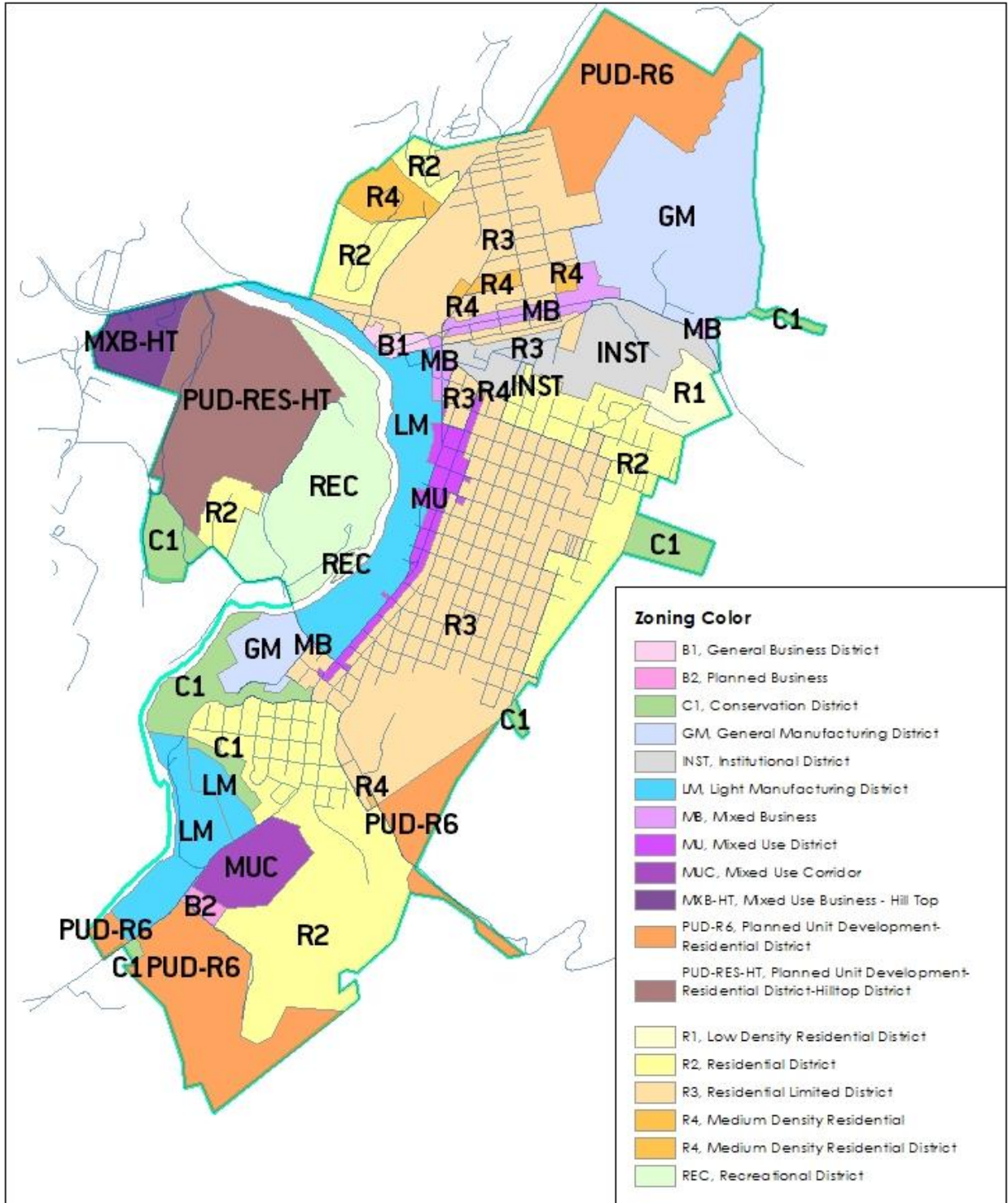
5. Off-Street Parking

For single-family homes and two-family dwellings (duplexes) 2 off-street spaces per unit are required. For multifamily dwellings, 1.5 off-street spaces per unit are required. For efficiency apartments, 1 off-street parking space per unit is required. See [§ 703](#).

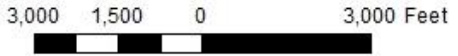
6. Design Guidelines and Seminary Hill Historic District Overlay

The Buena Vista Design Guidelines, Appendices A-F of the Land Development Regulations, regulate certain aspects of the urban form. The most relevant for residential construction is Appendix B, Building Design Standards. The Design Guidelines apply to new construction and major renovation in the MU, MB, MUC, and INST zones.

The Seminary Hill Historic District (SHHD) is overlaid on the entire MB and INST zones. For demolition and new construction in the SHHD, Planning Commission review and a Certificate of Appropriateness is required to ensure development is compatible with existing neighborhoods.

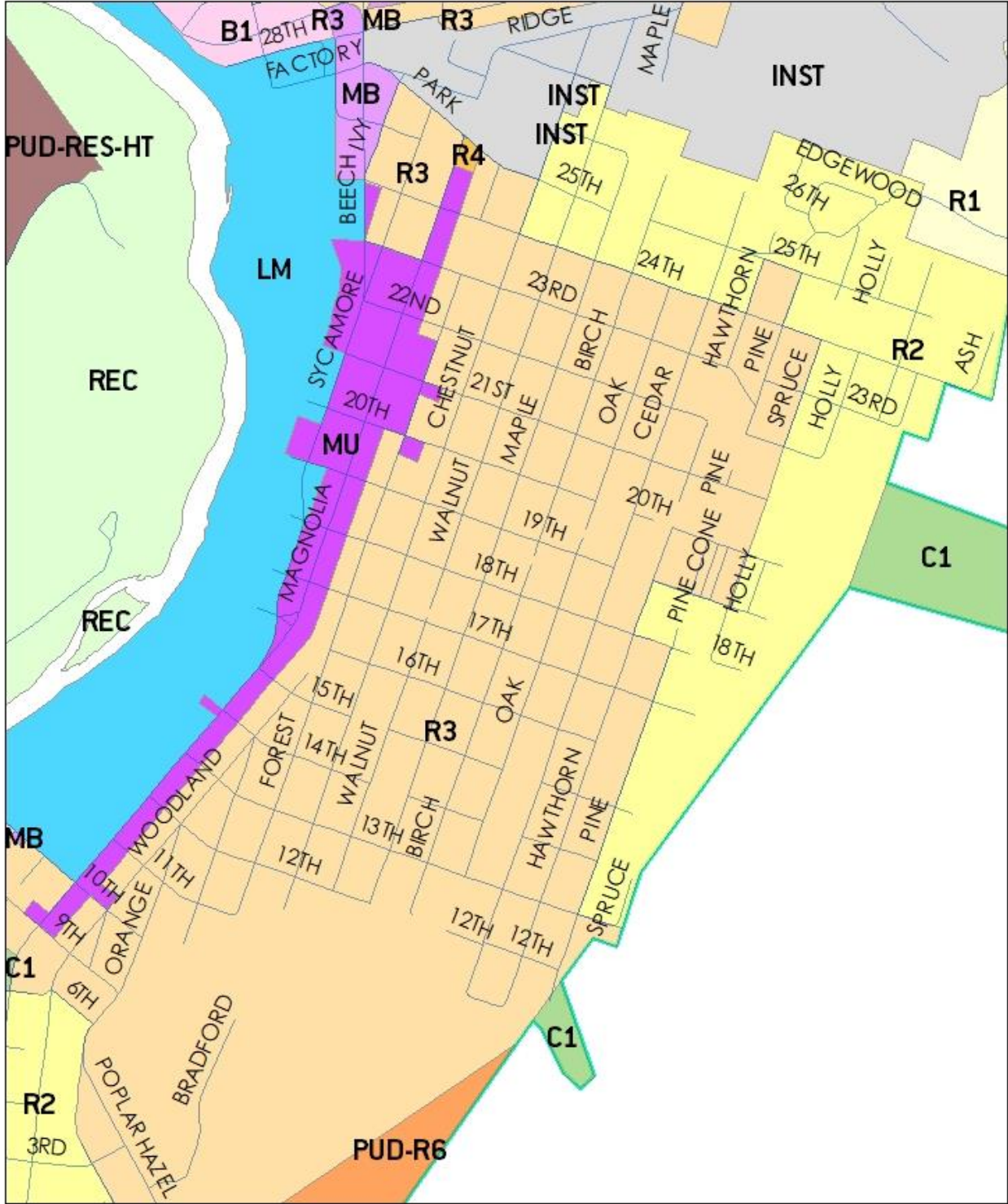


Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination.

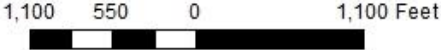


Zoning Map - July 2020 City of Buena Vista

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Detail Zoning Map - July 2020 City of Buena Vista

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Additional Information

The Department of Community & Economic Development is always available to answer questions about a specific situation or explain any of the regulations in more detail. Questions about the Rental Inspection Program can also be addressed to the Building Inspector, who administers this program.

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Other Resources

The City of Buena Vista Code of Ordinances

https://www.municode.com/library/va/buena_vista/codes/code_of_ordinances Please note that due to update schedule of our online code, there may be a delay of several months between adoption of an ordinance and visibility online. Please check with City staff on questions.

Virginia Fair Housing Office <http://www.dpor.virginia.gov/FairHousing/> - details on fair housing laws

The Virginia Landlord Tenant Act Handbook, 2016. <http://www.dhcd.virginia.gov/images/Housing/Landload-Tenant-Handbook.pdf> - provides the text of the law regarding rights and responsibilities of landlords and tenants in Virginia, addressing such issues as eviction, security deposits, disclosure of mold, etc.

Southern Virginia University Housing. <http://svu.edu/campus-life/housing/> - Policies and contact information for SVU student housing.