



PLANNING COMMISSION

AGENDA for January 11th 2022

AGENDA

PUBLIC HEARING

- 1) Conditional Use Permit for 2350 Beech Avenue. A four-family dwelling is proposed at this vacant site.
- 2) Zoning Text Amendment to repeal Article 14 Bed and Breakfast Establishments and replace with a new Section 714 Residential Transient Occupancy. This section will update existing regulations of bed and breakfasts and address short-rentals (STR).
- 3) Zoning Text Amendment to reduce the addition setback required for structures on corner lots, and to clarify lot area regulations.
- 4) Zoning Text Amendment to change the name of the Seminary Hill Historic District to the Seminary Hill District. No other changes to the district are proposed.

REGULAR MEETING

Call to Order by Chairman and Roll Call

Public Comment

Review and Adoption of Minutes

Minutes of December 14th meeting

Report of Secretary

New Business

- 1) Preliminary presentation of R6 Plan of Development for Rehl Property

Old Business

- 1) Conditional Use Permit for 2350 Beech Avenue
- 2) Zoning Text Amendment to repeal Article 14 Bed and Breakfast Establishments and replace with a new Section 714 Residential Transient Occupancy
- 3) Zoning Text Amendment to reduce the addition setback required for structures on corner lots, and to clarify lot area regulations
- 4) Zoning Text Amendment to change the name of the Seminary Hill Historic District to the Seminary Hill District

Adjournment

Members and Term Expirations

Dennis Hawes, Chairman, 7/31/2024

Mike Ohleger, Vice-Chairman, 6/30/2022

Justin Wiseman, 8/31/2025

Marolyn Cash, 6/30/2024

Lucy Ferrebee, 9/30/2023

Melvin Henson, City Council Representative,
9/30/2023

Kristie Gibbons, 12/31/2024

Timothy Petrie, 12/31/2024

Jason Tyree, Ex Officio member

Staff

Tom Roberts, Director of Community & Economic Development

City Hall, 2039 Sycamore Avenue, Buena Vista VA 24416

(540) 261-8607 | troberts@bvcity.org | buenvistava.org/planning

Meetings

Members of the Buena Vista Planning Commission meet in Council Chambers, 2039 Sycamore Avenue, at 7:00 p.m. on the 2nd Tuesday of each month, unless otherwise announced. Meetings may be held and business conducted without a quorum, but no votes may be taken unless a quorum is present. A majority of members constitutes a quorum. A motion passes with a majority vote; a tie constitutes defeat of the motion.



PLANNING COMMISSION

MINUTES of December 14th 2021

Members of the Buena Vista Planning Commission met in Council Chambers at 7:00 PM on Tuesday, December 14th, 2021.

Members Present:

Michael Ohleger, Vice-Chairman
Marolyn Cash
Melvin Henson, City Council Representative
Timothy Petrie
Lucy Ferrebee
Kristie Gibbons

Members Absent:

Dennis Hawes, Chairman
Jason Tyree, Ex Officio member
Justin Wiseman

Staff Present:

Tom Roberts, Director of Community & Economic Development

Meeting is called into order and roll was called. Mr. Ohleger presided in the absence of the Chairman.

Minutes

Mr. Henson moved to adopt the minutes of November 9th 2021 as presented. Mr. Petrie seconded, and all voted yes. Mrs. Ferrebee and Mrs. Gibbons abstained.

Secretary's Report

Mr. Roberts updated the Commission on several items.

- The Friends of Greenwood Cemetery has organized to fix up the neglected African-American cemetery off of 1st Street. City Council has given their general blessing on the work as well as on a land swap to adjust the borders of the cemetery. Based on mapping known graves, they propose a boundary adjustment of the City-owned cemetery parcel. This boundary adjustment will require subdivision approval because it creates additional parcels. They hope to bring this subdivision to the Planning Commission in January.
- Short term rental regulations will go to Planning Commission public hearing in January.
- The corner lot setback text amendment and the Seminary Hill Historic District name change will go on the public hearing in January also.

Old Business

None

New Items

2350 Beech Avenue Conditional Use Permit

Applicant Bryson Adams proposes at new four-unit apartment building on a vacant lot. Mr. Roberts began by summarizing the staff report analysis. Mr. Petrie asked about the angle of the parking spaces at the rear, and Mr. Adams responded that the spaces are angled for access from the north.

Mr. Henson asked about utility service, and Mr. Adams responded that he will have a master water meter and individual shutoffs for units, and that he would have a single electric service with subpanels. Mr. Henson also asked about firewalls between units, and Mr. Adams responded that between units would be two-hour fire walls and end walls would be one-hour fire walls. Mr. Henson asked about maintenance of the alley, and Mr. Roberts responded that the City would continue to maintain the alley to the same standards. The City does not generally plow alleys. Mr. Roberts also pointed out that there is ample street parking for guests or during a snow event.

Mr. Ohleger asked about whether the internal lot lines had been vacated yet, and Mr. Roberts responded not yet. Mr. Ohleger also asked about water and sewer, and Mr. Roberts replied that Public Works had not yet confirmed details of the water and sewer availability.

Adjournment 7:34 PM

Approved: _____



PLANNING COMMISSION Staff Report

Conditional Use Permit

2350 Beech Ave Multifamily Dwelling

1/6/2022

Synopsis

Applicant Bryson Adams proposes a four-family dwelling in the 2300 block of Beech Avenue. The Mixed Use zone requires a Conditional Use Permit for multifamily buildings.

Site Information

| | | | |
|--|------------------------------------|--|------------------|
| Address/Tax Map: | | 27-1-5-28-5; proposed addresses 2350, 2352, 2354, 2356 Beech | |
| Existing zoning: | | Mixed Use (MU) | |
| Existing land use: | | Vacant | |
| Proposed zoning: | | MU with Conditional Use Permit for multifamily building | |
| Proposed land use: | | Four-unit multifamily | |
| Surrounding zoning and land use: | | | |
| North: 2378 Beech Ave mixed use building with pizza shop and two apartments | | | |
| East: 2357 Sycamore Ave two-family dwelling (across alley) | | | |
| South: 2340 Beech Ave mixed-use building with commercial space and apartment | | | |
| West: 2381 Beech Ave industrial (across street) | | | |
| Size: | | 4,437 sq ft | |
| Staff Recommendation: | | Approve as presented | |
| Tentative Timeline | Preliminary Commission Discussion | | 12/14/2021 |
| | Planning Commission Public Hearing | | 1/11/2021 |
| | City Council Public Hearing | | 2/10/2021 |
| | City Council Adoption | | 2/24/2021 |

Overview

- Two story, four-unit building
- Each unit is two stories with front door facing Beech Ave
- Building is set back three feet from edge of sidewalk, giving space for a covered front stoop at each entrance
- Each unit is 1088 sq ft with two bedrooms and 1.5 bathrooms
- Brick and vinyl siding cladding, asphalt shingle roof
- Parking in rear

Parking

Five off-street parking spaces will be provided behind the building, with access from the alley. The fifth space (south end) is a little short so is suitable for a compact car. Spaces are angled for entry from the north. All the units have a back door for easy access from the parking area. This site is within the parking-exempt zone, no off-street parking is required.

The City is cautious about use of alleys as the sole access to parking. However, this alley has good access directly from Beech Ave (and 24th Street), and because of the angle of Beech, there are fewer properties adjacent to the alley than most blocks. Neither 2357 nor 2373 Sycamore use the alley for vehicular access. Given the number of adjacent properties, their use of the alley, and this project's number of parking spaces, there will likely be the same or less traffic in this alley than many others in the City.

Infrastructure

Adequate sewer is available in the alley. The applicant is still working with Public Works to determine the best approach for sewer. There is an existing 2" line running in the alley serving the existing buildings. Public Works will determine the material and age of this line. If it is plastic and recent, then the project will tap into it. If it is old and corroded, then they will likely run a new main extension south from 24th Street in the alley to serve this building. The new main extension would be available to other properties for future development.

Trash cans will be stored neatly in the back of the building on the south end as shown on the site plan.

Analysis

This project will provide much-needed apartment housing for Buena Vista workers or potentially students. This site has been vacant for many years and is located on a mixed-use corridor where denser multifamily development is appropriate.

The project is aligned with the comprehensive plan's explicit recommendations to "facilitate the development of new downtown housing" (Goal 5P) and to "Identify appropriate locations for compatible infill housing that would replace vacant or underutilized sites in existing neighborhoods" (5I).

Recommendation

Staff recommend approval of this project as presented.



2381 BEECH AVE

BEECH

24TH

2378 BEECH AVE

2357 SYCAMORE

2340 BEECH AVE

2340 BEECH AVE

2337 SYCAMORE

2307 BEECH AVE

2327 SYCAMORE AVE



Looking east toward site



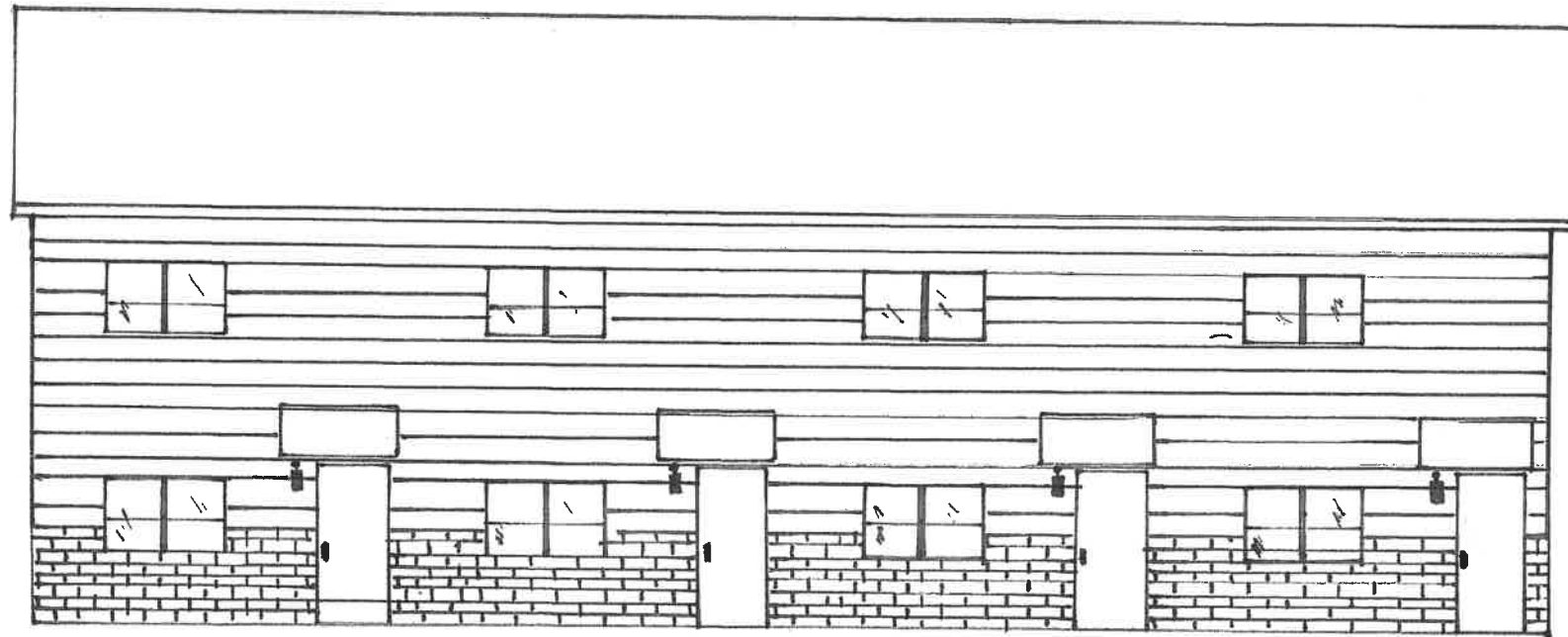
Looking southeast at site



Looking north up alley toward site



Looking north at site



NOTES

SHINGLE ROOF
LP SMART SIDING
BRICK LOWER FACADE
METAL AWNING

LOCATION

BEECH AVE. BUENA VISTA, VA LOTS 2,3, & 4
BLOCK 28 SEC. 5

PRELIMINARY FRONT ELEVATION

SCALE

$\frac{1}{8}'' = 1'$

DRAWN BY

BRYSON M. ADAMS

DATE

DEC 4 2021

A PORTION OF THIS PROPERTY LIES WITHIN OR ADJACENT TO THE TRAVELED WAY OF BEECH AVENUE AND A PUBLIC ALLEY AND, IS SUBJECT TO ANY PUBLIC OR DEEDED RIGHTS NORMALLY ASSOCIATED WITH A ROAD AND, OTHER RIGHTS OR RESTRICTIONS REVEALED BY A TITLE REPORT.

THIS PROPERTY LIES IN FLOOD ZONE "X" ("AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD) AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR ROCKBRIDGE COUNTY, VIRGINIA AND INCORPORATED AREAS. MAP NUMBER 51163C0401 C; EFFECTIVE DATE: APRIL 6, 2000.

**BOUNDARY SURVEY FOR
BRYSON M. ADAMS**
LOTS 2, 3 & 4, BLOCK 28, SECTION 5
AS SHOWN IN DEED BOOK 2 PAGE 107
BUENA VISTA, VIRGINIA
GREEN FOREST JOB # GF01824
REVISION 1, DECEMBER 5, 2021
SHEET 1 OF 1

KEY
[Hatched Box] HVAC UNITS
[Cross-hatched Box] TRASH CANS
[Empty Box] PARKING

24TH STREET
60' R-O-W

LOT 2 1261 SQ. FT.
LOT 3 1479 SQ. FT.
LOT 4 1697 SQ. FT.

TOTAL
4,437 SQ. FT.
(0.102 ACRES)

15' ALLEY

N:3,793,435
E:11,235,812

S 19°11'07" W
75.00' (TOTAL)

LOT 5

S 70°48'53" E
72.24'

LOT 4

LOT 3

LOT 2

LOT 1

LOT 8

LOT 7

LOT 6

IRS

IRS

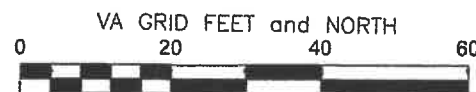
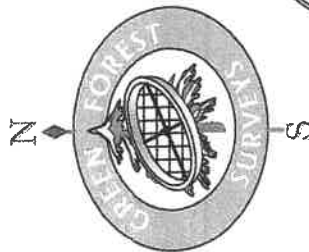
IRF

IRF

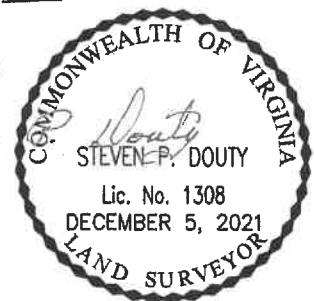
79.44' (TOTAL)

SIDEWALK

BEECH AVENUE
60' R-O-W



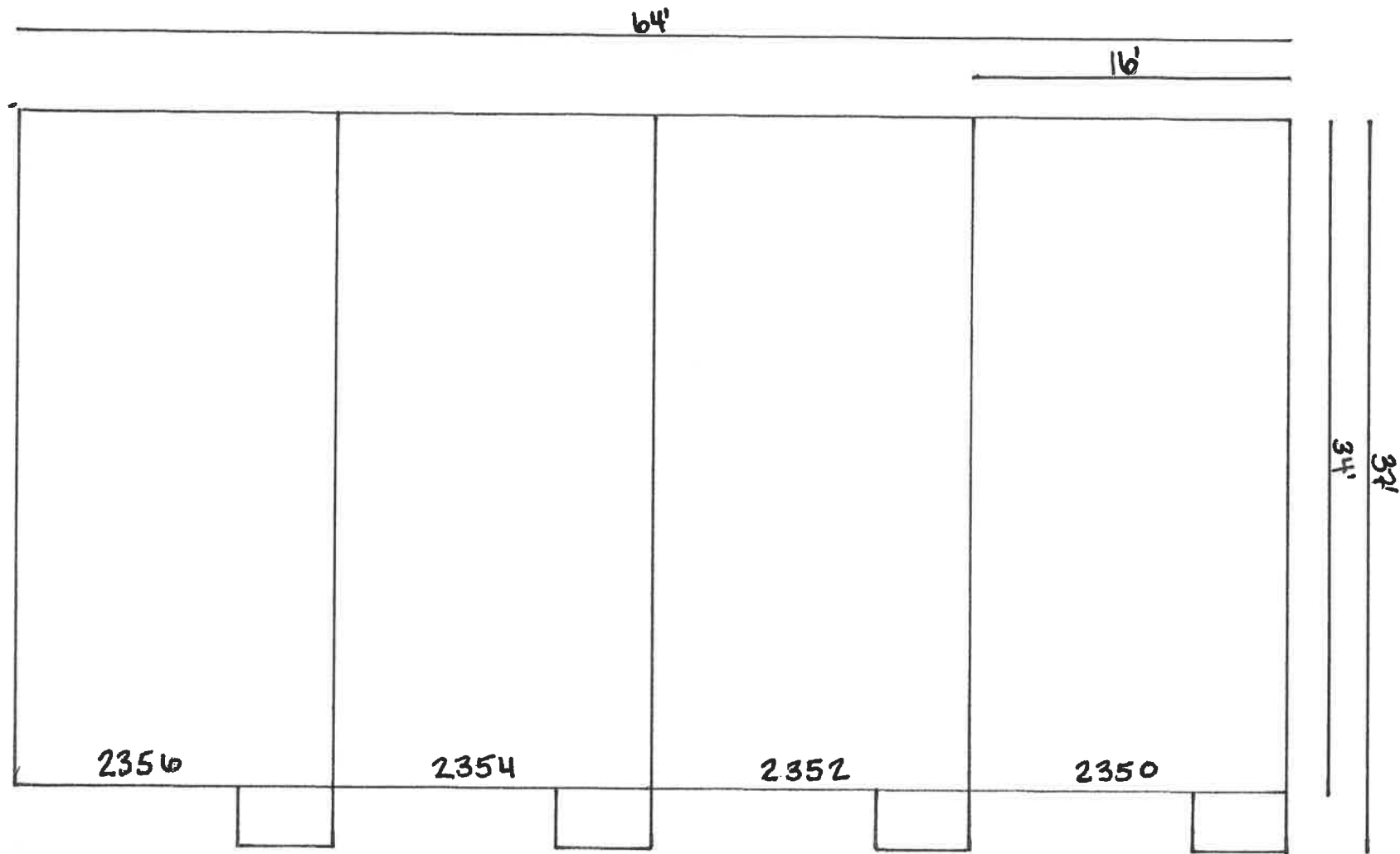
THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND, THEREFORE, MAY NOT, NECESSARILY, INDICATE ALL ENCUMBRANCES ON THE PROPERTY. THIS DRAWING MAY NOT SHOW ALL IMPROVEMENTS AND EASEMENTS.



GREEN FOREST SURVEYS, LLC

WWW.GREENFORESTSURVEYS.COM
P.O. BOX 121, FAIRFIELD, VA 24435 (540) 261-1077





LOCATION

BEECH AVE.. BUENA VISTA, VA LOTS 2,3, & 4

PRELIMINARY PLAN VIEW

SCALE

1/8" = 1'

DRAWN BY

BRYSDN M. ADAMS

DATE

DEC 6 2021

NOTES

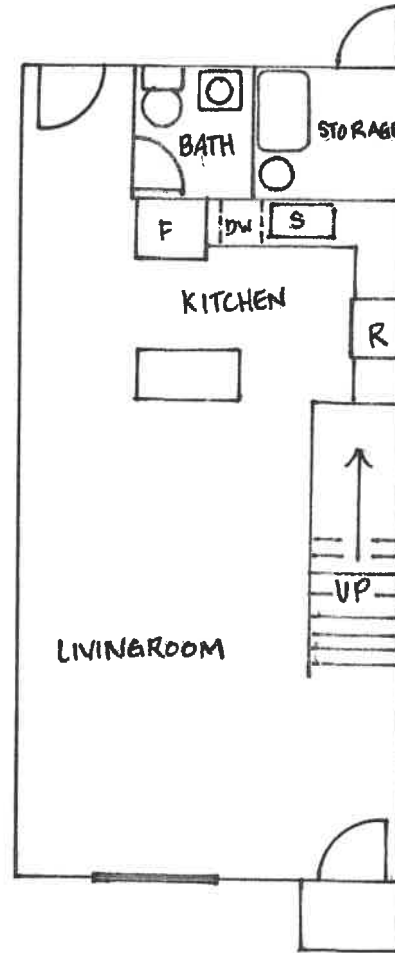
2 BED / 1.5 BATH
1088 SQFT EACH

1ST FLOOR

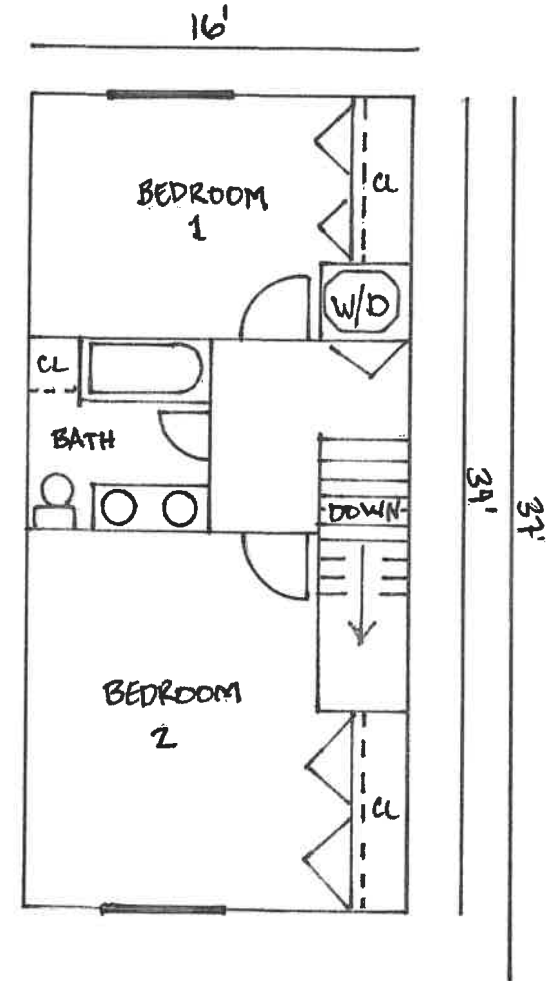
LIVING ROOM 12' x 20'
KITCHEN 8' x 11'-6"
HALF BATH 5' x 5'
STORAGE 6' x 5'

2ND FLOOR

BEDROOM 1 12' x 10'
BEDROOM 2 12' x 15'
BATH 7'-4" x 8'



FIRST FLOOR



SECOND FLOOR

| | | | |
|--|------------------------|----------|----------------|
| LOCATION BEECH AVE. BUENA VISTA, VA | PRELIMINARY FLOOR PLAN | SCALE | 1/8" = 1' |
| | | DRAWN BY | BRYSON M ADAMS |
| | | DATE | DEC 6 2021 |



PLANNING COMMISSION Staff Report

Zoning Text Amendment

Residential Transient Occupancy Regulations

12/20/2021

Synopsis

Updated and new regulations for all types of transient occupancy uses.

Summary:

- Group bed & breakfasts and short-term rentals under category called “residential transient occupancy” uses
- Propose permissive approach—allowing whole-house and room rentals anywhere residential uses are allowed, no cap on nights per year
- Propose some occupancy limits
- Registration and licensure would allow City to monitor and enforce if there are nuisance complaints, as well as tax

Acronyms

RTO means Residential Transient Occupancy use

STR means Short Term Rental

Analysis

Background

Regulation of short term rentals (STRs) like those through the Airbnb platform has been an evolving issue over the last ten years, but the landscape is stabilizing some now. The draft text represents work by a City intern several years ago, staff work, and Planning Commission discussion this fall.

The purpose of regulating STRs is to prevent neighborhood nuisance problems such as overcrowding, “party houses,” parking problems; and to capture lodging taxes in a fair and consistent way across different transient occupancy types (hotels, bed & breakfasts, STRs).

Current Approach

Currently, the City has a “hands-off” approach to regulating STRs. We do not regulate, register, track, or tax STRs. The only exception is that, when asked, we inform hosts of the occupancy limit for residences—the zoning definition of “family” which essentially is four unrelated people. The City has an established code for regulating bed & breakfast establishments, which share some attributes of STRs, but are not the same.

There are currently about a dozen STRs in Buena Vista listed on AirBnB. I am not aware of any resident complaints about occupants of an STR in the past.

Framework

To define STRs, we have to distinguish how they are different from other similar uses, such as bed & breakfasts or boarding houses or hotels. The included tables show current regulations and the proposed changes. To draft this new section, I created the term “residential transient occupancy” as a category that includes both bed and breakfast establishments and short term rentals.

Transient occupancy, per code of Virginia, is 30 days or less. Residential occupancy is more than 30 days. I propose keeping the existing use types of Bed & Breakfast Homestay and Inn, and adding Type A and Type B Short Term Rentals. Many localities use this division of Type A and B to distinguish whether it is a room rental or a whole-dwelling unit rental.

The key difference between Bed & Breakfasts (both homestays and inns) and STRs is that Bed & Breakfasts may serve meals, and are typically permitted by the Virginia Department of Health. In contrast, STRs may not serve meals, are not permitted or inspected by VDH, and are subject to registration requirements per Code of Virginia.

Key Requirements in New Text

- All Residential Transient Occupancy (RTO) uses must remit lodging tax. Bed & breakfasts must obtain business licenses; STRs must register as an STR.
- Occupancy for Type A STRs (room rentals where owner is present) may be the residents of the unit plus a “family” as the zoning code defines it
- Occupancy for a Type B STR (whole-house rental where owner is not present) may be the building code occupancy of all the bedrooms in the unit. The building code formula is basically 70 sq ft for the first occupant + 50 sq ft for each additional occupant, so a 150 sq ft bedroom may have two occupants.
- Flexible off-street parking requirements for all uses
- Events, parties, weddings, etc. would only be permitted at an RTO with a Conditional Use Permit.
- All RTOs must go through the Rental Inspection Program and are subject to the terms of that program.

Related Changes

- “*Boarding Houses*” would continue to be permitted uses, but they would be limited to residential occupancy (long-term room rental) not transient. If a boarding house wished to offer rooms for less than 30 days, it would have to meet requirements for either a hotel or a STR (either Type A or B).
- “*Tourist Homes*” would be eliminated as a distinct use and replaced with Type B STRs. There are two reasons for this change. It clarifies that these establishments must register as STRs pursuant to Code of Virginia 58.1-3510.5. It also reduces confusion with Virginia Department of Health regulation of lodging establishments, because the term “tourist home” is included in the definition of “hotel” to which VDH licensure and inspection requirements apply.

- “Cabins/cottages” would be eliminated as a distinct use in the Recreation zone. Cabins/cottages are defined solely in the Recreation zone (bad practice anyway), and replacing them with Type B STRs will eliminate any confusion.

Potential Scenarios

Type A STR (Room Rental)

- 3 bedroom house occupied by two SVU students on year-round leases, one room is rented out on Airbnb to short term guests.
- 3 bedroom house has a large basement finished with a full bath & kitchen, but it is not legally a second dwelling unit. The upper levels of the house are occupied permanently by a family of four, and the basement is an STR which is booked by groups as large as a five-person family.

Type B STR (Whole House)

- 3 bedroom house in residential neighborhood is rented out during the school year to SVU students, then during the summer is a whole-house Airbnb for people vacationing in the area.
- Studio apartment in upper floor of mixed-use building downtown is an STR frequently booked on weekends by vacationers or hikers.
- Large 5 bedroom Victorian with large yard obtains a Conditional Use Permit for STR hosting up to 10 people, and is advertised on Airbnb as good for large groups or events.

Enforcement and Taxation

The Regional Tourism office will begin tracking all short-term rental accommodations in the Rockbridge area beginning this spring in collaboration with locality staff. Tourism is procuring a software subscription to AirDNA, a service that tracks and reports short term rentals. This way, Tourism will be able to flag new accommodations that have not yet been licensed and contact the localities. They will also be able to run reports on total nights stayed, gross revenues, etc.

I am working with the Finance Department, the Commissioner of Revenue, and the Treasurer to straighten out how lodging tax would be collected and tracked. Due to a recent Virginia law, in many cases the STR platform (e.g. AirBnB, Vrbo) must collect the lodging tax and remit it to the locality.

The Community Development department will track STR registrations using existing permit software.

CURRENT

| Type | Hotel (incl. motels) | Boarding House | Bed & Breakfast | Bed & Breakfast | Short Term Rental | Tourist Home | Residential Rental |
|------------------------------|---|---|--|--|-------------------|---------------------------------|--|
| Subtype | n/a | n/a | Homestay | Inn | n/a | Owner Not Present (Whole-House) | Rooms or whole unit |
| Biz License? | Yes | No | Yes | Yes | Unregulated | Yes | No |
| Where permitted | Commercial & Mixed Use areas, by right | Mixed Use areas & R4, by right | All zones where residential uses allowed, by right | All zones where residential uses allowed, with CUP | Unregulated | Mixed Use & Institutional zones | All zones where residential uses allowed |
| Duration | "primarily less than one week..." | "Length of stay usually exceeds one week..." (Transient OR residential) | < 14 days | < 14 days | Unregulated | Transient OR Residential | Residential (more than 30 days) |
| Owner present? | No | Optional | Yes | Yes | Unregulated | No | Optional |
| Occupancy | No restrictions | 3 to 10 persons | Up to 2 rooms for guests | 3 to 5 rooms for guests | Unregulated | Up to 5 people | Family or requires a CUP |
| Cooking facilities in rooms? | Yes or No | No | No | No | Unregulated | Yes or No | Yes or No |
| Meals provided? | Yes or No | Yes or No | Yes | Yes | Unregulated | No | Yes or No |
| Parking Requirements | 1 space per bedroom + 1 space per 2 employees | 1 space per bedroom | None | None | Unregulated | None | 2 spaces for house |

PROPOSED

| Type | Hotel (incl. motels) | Boarding House | Bed & Breakfast | STR Type A | STR Type B | Long-Term Residential Rental |
|------------------------------|---|---------------------|--|--|---|--|
| Subtype | n/a | n/a | Homestay and Inn | Room Rental | Whole-unit | Rooms or whole unit |
| Licensure | Biz + VDH | None | Biz + VDH | STR | STR | None |
| Taxation | Biz + Lodging | None | Biz + Lodging | Lodging | Lodging | None |
| Where permitted | Commercial & Mixed Use areas | Mixed Use areas | All zones where residential uses allowed | All zones where residential uses allowed | All zones where residential uses allowed | All zones where residential uses allowed |
| Duration | Transient | Residential | Transient | Transient | Transient | Residential |
| Owner present? | Optional | Optional | Yes | Yes | No | Optional |
| Occupancy | | | Up to 2 rooms by right, 3-5 rooms with CUP | Residents + <i>family</i> by right, or per CUP | Building code occupancy of bedrooms, or per CUP | <i>Family</i> or requires a CUP |
| Cooking facilities in rooms? | Yes or No | No | No | Yes or No | Yes or No | Yes or No |
| Meals provided? | Yes or No | Yes or No | Yes | No (or trigger VDH req) | No (or trigger VDH req) | No |
| Parking Requirements | 1 space per bedroom + 1 space per 2 employees | 1 space per bedroom | 1 space per guest room | 2 spaces for dwelling + 1 for STR | 2 spaces, or per CUP | 2 spaces for dwelling |

Potential Scenarios

Type A STR (Room Rental)

- 3 bedroom house occupied by two SVU students on year-round leases, one room is rented out on Airbnb to short term guests.
- 3 bedroom house has a large basement finished with a full bath & kitchen, but it is not legally a second dwelling unit. The upper levels of the house are occupied permanently by a family of four, and the basement is an STR which is booked by groups as large as a five-person family.

Type B STR (Whole House)

- 3 bedroom house in residential neighborhood is rented out during the school year to SVU students, then during the summer is a whole-house Airbnb for people vacationing in the area.
- Studio apartment in upper floor of mixed-use building downtown is an STR frequently booked on weekends by vacationers or hikers.
- Large 5 bedroom Victorian with large yard obtains a Conditional Use Permit for STR hosting up to 10 people, and is advertised on Airbnb as good for large groups or events.

Next Steps

Staff have reached out to existing STR operators in Buena Vista and the region for input, as well as other relevant stakeholders. We have received a little bit of feedback. Staff anticipate additional public feedback in the Planning Commission public hearing (January) to shape the final draft for City Council in February.



Section 714 Residential Transient Occupancy

DRAFT text

12/20/2021

Section 714. Residential Transient Occupancy

714.01 Purpose. The intent of this section is to regulate the operation of establishments which provide short-term accommodations. The objectives of this regulations are the following:

714.01-1 To ensure the health and safety of guests

714.01-2 To ensure adequate provision of infrastructure to guest accommodations, including utilities and vehicular access and parking

714.01-3 To encourage tourism and the visitor experience of Buena Vista

714.01-4 To maintain and enhance the quality and character of commercial and residential neighborhoods

714.02 Table of Residential Transient Occupancy Use Regulations. In this section, acronyms used shall have the following meanings:

RTO shall mean Residential Transient Occupancy

STR shall mean Short-Term Rental

CUP shall mean Conditional Use Permit

VDH shall mean Virginia Department of Health

| Type | Bed & Breakfast | Bed & Breakfast | STR Type A | STR Type B |
|------------------------------|--------------------|--------------------|---|---|
| Subtype | Homestay | Inn (CUP required) | Room Rental | Whole-unit |
| Duration | Less than 30 days | Less than 30 days | Less than 30 days | Less than 30 days |
| Host present? | Yes | Yes | Yes | No |
| Occupancy | 1 to 2 guest rooms | 3 to 5 guest rooms | Residents plus <i>family</i> (as defined herein) by right, or per CUP | Building code occupancy of all bedrooms, or per CUP |
| Cooking facilities in rooms? | No | No | Yes or No | Yes or No |
| Meals provided? | Yes | Yes | No | No |

| | | | | |
|-----------------------------|------------------------|------------------------|-----------------------------------|----------------------|
| Parking Requirements | 1 space per guest room | 1 space per guest room | 2 spaces for dwelling + 1 for STR | 2 spaces, or per CUP |
|-----------------------------|------------------------|------------------------|-----------------------------------|----------------------|

714.03 Residential Transient Occupancy uses Generally

714.03-1 *Registration*. The host shall comply with all registration, filing and taxation requirements with applicable City departments prior to offering guest accommodations.

714.03-2 *Authorization to enter premises*. By submitting an application for a Residential Transient Occupancy use, an applicant authorizes the Administrator or designee to enter the subject property, upon reasonable advance written notice to the applicant, at least one time during the calendar year to verify that the transient occupancy use is being operated in accordance with the regulations set forth within this section.

714.03-3 *Building code compliance*. Prior to offering guest accommodation, all Residential Transient Occupancy units shall meet applicable building and property maintenance codes. Property owners shall obtain a Rental Inspection Certificate, and are subject to the requirements and remedies of the Rental Inspection Program.

714.03-4 *Fire safety*. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code; and a carbon monoxide detector must be installed on each floor in every dwelling.

714.03-5 *Integration into neighborhood*. Residential Transient Occupancy uses typically occur in single-family homes in existing neighborhoods. No alterations to the house to accommodate the transient occupancy use are permitted which would compromise the residential character of the property.

714.03-6 *Limitations of use*. Residential Transient Occupancy establishments are permitted solely to provide lodging and, if applicable, meals. Additional activities including receptions, parties and other events are not permitted unless specifically authorized by a conditional use permit. Authorization for additional activities will be based on the suitability of the house and property for hosting such events. Specific consideration will be given to the floor plan of the house, the proximity of the house to neighboring houses, the size of the lot, provisions to buffer the effects of such activities from adjacent property and the ability to provide parking for such events.

714.03-7 *Maximum duration of stay*. The maximum stay for a Residential Transient Occupancy unit is 30 days. Any dwelling unit offering guest accommodations for more than 30 consecutive days shall be considered a residential use and shall comply with all applicable zoning regulations, including occupancy restrictions.

714.03-8 *Concurrent Residential Transient Occupancy uses*. Only one Residential Transient Occupancy use shall be permitted within a single dwelling unit.

714.03-9 *Parking*. Hosts should provide off-street parking spaces if possible. No more than three on-street public parking spaces may count toward the required number of spaces.

714.04 Bed and Breakfast Homestay additional regulations

714.04-1 *Description*. A Bed and Breakfast Homestay is a single-family dwelling unit occupied by the owner which is used and regulated primarily as a private residence, but which provides up to five bedroom accommodations and meals to transients.

714.04-2 *Residency*. The host of a Bed and Breakfast Homestay shall only be an owner who utilizes and resides at the dwelling as his or her primary residence. The host may be required to submit acceptable proof to the Zoning Administrator that the dwelling is the host's primary residence. Acceptable proof of permanent residence may include: applicant's driver's license, voter registration card, or United States passport showing the address of the property, or other document(s) which the Administrator determines provides proof of permanent residence by the host.

714.04-3 *Licensure and taxation*. The host shall hold a valid business license from the city and a permit from the Virginia Department of Health, and shall report all registrations to the City for the collection of transient lodging tax. Hosts may utilize a third party to report, collect, and remit some or all transient lodging tax in accordance with Code of Virginia and other applicable laws.

714.04-4 *Registration book*. A registration log must be maintained for one year and be made available for review by the city upon request.

714.04-5 *Landscaping*. Landscaping, buffers and/or fences may be required as a permit condition in order to mitigate potentially negative impacts on adjoining properties and to maintain the appearance of the district.

714.04-6 *Cooking facilities*. Guestrooms in bed and breakfast establishments shall not have cooking facilities.

714.05 Bed and Breakfast Inn additional regulations

714.04-1 *Description*. A Bed and Breakfast Inn is a single-family dwelling unit occupied by the owner which is used and regulated primarily as a private residence, but which provides more than two, but no more than five bedroom accommodations and meals to transients.

714.04-2 *Residency*. The host of a Bed and Breakfast Inn shall only be an owner who utilizes and resides at the dwelling as his or her primary residence. The host may be required to submit acceptable proof to the Zoning Administrator that the dwelling is the host's primary residence. Acceptable proof of permanent residence may include: applicant's driver's license, voter registration card, or United States passport showing the address of the property, or other document(s) which the Administrator determines provides proof of permanent residence by the host.

714.04-3 *Licensure and taxation*. The host shall hold a valid business license from the city and a permit from the Virginia Department of Health, and shall report all

registrations to the City for the collection of transient lodging tax. Hosts may utilize a third party to report, collect, and remit some or all transient lodging tax in accordance with Code of Virginia and other applicable laws.

714.04-4 *Registration book*. A registration log must be maintained for one year and be made available for review by the city upon request.

714.04-5 *Landscaping*. Landscaping, buffers and/or fences may be required as a permit condition in order to mitigate potentially negative impacts on adjoining properties and to maintain the appearance of the district.

714.04-6 *Cooking facilities*. Guestrooms in bed and breakfast establishments shall not have cooking facilities.

714.06 Type A Short Term Rental additional regulations

714.06-1 *Description*. A Type A Short Term Rental is a portion of a single-family dwelling unit where the host is the permanent resident of the dwelling, and the host is present during the short term rental.

714.06-2 *Residency*. The host of a Type A Short Term Rental shall only be an owner who utilizes and resides at the dwelling as his or her primary residence. The host may be required to submit acceptable proof to the Zoning Administrator that the dwelling is the host's primary residence. Acceptable proof of permanent residence may include: applicant's driver's license, voter registration card, or United States passport showing the address of the property, or other document(s) which the Administrator determines provides proof of permanent residence by the host.

714.06-3 *Licensure and taxation*. The host shall register with the Department of Community and Economic Development pursuant to Code of Virginia 15.2-983, and shall report all registrations to the City of Buena Vista for the collection of transient lodging tax. Hosts may utilize a third party to report, collect, and remit some or all transient lodging tax in accordance with Code of Virginia and other applicable laws.

714.06-4 *Registration book*. A registration log must be maintained for one year and be made available for review by the city upon request.

714.06-5 *Meals*. No food shall be prepared for or served to guests.

714.07 Type B Short Term Rental additional regulation

714.07-1 *Description*. A Type B Short Term Rental is a single-family dwelling unit where the host is not the permanent resident of the dwelling, or where the permanent resident of the dwelling is not present during the guest stay.

714.07-2 *Licensure and taxation*. The host shall register with the Department of Community and Economic Development pursuant to Code of Virginia 15.2-983, and shall report all registrations to the City of Buena Vista for the collection of transient lodging tax. Hosts may utilize a third party to report, collect, and remit some or all transient lodging tax in accordance with Code of Virginia and other applicable laws.

714.07-2 *Meals*. No food shall be prepared for or served to guests.

714.07-2 *Waste*. The dates and information for trash collection shall be posted prominently in the short term rental unit.

714.07-2 *Principal guest*. During each stay at the short term rental unit, a principal guest at least 18 years of age shall be designated as the contact person for City officials in the event of safety or behavioral issues at the unit. The host shall provide this information upon request to authorized City officials.

714.07-2 *Host contact*. The name and telephone number of the host or the host's designee shall be conspicuously posted within the short term rental unit. The host shall answer calls twenty-four (24) hours a day, seven (7) days a week for the duration of each short term rental to address any problems associated with the short term rental unit.

714.08 Conditional Use Permit.

714.08-1 The following uses are permitted by Conditional Use Permit:

714.08-1.1 Bed and Breakfast Inns

714.08-1.2 Type A or Type B Short Term Rental with an occupancy greater than the maximum occupancy listed in the table in 714.02.

714.08-1.3 Uses accessory to a Residential Transient Occupancy, including but not limited to receptions, weddings, meetings, or concerts.

714.08-2 In reviewing an application for a conditional use permit, the Planning Commission and the governing body may consider the following factors for Residential Transient Occupancy uses:

714.08-2.1 On- and off-street parking available

714.08-2.2 Suitability of the buildings and grounds for the proposed use

714.08-2.3 Impact of vehicular and pedestrian traffic

714.08-2.4 Impact on visual and functional character of the neighborhood

714.08-2.5 Availability of similar establishments in the neighborhood and the area

714.09 Enforcement

714.09-1. A registration may be suspended or cancelled for the following reasons:

714.09-1.1 Failure to collect and/or remit the transient occupancy tax

714.09-1.2 Three (3) or more substantiated complaints (including, but not limited to, parking on grass, noise, excess trash) within a twelve-month period

714.09-1.3 The failure of any Type A Short Term Rental host to maintain his or her principal place of residence or domicile at the dwelling unit

714.09-1.4 The violation of any other provision of the zoning code, or of the Nuisance and Public Health and Safety Code found in Chapter 14 of the City code,

714.09-2. Before any suspension or cancellation can be effective, the Zoning Administrator shall give written notice to the property owner. The notice of suspension or cancellation issued under the provisions of this chapter shall contain: A description of the violation(s) constituting the basis of the suspension or cancellation; If applicable, a statement of acts necessary to correct the violation; and a statement that if no written response by the host is received by the City within thirty (30) days from the date of the notice, the registration will be suspended or cancelled.

714.09-3. The notice shall be sent to the address of record by regular mail, and by e-mail or phone to the addresses in the registration form.

714.09-4. A copy of the notice will be provided to other relevant City departments to advise the registration may be revoked.

714.09-5. Any determination made by the Zoning Administrator may be appealed to the Board of Zoning Appeals.

714.09-6. Penalty. It shall be unlawful to operate a short term rental:

714.09-6.1. without obtaining a registration as required by this article,

714.09-6.2. after a registration has been suspended or cancelled, or

714.09-6.3. in violation of any other requirement of this article.

714.09-6.4. The penalty shall be a fine of five hundred dollars (\$500.00) per occurrence in accordance with Sec. 15.2-983 of the Code of Virginia for a host required to register who offers for short-term rental a property that is not registered.

714.09-7 Phased Effective Date. For any Residential Transient Occupancy use which was not in operation at any point in 2021 and which begins operation on or after March 1 2022, this section shall apply immediately. For any Residential Transient Occupancy use which was in operation at any point in 2021 and which continues operation on or after January 1 2022, this section shall apply beginning June 1 2022.

Definitions

~~302.01-1: Accessory use means or building means a structure subordinate or incidental to the principal structure on a lot in square footage and primary use. Accessory structures and uses include detached garages, storage buildings, pool houses, swimming pools, storage bins and material storage areas.~~ - a use that is incidental and subordinate to that of the main building or use of land and that is located on the same lot and under the same ownership in all respects.

302.02-5 Building, accessory means a subordinate building located on the same lot as the main building, the use of which is incidental and accessory to that of the main building or use. No such accessory structure shall be used ~~for housekeeping purposes~~ as a dwelling unit.

302.02-3: Boarding house (rooming house) means a building or part thereof, other than a hotel, motel, or restaurant, where meals and/or residential lodging are provided for compensation for three to ten unrelated persons and where no cooking or dining facilities are provided in individual rooms. If the duration of stay of any guest is less than thirty (30) days, then the establishment must be registered or licensed as a Residential Transient Occupancy use pursuant to Section 714. ~~And in which the length of stay usually exceeds one week in duration. A lodging house is also included in this definition.~~

Bed and breakfast homestay means a single-family dwelling unit occupied by the owner which is used and regulated primarily as a private residence, but which provides up to two bedroom accommodations and meals to transients.

Bed and breakfast inn means a single-family dwelling occupied by the owner which provides more than two, but no more than five bedroom accommodations and meals to transients.

Bed and breakfast establishment [means] a bed and breakfast homestay or inn.

Short-term rental means a dwelling, or portion of a dwelling, used or advertised for transient rental in increments of 30 or fewer consecutive days. This use type does not include bed and-breakfast establishments and does not apply to month to month extensions following completion of a year's lease.

Host means the person who is owner and operator of the Residential Transient Occupancy premises.

Transient means for a period of 30 days or less in the context of guest accommodation unit, or means a person occupying such a unit.

Residential Transient Occupancy means a Bed and Breakfast Homestay, a Bed and Breakfast Inn, a Type A Short Term Rental, or a Type B Short Term Rental. The term does not include hotels.

Type A Short Term Rental means a short term rental where the host is the permanent resident of the dwelling, and the host is present during the short term rental.

Type B Short Term Rental means a short term rental where the host is not the permanent resident of the dwelling, or where the permanent resident of the dwelling is not present during the guest stay.

~~302.21.2: [Repealed]—Tourist court, auto court, motel, hotel, cabin or motor lodge means building or buildings containing individual sleeping rooms, designed for, or used temporarily by, automobile tourists or transients, with garage or parking space conveniently located to each unit. Cooking facilities may be provided for each unit.~~

~~302.21-3:—[Repealed]—Tourist home means a dwelling where only lodging is provided for compensation for up to five persons (in contrast to hotels and boarding houses) and open to transients.~~

~~613.03-2.1:—[Repealed]—Cabins/cottages. For definition purposes for this section: Cabins/cottages is a building or a group of buildings, whether detached or in connected units, designed primarily for transient travelers catering to the needs of the traveling public by furnishing sleeping accommodations with or without supplying food.~~



PLANNING COMMISSION Staff Report

Zoning Text Amendment
Section 630 Table of Setbacks
11/8/2021

Synopsis

Reduce the additional setback required for corner lots and clarify lot area regulations.

Analysis

In June 2021 the Planning Commission discussed revising the additional setback required for corner lots. Staff proposed adopting a minimum 10 foot corner side setback in residential zones for both primary and accessory buildings. This would replace the “add 15 feet” formula which is more complicated and limits development on many lots.

The table of dimensional regulations lists minimum front, side, and rear setbacks for primary and accessory buildings in many zones. Currently, note (i) on the table of dimensional regulations reads, “Add 15 feet for corner lots.” This note is not fully explained but seems to mean that for corner lots, the side setbacks must be increased by this amount. As an example, in R3 the side setback for a primary building is as little as 5’. Note (i) increases the side setback on the street side (usually a numbered street) to 20’.

Staff researched corner lots in other Virginia localities. While exact numbers varied, for comparable residential zones to Buena Vista’s R2 and R3, total required corner side yards were generally between 20’ and 25’. Lexington is an exception; they have no additional setback for corner side yards.

The reason for having side setbacks in general is to provide fire separation, ventilation, circulation, density reduction, and aesthetic benefits to properties. Having larger or minimum setbacks for corner lots is intended to ensure good visibility at street corner. In the case of Buena Vista, it provides visibility for alley access also.

With this goal in mind, staff propose adopting a minimum 10 foot corner side setbacks in residential zones for both primary and accessory buildings. This would replace the “add X feet” formula.

- In R3, the effect would be going from a 20’ minimum corner side setback to 10’, plus the interior side setback would drop to 5’ because both sides can add up to 15’.
- In R1 and R2, the effect would be that corner lots are treated the same as interior lots because the side setback is 15’ on each side.
- In R4, the effect would be that corner lots are treated the same as interior lots because the side setback is 10’ on each side.

To accompany this, staff also recommend repealing all of Section 701, Area Regulations. This section repeats several provisions already part of the table of dimensional regulations, and includes other unnecessary provisions. Below is a breakdown of the text to be repealed.

701.01-1 uncovered porches – Uncovered porches and patios are not considered buildings that require a zoning permit. They are landscaping features. This rule would be difficult to enforce and is not needed.

701.01-2 patios – Same as uncovered porches.

701.01-3 minimum setback – This is a duplication of note (i) in the dimensional regulation table.

701.01-4 signs – Signs are regulated in section 706. Signs advertising sale or rent of the premises is likely an unconstitutional category of regulation. This provision is not necessary either.

701.02-1 determination of front – This provision ties the hands of the zoning administrator when dealing with a difficult or unusual house siting.

701.02-2 15 foot provision – This is a duplication of note (l) in the dimensional regulation table.

701.02-3 minimum lot width – This is straight up terrible. Requires that ANY new subdivision create lots that are no less than 155 feet wide? This is huge, larger than the minimum frontage requirement for any zone in the City, and inappropriately large for many housing developments. It also defeats the purpose of discretionary subdivision review, through which the Planning Commission and Council make the determination of what is a good lot width (and other aspects of the development).

Sec. 630.00. - Table of setbacks.

| District | Permitted Use | Minimum Structure Requirement (see k below) | Minimum Lot Requirements | | | | Minimum Yard Requirements (see l below) | | | | Accessory Buildings | | | | Other Requirements |
|--------------------------------|---|---|-----------------------------------|--------|-----------------------|--------------------------------|---|-----------|------|-------------|---------------------|---------------|---------------|--------------------|-----------------------------------|
| | | | Public Water and Sewer | Other | Setback (see i below) | Frontage at the Setback Line | On Side | Two Sides | Rear | Max. Height | Main Building | Side Lot Line | Rear Lot Line | Height (a,b,c,d,e) | |
| C-1 Conservation | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| R-1 Low Density Residential | Single-family residential | 1,200 sf single-family | 12,500 | 21,780 | 35 | 100 | 15 | 30 | 35 | 35 | 10 | 5 | 5 | 35 | N/A |
| R-2 Residential | Single-, two-family residential | 1,200 sf single-family | 9,375 sf | 20,000 | 30 | 75 | 15 | 30 | 25 | 35 | 10 | 5 | 5 | 35 | N/A |
| | | 2,400 sf two-family (1,200 each) | 6,250 sf for each additional unit | | | | | | | | | | | | |
| R-3 Residential Limited | Single-, two- and four-family residential (960 sf per unit) | 960 sf single-family | 6,250 sf | 20,000 | 30 | 50 | 5 | 15 | 25 | 35 | 5 | 1 | 1 | 35 | N/A |
| | | 960 sf per dwelling 2—4 family dwelling | 3,125 sf for each additional unit | | | | | | | | | | | | |
| R-4 Medium Density Residential | Single-family, multifamily | 960 sf single-family | 6,250 sf | 20,000 | 30 | 50' for single- and two-family | 10 | 20 | 25 | 35 | 20 | 10 | 10 | 35 | Maximum density 15 units per acre |

| District | Permitted Use | | Minimum Lot Requirements | | | | Minimum Yard Requirements (see l below) | | | | Accessory Buildings | | | | Other Requirements |
|------------------------------|---|---|--------------------------------------|-------|-----------------------|----------------------------------|---|-----------|------|-------------|---------------------|---------------|---------------|--------------------|--------------------------------------|
| | | Minimum Structure Requirement (see k below) | Public Water and Sewer | Other | Setback (see i below) | Frontage at the Setback Line | On Side | Two Sides | Rear | Max. Height | Main Building | Side Lot Line | Rear Lot Line | Height (a,b,c,d,e) | |
| | | 1,920 sf two-family (960 sf per unit) | 3,125 sf for each additional unit | | | 75' for three-family and greater | | | | | | | | | |
| | | (see j below for efficiencies) | | | | | | | | | | | | | |
| R-5 Residential | Mobile home parks and subdivision | N/A | See table 2 | | | | | | | | | | | | |
| R-6 Planned Unit Development | Residential | N/A | Detailed plan required (see f below) | | | | | | | | | | | | |
| B-1 General Business | N/A except for res. structures which are as shown for R-4 | None | g | N/A | N/A | h | h | N/A | 35' | 20' | 20' | 15' | 35' | N/A | |
| B-2 Planned Business | Commercial development | See B-1 | None | g | N/A | N/A | h | h | N/A | 35' | 20' | 20' | 15' | 35' | Detailed plan required (see f below) |

| District | Permitted Use | Minimum Structure Requirement (see k below) | Minimum Lot Requirements | | | | Minimum Yard Requirements (see l below) | | | | Accessory Buildings | | | | Other Requirements |
|--------------------------|------------------|---|--------------------------|-------|-----------------------|------------------------------|---|-----------|------|-------------|---------------------|---------------|---------------|--------------------|--------------------|
| | | | Public Water and Sewer | Other | Setback (see i below) | Frontage at the Setback Line | On Side | Two Sides | Rear | Max. Height | Main Building | Side Lot Line | Rear Lot Line | Height (a,b,c,d,e) | |
| LM Light Manufacturing | Light industrial | N/A | None | g | N/A | N/A | 25' | 50' | N/A | 45' | 40' | 20' | 20' | 45' | N/A |
| GM General Manufacturing | Industrial | N/A | None | G | N/A | N/A | 25' | 50' | N/A | 45' | 40' | 20' | 20' | 45' | N/A |
| REC Recreational | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |

- a. The height limit for dwellings may be increased by up to 45 feet and up to three stories provided each side yard is 20 feet, plus one foot or more of side yard for each additional foot of building height over 35 feet.
- b. A public or semi-public building such as a school, church, or library may be erected to a height of 60 feet from grade provided that required front, side, and rear yards shall be increased one foot for each foot in height over 35 feet.
- c. Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, television antenna and radio aerials are exempt. Parapet walls may be up to four feet above height of the building on which the walls rest.
- d. Accessory buildings over one story in height shall be at least ten feet from any lot line. All accessory buildings shall not exceed the main building in height.
- e. For buildings over 45 feet in height, approval shall be obtained from the administration. Chimneys, flues, cooling towers, flagpoles, radio or communication towers, or their accessory facilities, not normally occupied by workmen are excluded from this limitation. Parapet walls are permitted up to four feet above the limited height of the building on which the walls rest.
- f. Densities and use variations are approvable based upon the plan submitted for the proposed development.
- g. For permitted uses utilizing individual sewage disposal systems, the required area for any such use shall be approved by the health official. The administrator shall require greater area as considered necessary by the health official.

h. Property located in a business district, which adjoins any residential district, or is separated from any residential district only by a public street or way, shall have a ten-foot side yard on the side or sides adjoining or adjacent to the residential district.

i. Minimum setback requirements of this ordinance, for yards facing streets, shall not apply to any lot where the average setback on developed lots within the same block and zoning district and fronting on the same street is less than the minimum. In such cases, the setback on such lot may be less than the required setback, but not less than the average of the existing setbacks on the existing developed lots.

j. Multifamily efficiencies: 1-bedroom—320 square feet; 2-bedroom—390 square feet; 3-bedroom—460 square feet.

k. Heated living area, excludes garages, basements, patios, porches, etc.

l. On lots with frontage on two or more streets, the minimum setback on any side with street frontage is 10 feet for all primary and accessory buildings. This shall not apply to master planned developments in B2 Planned Business, MUC Mixed Use Corridor, and R6 Residential Planned Unit Development.

[REPEAL ALL OF SECTION 701]

Sec. 701.00. - Area regulations.

Area and density regulations are provided by district in the lot regulations, table 1 and table 2.

701.01 *Modification of yard requirements.* Yard requirements may be modified to provide:

701.01-1 An uncovered porch may project into a required front yard for a distance not exceeding ten feet;

701.01-2 A patio may be included as open space in meeting open space requirements and may be included as yard area in meeting yard dimension requirements provided no structure is closer than five feet of the property line. No patio or open court area may be located in the front yard of a lot without adequate screening;

701.01-3 Minimum setback requirements of this ordinance for yards facing streets shall not apply to any lot where the average setback on developed lots within the same block and zoning district and fronting on the same street is less than the minimum. In such cases, the setback on such lot may be less than the required setback but not less than the average of the existing setbacks on the existing developed lots;

701.01-4 Signs advertising sale or rent of premises may be erected up to the property line.

701.02 *Special provisions for corner lots.*

701.02-1 Of the two sides of a corner lot the front shall be deemed to be the shorter of the two sides fronting on streets;

701.02-2 The side yard on the side the side street shall be 15 feet or more for both main and accessory buildings;

701.02-3 For subdivisions platted after the enactment of this ordinance each corner lot shall have a minimum width at the setback line of one hundred 50-five (155) feet or more.



PLANNING COMMISSION Staff Report

Zoning Text Amendment

Rename 615 Seminary Hill Historic District

12/28/2021

Synopsis

Rename the Seminary Hill Historic District to the Seminary Hill District.

Analysis

The Planning Commission and City Council have discussed concern that the name "Seminary Hill Historic District" may be a discouragement to real estate investors or developers because the term "historic district" connotes bureaucratic red tape and arduous architectural reviews. While properties in the Seminary Hill Historic District (SHHD) do require a Certificate of Appropriateness to demolish or construct new buildings, Buena Vista's review process and standards are not as strict as some localities.

The name "Seminary Hill District" is intended to have a more neutral sound and lower perceived barriers to investment and redevelopment.

No other changes to the district regulations are proposed. The new text only renumbers sections and changes references to the name of the district.

This proposal was brought forward in 2019. At the time, one member of the public stated in both the Planning Commission and City Council public hearings that she was concerned that removing the word "historic" undermined the purpose and essence of the zone. The Commission voted unanimously to recommend approval of the name change from Seminary Hill Historic District to Seminary Hill District. However, after the City Council public hearing, Council discussed a wide range of issues related to the District and ultimately did not vote to approve the name change.



Zoning Text Amendment
Ordinance Text
Section 615 Seminary Hill Historic District
12/28/2021

AN ORDINANCE to amend Section 615 Seminary Hill Historic District of the Land Development Regulations of the Code of the City of Buena Vista, as amended, for the purpose of enhancing the perception of the overlay district by altering the name.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA, that after a duly called public hearing, in accordance with the general welfare of the citizens of Buena Vista and in accordance with good zoning practices, Section 615 of the Land Development Regulations of the City of Buena Vista is hereby amended to read and provide as follows in the attached Exhibit B.

This ordinance shall be effective 30 days following adoption by City Council.

EXHIBIT C.

Sec. 615 - SEMINARY HILL DISTRICT

615.01 Overlay district established.

The Buena Vista City Council, having found that buildings and landmarks within the Seminary Hill Neighborhood include buildings listed on the National Register of Historic Places; that the neighborhood forms a key entry to the city's historic downtown as well as the primary entrance to a college campus and surrounding neighborhoods; and that the protection of this neighborhood through the adoption of appropriate design standards is essential to the continuing vitality of the neighborhood and the city; hereby establishes the Seminary Hill District pursuant to Code of Virginia § 15.2-2306 so as to provide that that buildings and structures shall be erected, reconstructed, altered or restored only after appropriate review and approval for compatibility with the landmarks, buildings, or structures within the district.

615.02 Background.

The Seminary Hill Neighborhood is dominated by a large ridge that rises abruptly from the surrounding lowlands. Located on the western edge of the ridge is Southern Virginia University (SVU), presently occupying six blocks north of, and overlooking the Central Business District of Buena Vista, and containing a core of historically significant buildings listed on the National Register of Historic Places. To the west and southwest of Southern Virginia University is a commercial district composed of several original buildings and newer strip development. To the south of the University is a mixture of residences, churches, and small businesses. To the east of the University is a well-established residential neighborhood and beyond that the large wooded track of the "Dinky." Finally, to the north is a somewhat newer residential neighborhood composed of modest homes and limited commercial business uses adjacent to Route 60. Seminary Hill has historically been a diverse neighborhood with a mix of uses, structures, and physical environment. Current uses have continued that trend. The area now includes a college campus, single and multifamily homes, modern automobile oriented and historic pedestrian commercial structures, public spaces, government facilities, libraries, and athletic facilities. The overriding characteristic of this mixed residential neighborhood is the interrelation and interconnected nature of its design, architecture and physical layout. Especially noteworthy are the tree lined streets laid out in a grid pattern which make it a particularly pedestrian friendly neighborhood. This neighborhood is a key entrance point to the city's historic downtown, its industrial district, as well as the primary entrance to a college campus and surrounding residential neighborhoods. Because the perception of the entire city is profoundly influenced by this neighborhood the manner in which this neighborhood continues to develop is of prime concern. In order to assure the orderly and harmonious development of the neighborhood and the city, the Seminary Hill District regulations have been developed.

615.03 Purpose.

The Seminary Hill District regulations have been developed to facilitate the efficient production and delivery of public services and to sustain and enhance this economically viable and livable neighborhood within Buena Vista. These regulations are designed to:

615.03-1 Protect and enhance the historic nature of the district;

615.03-2 Continue to encourage mixed use within the neighborhood and within structures;

615.03-3 Establish strong design standards to maintain the unique nature of the neighborhood and provide a measure of protection to current and future residents and property owners;

615.03-4 To create balance between the natural environment and the neighborhood.

615.04 General district regulations.

615.04-1 Site plans required. Construction of any building except single- and two-family homes requires the submission of a site plan that must be reviewed by the planning commission. Site plans must be submitted in accordance with the provisions of article 15 of the Buena Vista Land Development Regulations. The construction of single- and two-family homes requires the submission of a site sketch.

615.04-2 Parking. Parking space requirements for any use may be provided for off-site. All parking lots and structures shall conform to section 703 and appendix E of the Buena Vista Land Development Regulations, except; all lots fronting on the west side of Beech Avenue from the intersection of Beech Avenue and 25th Street to the intersection of Beech Avenue and Ivy Avenue shall conform to 703.03 of the Buena Vista Land Development Regulations.

615.04-3 Signs. Signs shall conform to section 706 of the Buena Vista Land Development Regulations.

615.04-4 Building height and design. New buildings must comply with appendix B of the Buena Vista Land Development Regulations. Additionally, in the mixed business district new buildings may not be taller than one story greater than the adjacent structures, with a maximum of 3 stories allowed. In the institutional district new buildings located to the east of Beech Avenue to the West side of Chestnut Avenue and to the North Side of Park and 25th Streets to the south side of 28th Street buildings may be not greater in height than six stories if the base of the building is located at the foot of the ridge and the height of the building does not exceed 1000 feet above mean sea level (48 feet above the base elevation of Main Hall) without a conditional use permit granted by the city council. In no event shall any building or structure be built that would materially obstruct the view of Main Hall from the south looking northward. Buildings and structures built in the area lying to the south of 29th Street and to the east of Birch Avenue in the area designated as "the Dinky" also known as "Mineral Ridge" on the "Buena Vista Quadrangle" of the USGS topographic map may be no taller than three stories in height. New buildings should be designed to blend in with the character of the neighborhood. Drive-through facilities are prohibited in this district. No building,

structure or facility will be built that will obstruct the view of Main Hall as viewed from the south. Building Design must conform to the Buena Vista building design standards.

615.04-5 Lot size. The minimum area for new construction in the mixed business district is 6,250 square feet. There is no minimum lot size in the institutional district.

615.04-6 Landscaping. All new construction except single- and two-family homes are required to submit a landscaping plan.

615.04-7 Roads, streets and sidewalks. All new streets or roads must be built according to appendices C and D of the Buena Vista Land Development Regulations and the Buena Vista street construction policy.

615.04-8 Lighting. Outside lighting appendix F of the Buena Vista Land Development Regulations.

615.05 Boundaries of overlay district.

The limits of the Seminary Hill District are as depicted on the map adopted by the City Council herewith.

615.06 Purpose and intent.

The purpose of the design district regulations is to protect the Seminary Hill Neighborhood to preserve the unique historical, architectural, cultural and archaeological resources in this portion of the city and their settings, in order to protect the quality of life of the city's residents, to strengthen the city's economy by promoting and enhancing business and tourism, and to protect property values.

615.07 Certificate of appropriateness required for certain construction.

In order to promote the general welfare through the preservation and protection of properties within the overlay district, except as provided herein, no architectural features of any buildings or structures within the district which are subject to public view from a public street shall be altered, nor shall any building or structure, including signs, hereafter be erected, reconstructed, altered, relocated or restored within such district, unless and until an application for a certificate of appropriateness shall have been approved by the Historic District Review Committee, or, on appeal, by the city council.

615.08 Application procedure for certificate of appropriateness.

615.08-1 Optional preapplication review procedure. Prior to the preparation of working drawings and specifications or calling for proposals or bids from contractors, prospective property developers, owners or agents are encouraged to prepare preliminary scale drawings and outline specifications, for review and informal discussion with the zoning administrator. The purpose of this review shall be to acquaint the developer, owner or agent with standards of appropriateness of design that are required of the proposed development and to determine the review process applicable to the application.

615.08-2 Application for a certificate of appropriateness shall be made to the zoning administrator by the owner of the building, structure, or land. Such application shall

indicate the proposed use of the building, structure, or land and shall be accompanied by one-quarter inch minimum scale plans and specifications (herein "plans") as may be required by the committee. The plans shall depict the part or parts of the building, structure or land that are, or will be, subject to view from a public street, public way, or other public place. The plans shall show the proposed exterior architectural and features of such building, structure or land, which shall include, but shall not necessarily be limited to, the general design, arrangement, texture, and materials proposed to be used in the project, and the type of windows, exterior appurtenances and accessory structures which will be subject to public view from a public street, public way or other public place.

615.08-3 The administrator shall place the matter on the agenda for consideration at the next regularly scheduled committee meeting after receipt of the application, provided that it is a complete application and was filed with the administrator at least seven days prior to the meeting date. Otherwise, the application shall be placed on the agenda for consideration at the next following regularly scheduled committee meeting.

615.08-4 The committee shall either approve a certificate of appropriateness, with or without conditions, or with such modifications of the plans as the committee deems necessary to achieve the intent of this ordinance, or the committee shall disapprove the certificate after consideration of the criteria set forth in 615.10. Failure of the committee to approve or disapprove a certificate within 30 days from the date of the committee meeting at which an application was first considered shall be deemed approval of the application as submitted.

615.08-5 The time for decision on a certificate of appropriateness may be extended by mutual agreement between the applicant and town.

615.08-6 If the committee disapproves the erection, reconstruction, alteration, restoration, demolition, razing or moving of a building or structure, the committee shall state its reasons in writing and may make recommendations to the applicant about the appropriateness of design, arrangement, texture, materials, color, and location of the building or structure involved. In the case of disapproval with recommendations, the applicant may file an amended application for a certificate of appropriateness with the committee within 90 days.

615.08-7 No application which has been denied shall be heard by the committee for one year except in cases where the applicant amends the application within 90 days as provided in 615.08-6.

615.09 Demolition, razing or moving of buildings or structures.

615.09-1 Certificate of appropriateness required. In order to promote the general welfare through the preservation and protection of properties within the overlay district, except as provided herein, no building or structure may be demolished in whole or in part, or moved from one location to another, unless and until an application for a certificate of appropriateness shall have been approved by the Historic District Review Committee, or, on appeal, by the city council.

615.09-2 Public hearing. The committee shall hold a public hearing within 30 days or such shorter time as council may direct after notification by the administrator of the filing of an application for a permit to raze, demolish or move any building in whole or in part. At least seven days notice of the time and place of the hearing shall be given by the administrator in writing to the applicant; in writing to adjacent property owners; and by publication in the form of an advertisement in a newspaper of general circulation within the City.

615.09-3 Additional requirements regarding proposed demolition, etc. Applications involving any building or structure which is to be demolished, razed or moved under the provisions of this ordinance shall be subject to the provisions of Code of Virginia, § 15.2-2306, 1950, as amended.

615.09-4 The committee may consult with civic groups, public agencies and interested citizens, recommend the acquisition of the property by public or private bodies or agencies, and explore the possibility of moving one or more structures or other features to preserve the buildings or structures concerned in accordance with the purposes of this ordinance during the demolition delay period set forth in the applicable provisions of Code of Virginia, § 15.2-2306, as amended.

615.10 Matters to be considered in acting on application.

In reviewing applications, the committee shall base its decision on whether the proposals therein are compatible with the existing building or structure, if any, and with the surrounding design district. Interior arrangement or features not subject to any public view shall not be considered. The following shall be considered by the committee in acting on the appropriateness of the proposed erection, reconstruction, alteration, restoration, or demolition of buildings or structures:

615.10-1 Exterior architectural features, which are subject to public view from a public street, way or place.

615.10-2 Design, arrangement and relative size or mass.

615.10-3 The relation of the proposed construction to buildings and structures in the immediate surroundings.

615.10-4 The extent to which the building or structure would be harmonious with or obviously incongruous to the historic aspect of the surroundings.

615.10-5 In the case of a building to be razed or moved, a primary consideration shall be the extent to which its continued existence would tend to protect irreplaceable historic places and preserve the general historic atmosphere of the city.

615.10-6 The extent to which the proposed construction or demolition will promote the general welfare by maintaining and increasing real estate values, generating business, creating new positions, attracting tourists, and making the city a more attractive and desirable place in which to live.

615.10-7 The extent to which the proposal adheres to the design district guidelines for the City of Buena Vista adopted by the city council and incorporated herein by reference.

615.11 Time limit.

A certificate of appropriateness shall be valid for one year from the date of issuance. If the demolition, erection, reconstruction, alteration, relocation or restoration for which the certificate was issued is not commenced within one year and thereafter diligently pursued, a new certificate shall be obtained prior thereto.

615.12 Exclusions.

615.12-1 Ordinary maintenance excluded. Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior elements of any building or structure within the overlay district.

615.12-2 Minor construction excluded. Minor construction or reconstruction projects shall be excluded from the provisions of this part four [three of this Code]. Projects shall be deemed minor unless they shall result in:

615.12-2.1 New construction greater than 25 percent of the square footage of the existing structure or 250 square feet, whichever is less;

615.12-2.2 The addition of one or more stories to a building or a resulting height increase of ten or more feet, whichever is less;

615.12-2.3 Construction of a new principal structure; or

615.12-2.4 Demolition of an existing principal structure.

615.12-3 Public safety exclusion. Nothing in this article shall be construed to prevent the construction, reconstruction, alteration or demolition of a structure or the exterior elements of any structure which the authorized municipal officers shall certify as required by public safety; provided, however, that in appropriate cases measures required protect the public safety may be approved for a period not to exceed 12 months.

615.13 Appeals.

615.13-1 Appeals to the City Council. Appeals to the council from any final decision of the committee may be made by any person by filing a petition with the clerk of Council, setting forth the basis for the appeal, within one week of the committee's decision. The appeal shall be placed on the next regularly scheduled council meeting following receipt of the appeal. The filing of the appeal shall stay the decision of the committee pending the outcome of the appeal to the council, except that the filing of such petition shall not stay the committee's decision if such decision denies the right to raze or demolish historic structure or building. The council may reverse, modify or affirm the decision of the committee.

615.13-2 Judicial review. The owner of any building, structure or land within the district that is the subject of a final decision of the council may appeal such decision within 30 days of the date the final decision is rendered by the council by filing a petition at law with the circuit court of the City of Buena Vista setting forth the alleged illegality of the action of the council. The filing of a petition for review shall stay the decision of the council pending the outcome of the appeal to the circuit court of the City of Buena Vista, except that the filing of a petition shall not stay the decision of the council if such decision denies the right to raze or demolish a building or structure.

615.14 Appointment of historic district review committee. The Buena Vista City Council hereby designates the members of the City's Planning Commission to serve as the Historic District Review Committee.



PLANNING COMMISSION Staff Report

R6 PUD Plan of Development

Rehl Property (774 Longhollow Rd)

1/6/2022

Synopsis

Applicant Austin Rehl proposes one single-family home on a 17-acre portion of property zoned R6 Residential PUD. This requires approval of a plan of development

Site Information

| | | |
|--|---|-----------|
| Address/Tax Map: | 774 Longhollow Rd, 8-1---2 | |
| Existing zoning: | R6 Residential Planned Unit Development (PUD) | |
| Existing land use: | Undeveloped agricultural/silvicultural | |
| Proposed zoning: | same | |
| Proposed land use: | Single-family residential, one house | |
| Surrounding zoning and land use: Overall property is large so other uses are not close by. | | |
| West: single family residential and light commercial along Longhollow Rd | | |
| East: Manufacturing, forest | | |
| South: Single-family residential neighborhoods | | |
| North: Single-family, agricultural, forest | | |
| Size: | 17 acre portion of 277 acre tract | |
| Staff Recommendation: | Approve | |
| Project Engineer: | Hunter Young | |
| Tentative Timeline | Preliminary Commission Discussion | 1/11/2022 |
| | Planning Commission Public Hearing | 2/15/2022 |
| | City Council Public Hearing | 3/3/2022 |
| | City Council Adoption | 3/17/2022 |

Overview

Property owner Austin Rehl proposes construction of a single-family home and garage/barn. This is hoped to be phase 1 of further land development (uses yet to be determined). The R6 Residential PUD zoning requires Council approval of plan of development for and construction.

Site Details

The 277+ acre tract owned by Mr. Rehl was logged about 2011-2014 by the previous owners. At that time, road location and grading and field clearing was done to facilitate future

development. The property is characterized by steep wooded slopes and cleared ridges with excellent views. Mr. Rehl plans to site his house on one of the ridges.

Current Zoning and Project Phasing

The 277+ acre tract is divided into four tax parcels. Three of the four are zoned R6 Residential Planned Unit Development. The southeast parcel is zoned General Manufacturing. The R6 Residential PUD, all development must be within an approved plan of development. The General Manufacturing zone has multiple by right uses, but this portion of the property is not easily accessible because it is separated from Green Forest Avenue by Chalk Mine Run. To construct a crossing of Chalk Mine Run, especially one adequate for industrial use, would be very expensive.

In 2020, Council approved construction of one single-family home through a plan of development in R6 Residential PUD at 404 Beverly Hollow Rd.

Mr. Rehl's intention is to begin construction of the house as soon as possible, while developing a master plan for the whole property. Once the master plan is ready, he would return to the Planning Commission for approval of a plan of development and/or rezoning.

Comprehensive Plan Conformance

The future land use designation for this property is Mixed Use Planned Development, explained as follows:

...[these] areas are intended for a mixture of land uses, housing types, and densities within a comprehensive site design concept. The area could possibly include single-family residential with attached commercial and multifamily with neighborhood-oriented retail commercial or intermixed office commercial.

While this does not describe this proposal for one single-family home, Mr. Rehl has legitimate intentions of future development of the property with a mix of uses, as demonstrated by his significant investment in utilities sized for future development. Additionally, construction of this house at this location in no way impairs or precludes future development of the remainder of the property with a mix of uses and/or greater density.

Environmental Characteristics

Because the site is forest and field and has so much topography change, managing land disturbance is important. For this proposal, land disturbance will be minimal and limited to construction of the house and outbuilding and trenching the utility lines.

City staff met with Mr. Young and Joe Howard with AMT Engineers, the City's Erosion & Sediment Control/Storm Water Management consultant, to discuss ESC/SWM for the site overall as well as for phase 1 (the current proposed single-family residence). The house will only require erosion & sediment control measures through an agreement-in-lieu-of-plan. Additionally, the house site has only a gentle slope so no special engineering is required for hillside development.

When timber was harvested on the site and roads were graded, the owners went through the Erosion & Sediment Control (ESC) permitting process. Trina Mastran, at that time the City's ESC/SWM program administrator, worked with them to approve a plan of erosion & sediment

control measures for the site. These were all implemented and the permit was approved for termination in 2014.

The larger property does include the floodway of Chalk Mine Run on its eastern edge, but this is not anywhere near the 17 acre house site.

Surrounding Land Uses

This site is not remote, but it is secluded and not easily visible from nearby properties. Located on a ridge, it will be visible from afar. As a single-family home, it will be in keeping with nearby uses, which are primarily also single-family homes. It is not far from industrial facilities on Green Forest Avenue but separated by thousands of feet of forest and over a hundred feet of elevation change.

Access

The only access to the property currently is from Longhollow Rd. The property is separated from Longhollow Rd by a strip of lots fronting on Longhollow, all of which are in the County. Currently, the lot across which the access driveway runs belongs to the former owners Mr. Rehl's property, and he has full rights to use it. Mr. Rehl is in the process of purchasing those lots. The address 774 Longhollow was assigned to a mobile home which shared the lot with the access driveway, though the mobile home has been removed.

The existing internal roads on the site are generally in good condition, properly graded with drainage ditches etc. Additional gravel is proposed on the main access road to the house.

Infrastructure

The site does not have water or sewer currently. Mr. Young has met with City staff multiple times to discuss options for water and sewer delivery to the site and developed a plan shown on the drawings. A new booster station and water line would be run from the City's 34th Street water tank about 1800' to the house site. This water line would be oversized (6"? TBD) so that it could support future development on the site. A new 8" sewer line would be run down the hill from the house site and connect to an existing manhole at the east end of 39th Street. This line is sized to handle future development also.

A portion of the sewer line will be in an undeveloped portion of 39th Street and will be public sewer. Other than this, all the proposed utilities will be privately owned and maintained and installed at the property owners expense.

A well was not considered as an option because, based on information from VDH and other parties, it is extremely difficult to drill a productive well in this area. Further, municipal water will be better able to serve future full buildout of the property.

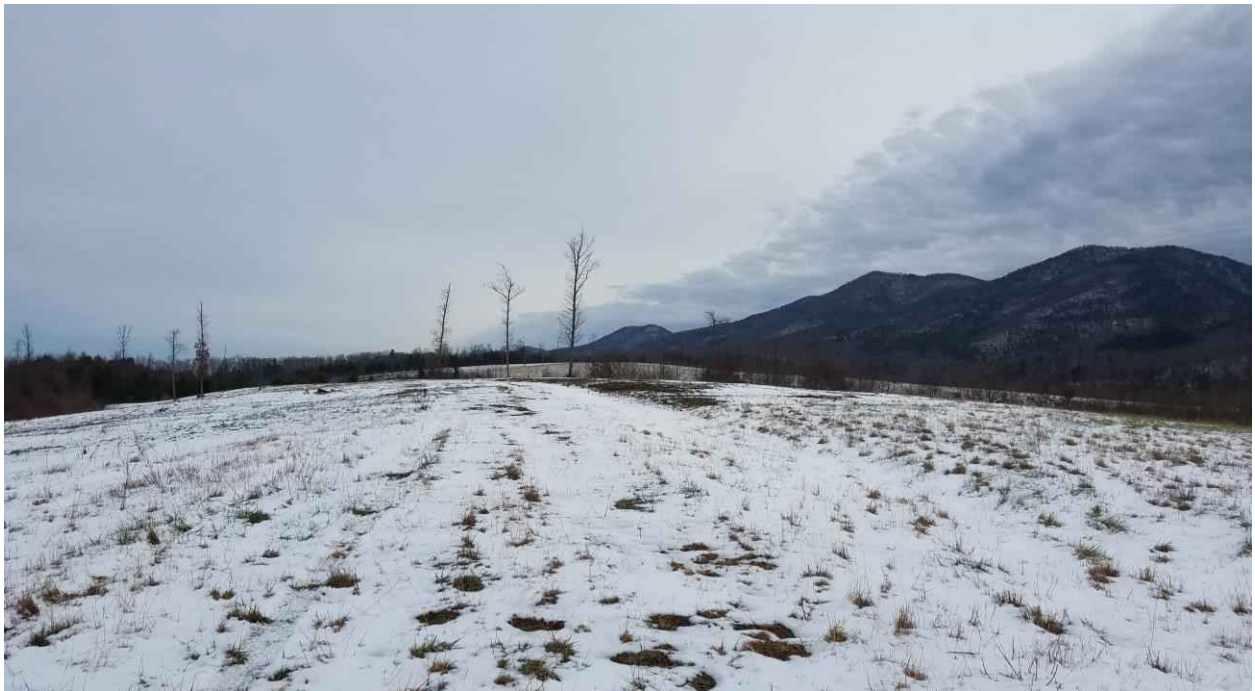
Electricity, communications, and gas services for the house will be coordinated with the respective utility companies. Exact service lines and locations are not yet known.

Recommendation

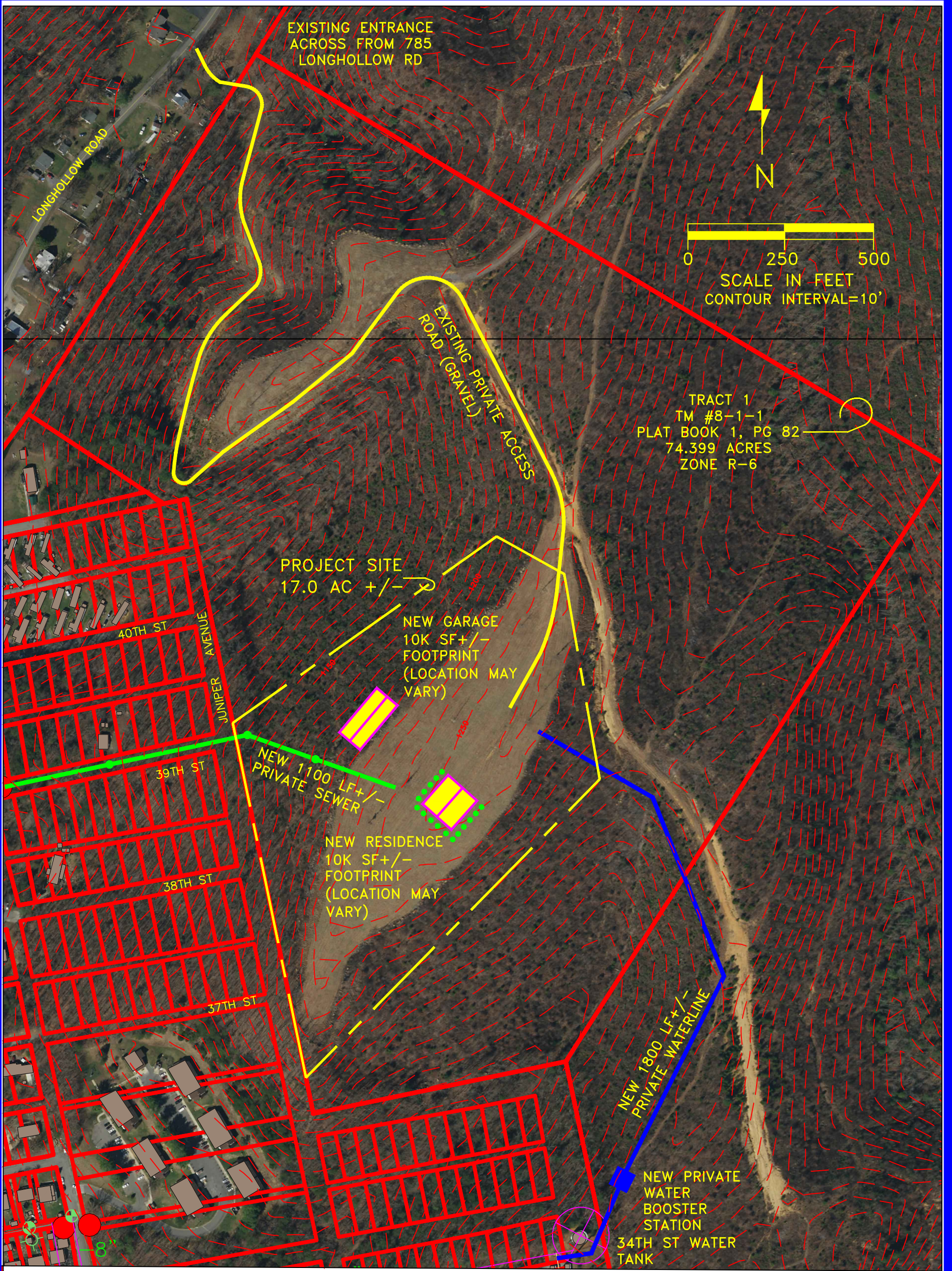
Staff recommend approval as presented. At the Planning Commission Public Hearing, more specific house location and some concept sketches of the design should be available to provide additional information.



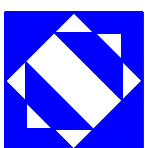
View from proposed house site looking south toward heart of the City. Cell tower at left is located next to 34th Street water tank.



View from proposed house site looking northeast.



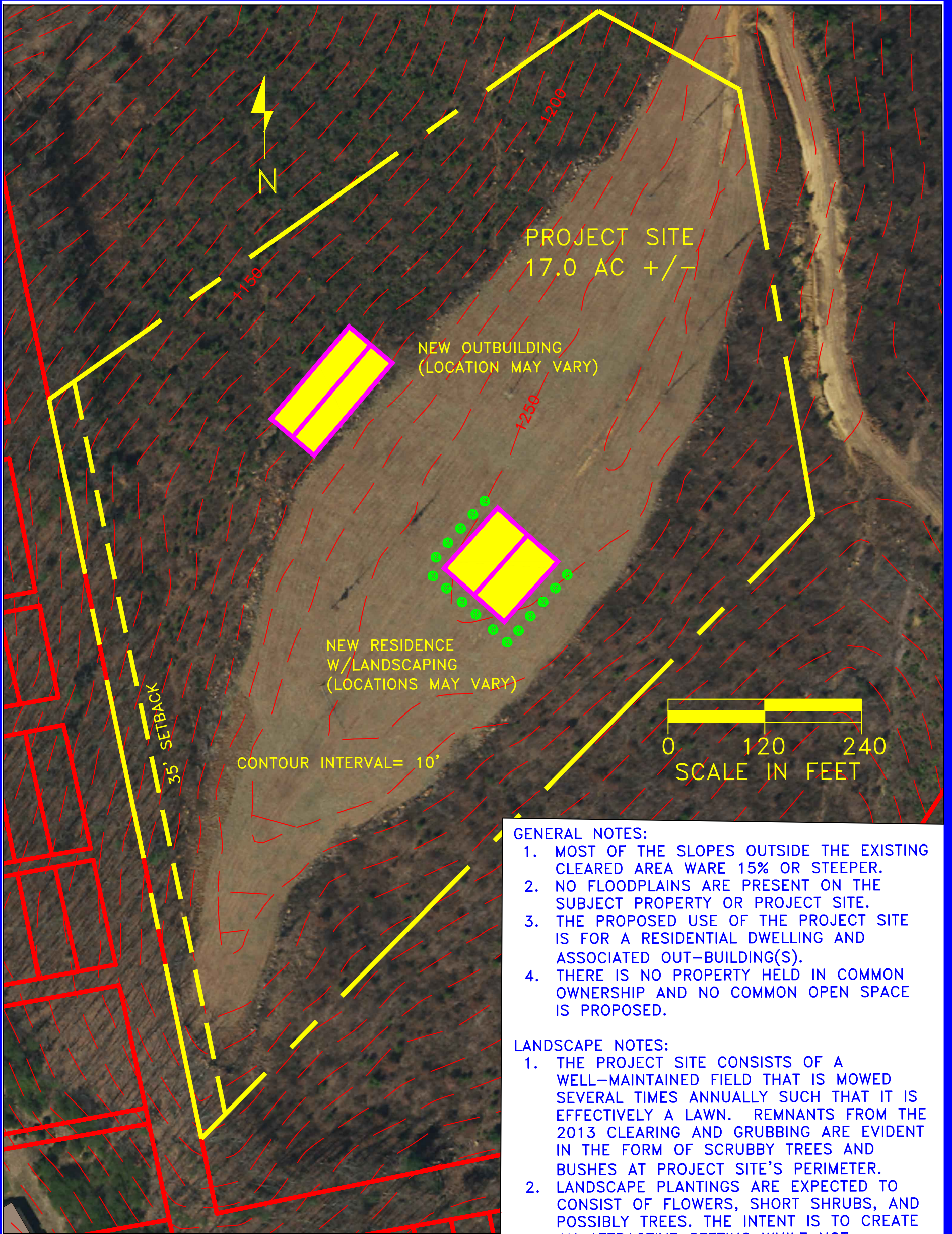
REHL PROPERTY
RESIDENTIAL MASTER PLAN
OVERALL BOUNDARIES
BUENA VISTA, VA



Civil Consulting
Group, P.C.
ENGINEERING
DESIGN & ANALYSIS

SHEET 1 OF 2





GENERAL NOTES:

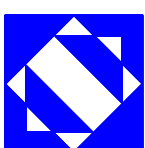
1. MOST OF THE SLOPES OUTSIDE THE EXISTING CLEARED AREA WARE 15% OR STEEPER.
2. NO FLOODPLAINS ARE PRESENT ON THE SUBJECT PROPERTY OR PROJECT SITE.
3. THE PROPOSED USE OF THE PROJECT SITE IS FOR A RESIDENTIAL DWELLING AND ASSOCIATED OUT-BUILDING(S).
4. THERE IS NO PROPERTY HELD IN COMMON OWNERSHIP AND NO COMMON OPEN SPACE IS PROPOSED.

LANDSCAPE NOTES:

1. THE PROJECT SITE CONSISTS OF A WELL-MAINTAINED FIELD THAT IS MOWED SEVERAL TIMES ANNUALLY SUCH THAT IT IS EFFECTIVELY A LAWN. REMNANTS FROM THE 2013 CLEARING AND GRUBBING ARE EVIDENT IN THE FORM OF SCRUBBY TREES AND BUSHES AT PROJECT SITE'S PERIMETER.
2. LANDSCAPE PLANTINGS ARE EXPECTED TO CONSIST OF FLOWERS, SHORT SHRUBS, AND POSSIBLY TREES. THE INTENT IS TO CREATE AN ATTRACTIVE SETTING WHILE NOT OBSTRUCTING THE NATURAL VIEWS.

REHL PROPERTY
RESIDENTIAL MASTER PLAN
PROJECT SITE
BUENA VISTA, VA

SHEET 2 OF 2



Civil Consulting
Group, P.C.
ENGINEERING
DESIGN & ANALYSIS



January 3, 2022

Thomas Roberts, Director
Community & Economic Development City of Buena Vista, Virginia
(540) 261-8607
Thomas Roberts troberts@bvcity.org

RE: Proposed Dwelling on Rehl Property

Mr. Roberts,

I am representing D. Austin Rehl as the design professional preparing and submitting the master plan for his proposed home on within Buena Vista. The property in question lies in planning zone R6 and therefore requires a master plan and narrative for this proposed use.

This letter is intended to serve as the Project Narrative for the proposed project. I am offering the following items in support of the approval of their project.

1. The property in question is identified Tax Parcel #8-1-1 and consists of 74.399 acres and designated as Tract 1 on a plat of Woodrow W. Perkins, LS, dated March 4, 1997, entitled "Plat Showing Survey for Green Forest Company and Nancy M. Dickinson, City of Buena Vista, Virginia", which plat is of record in the Clerk's Office of the Circuit Court for the City of Buena Vista, Virginia, in Plat Book1, at Page 82.
2. The property is standing in the name of Donald Austin Rehl.
3. The property is accessed from Longhollow Road in Rockbridge County via an existing, private, gravel road. The entrance is located across the road from 785 Longhollow Rd.
4. In fall 2021, a fire was set by vandals on the grassed portion of the Project Site's western slope. Fire trucks were able to access the site to extinguish the blaze.
5. The dwelling will connect to public water and sewer. The subject property is higher in elevation than the adjacent 34th Street Water Storage Tank. The owner will construct a private booster station and waterline. The private sanitary sewer is expected to connect to the City's existing system in 39th Street
6. No structures are extant on the property.
7. The owner is proposing to construct a finished dwelling of approximately 10,000 square feet with a footprint up to the structure's total square footage. An accessory structure, also of approximately 10,000 sf will be constructed to function as a garage, shop, and equipment storage. Smaller accessory structures may ultimately be constructed.
8. The exact disturbed area is not yet known, but is expected to be between 10,000 sf and one acre. Erosion & Sediment Control measures will be designed and constructed.
9. Electricity, communications, and gas services exist near the property's edges and will be extended onto the site, though the locations have not been determined.

Sincerely,
Civil Consulting Group, P.C.

A handwritten signature in cursive script that reads "Hunter A. Young".

Hunter A. Young, P.E., LEED AP
President

Attachments:

2 Exhibits of 11" x 17" showing the existing parcel and approximate proposed construction

TOTAL AREA IN SITE = 277.09 ACRES

1
DENOTES AREAS THAT HAVE BEEN CLEARED,
GRUBBED AND SEEDED. GRASS AREA WITH
BRUSH BARRIERS FOR PROTECTION.

(57.29 ACRES+/-)

NOW OR FORMERLY
BERTIE E. MACHERAS
D.B. 73, PG. 128
TAX MAP #77-12-F10A

1.1 Mile +/- TO
ROUTE 60

LONG HOLLOW ROAD S.R. 631

NOW OR FORMERLY
FOREST PARK SUBDIVISION
LOTS 1 - 57
D.B. 181, PG. 37
(ROCKBRIDGE CO.)

NOW OR FORMERLY
LARRY W. SEAMAN
AND
MARGARET I. SEAMAN
D.B. 447, PG. 329
TAX MAP #77-27-1A
(ROCKBRIDGE CO.)

PLAT BOOK 1, PAGE 82
NORTH

TRACT 1
74.399 ACRES
T.M. #8-1-1

TRACT 2
52.736 ACRES
T.M. #8-1-2

38.45 ACRES

TRACT 4
72.012 ACRES
T.M. #8-1-1

TRACT 3
77.942 ACRES
T.M. #8-1-2

EXISTING SITE CONDITIONS SCALE : 1" = 200'

NOW OR FORMERLY
FITZGERALD LOG &
LUMBER COMPANY
D.B. 85, PG. 407

NOW OR FORMERLY
FITZGERALD LOG & LUMBER COMPANY

NOW OR FORMERLY
KENNETH EASON BURCH
D.B. 381, PG. 507
TAX MAP #77-27-1B
(ROCKBRIDGE CO.)

NOW OR FORMERLY
WALTER C. SCOTT
AND
VIRGINIA M. SCOTT
D.B. 417, PG. 407
TAX MAP #77-27-2A
(ROCKBRIDGE CO.)

APPROVED :

E & S ADMINISTRATOR, CITY OF BUENA VISTA

DATE

EROSION AND SEDIMENT CONTROL INFORMATION AND
CALCULATIONS BY HEPPNER ENGINEERING & DESIGN, P.C.
CONTACT : CAROLINE H. ATKINS, P.E. #22877
PHONE : (434) 929-0457



NOW OR FORMERLY
WALTER C. SCOTT
AND
VIRGINIA M. SCOTT
D.B. 465, PG. 494
TAX MAP #77-A-11A
(ROCKBRIDGE CO.)

SOURCE OF TITLE :

TRACTS 1 & 4 : DEED TO RAYMOND E. LLOYD AND MARTHA C. LLOYD;
HAROLD T. LLOYD AND BARBARA G. LLOYD; AND
ROY D. ZANGARI AND LYNN C. ZANGARI; RECORDED
IN D.B. 143, PG. 230.

SOURCE OF TITLE :

TRACTS 2 & 3 : DEED TO RAYMOND E. LLOYD AND MARTHA C. LLOYD;
HAROLD T. LLOYD AND BARBARA G. LLOYD; AND
ROY D. ZANGARI AND LYNN C. ZANGARI; RECORDED
IN D.B. 143, PG. 241.

REVISED JULY 9, 2013 : ADDED PIPE I.D. FOR P-6A AND P-6B.

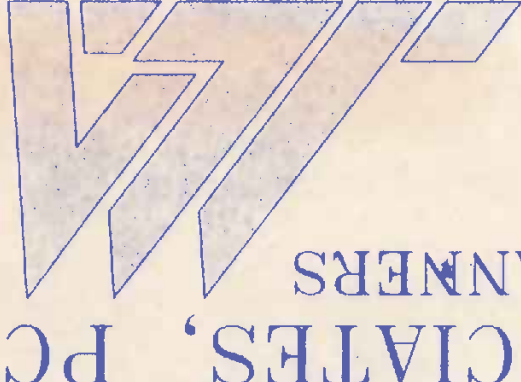
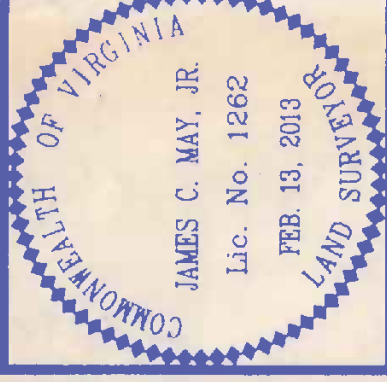


LOCATION MAP
SCALE : 1" = 2000'

| PROPERTY LINE DATA TABLE | | | | | |
|--------------------------|---------------|---------|------|---------------|---------|
| LINE | BEARING | LENGTH | LINE | BEARING | LENGTH |
| L1 | S 78°11'28" W | 143.32' | L1 | S 86°10'37" W | 214.09' |
| L24 | S 78°11'28" W | 44.01' | L2 | S 52°18'32" W | 62.83' |
| L25 | S 16°17'05" E | 108.22' | L3 | S 09°30'43" W | 130.73' |
| L26 | S 37°12'59" W | 298.37' | L4 | S 36°11'25" W | 108.00' |
| L27 | N 78°57'16" W | 121.67' | L5 | S 09°41'25" W | 11.40' |
| L28 | S 38°54'44" W | 122.78' | L6 | N 79°25'22" W | 316.18' |
| L29 | S 04°46'14" E | 122.27' | L7 | N 82°25'22" W | 78.00' |
| L30 | S 24°31'44" W | 152.81' | L8 | S 82°24'38" W | 199.00' |
| L31 | S 74°52'26" W | 105.55' | L9 | S 35°19'38" W | 420.42' |
| L32 | S 17°50'40" E | 77.02' | L10 | S 79°55'38" W | 60.00' |
| L33 | S 44°14'38" W | 186.84' | L11 | S 62°01'40" W | 256.00' |
| L34 | S 50°17'27" W | 100.22' | L12 | S 04°11'03" W | 164.16' |
| L35 | S 24°24'50" E | 153.11' | L13 | S 39°25'17" W | 166.84' |
| L36 | S 68°21'02" W | 88.98' | L14 | S 12°59'49" W | 150.12' |
| L37 | S 25°06'17" E | 60.99' | L15 | S 60°10'32" W | 134.74' |
| L38 | S 07°27'55" E | 101.05' | L16 | N 71°33'21" W | 152.43' |
| L39 | S 24°38'36" W | 203.48' | L17 | S 02°47'17" W | 67.24' |
| L40 | S 78°48'45" W | 168.83' | L18 | S 46°38'07" E | 150.79' |
| L41 | S 60°01'43" W | 195.45' | L19 | S 02°21'53" E | 151.89' |
| L42 | S 05°48'49" E | 207.49' | L20 | S 18°47'22" E | 257.54' |
| L43 | S 50°14'02" W | 155.10' | L21 | S 00°05'23" W | 136.69' |
| L44 | S 57°59'48" W | 228.01' | L22 | S 24°45'30" E | 136.16' |

COVER SHEET
FOR EROSION AND SEDIMENT CONTROL PLAN
GREEN FOREST PROPERTY
CITY OF BUENA VISTA

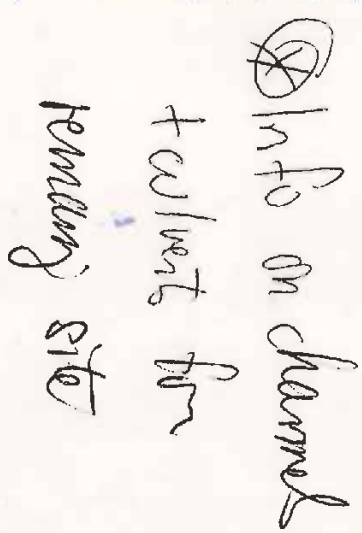
JAMES C. MAY & ASSOCIATES, PC
ENGINEERS, SURVEYORS & PLANNERS
1001 COURT STREET
LYNCHBURG, VA 24501
PH. (434) 528-1005
FAX (434) 846-5412



Commission No.
12066

Sheet No.

1 of 3



Map Unit Descriptions (BV-001)

The map units delineated on the obtained soil maps in a soil survey represent the soils or mesodiscrete units in the survey area. The map unit description, along with the notes, can be used to determine the composition and probability of a unit. A map unit delineation on a soil map represents one or more units of two or more major kinds of soil or mesodiscrete units. A map unit is derived and named according to the predominant soil or mesodiscrete unit in the soil map. When a taxonomic class (e.g. an aggregated class) of the dominion soils does not have a taxonomic class there are typically referred to by the dominion of the soils. On the landscape however, the soils are not just a single soil, but a soil with some other natural variability of soil cultural phenomena. Thus, the range of some observed properties may vary.

22

POST DEVELOPMENT : 10.33 ACRES / UNDISTURBED WOODED
POST DEVELOPMENT : 122.92 ACRES / STUMPS & UNDERBRUSH



EROSION AND SEDIMENT CONTROL INFORMATION AND
CALCULATIONS BY HEPPNER ENGINEERING & DESIGN, P.C.
CONTACT: CAROLINE H. ATKINS, P.E. #22877
PHONE: (434) 929-0457

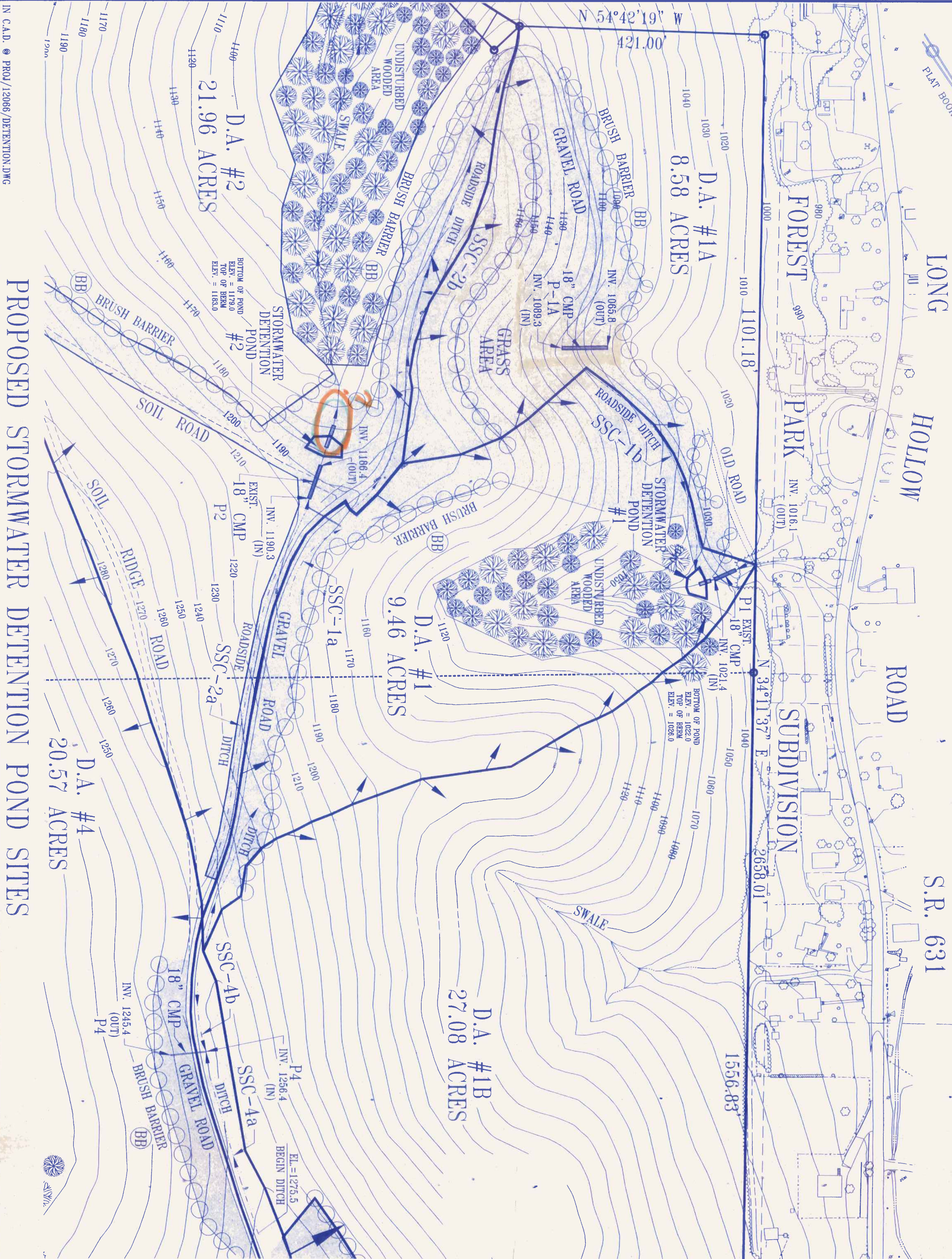
REVISED JULY 9, 2013 : ADDED DRAINAGE AREAS TO SOILS MAP.

ADDED DETAILS OF STORMWATER DETENTION PONDS

JAMES C. MAY & ASSOCIATES, PC
ENGINEERS, SURVEYORS & PLANNERS
1001 COURT STREET
LYNCHBURG, VA 24501
PH. (434) 528-1005
FAX (434) 846-5412

Sheet No.

NOTE:
ALL AREAS DISTURBED DURING CONSTRUCTION OF THE
STORMWATER DETENTION PONDS TO BE SEEDED PER
PERMANENT SEEDING SPEC. 3.32-D AND MULCHED PER
SPEC. 3.35-A UPON COMPLETION OF FINAL GRADING.



LEGEND

Denotes areas that have been cleared,
grubbed and seeded. Grass area with
brush barriers for protection.

Denotes drainage area
divide lines
Denotes existing
contour lines



EROSION AND SEDIMENT CONTROL, INFORMATION AND
CALCULATIONS BY HERPER ENGINEERING & DESIGN, P.C.
CONTACT : CAROLINE H. ATKINS, P.E. #22877
PHONE : (434) 928-0457

| SUMMARY TABLE | |
|------------------------------|----------|
| STORMWATER DETENTION POND #1 | |
| FLOOR ELEV. | 1022.0 |
| FLOOR SURFACE AREA | 100 |
| TOP OF BERM ELEV. | 1025.0 |
| BERM SIDE SLOPES | 2:1 |
| OUTLET | 18" CMP |
| CULVERT INV. IN | 1022.25 |
| CULVERT INV. OUT | 1021.75 |
| 10 YR. STORM ELEVATION | 1025.0 |
| 10 YR. STORM DISCHARGE | 2.75 CFS |
| 25 YR. STORM ELEVATION | 1025.0 |

| SUMMARY TABLE | |
|------------------------------|---------|
| STORMWATER DETENTION POND #2 | |
| FLOOR ELEV. | 1179.0 |
| FLOOR SURFACE AREA | 200 |
| TOP OF BERM ELEV. | 1183.0 |
| BERM SIDE SLOPES | 2:1 |
| OUTLET | 18" CMP |
| CULVERT INV. IN | 1178.25 |
| CULVERT INV. OUT | 1178.8 |
| 10 YR. STORM ELEVATION | 1180.5 |
| 10 YR. STORM DISCHARGE | 1.9 CFS |
| 25 YR. STORM ELEVATION | 1182.3 |

| STORMWATER CONVEYANCE CHANNEL LININGS | |
|--|--------|
| DITCH I.D. | LINING |
| 1a | EC-2 |
| 1b | EC-3a |
| 2a | EC-2 |
| 2b | N/A |
| 4a | EC-3a |
| 4b | N/A |

| OUTLET PROTECTION | | | |
|-------------------|-------------------------|-------------------|-------------------------|
| PIPE I.D. | WIDTH AT PIPE OUTLET | APPROX. LENGTH | WIDTH AT PIPE OUTLET |
| P-1 | 4.5' | 22.0' | 23.5' |
| P-1A | 4.5' | 17.0' | 18.5' |
| P-2 | 4.5' | 8.0' | 9.5' |
| P-DB-1/2 | 4.5' | 6.0' | 7.5' |
| P-4 | 4.5' | 8.0' | 9.5' |
| P-6A | 4.5' | 10.0' | 11.5' |
| P-6B | 4.5' | 10.0' | 11.5' |

REVISED JULY 9, 2013 :
ADDED STORMWATER CONVEYANCE CHANNEL
AND CULVERT DESIGNATIONS & LININGS.
ADDED TABLE FOR OUTLET PROTECTION
AT CULVERT OUTLETS.

PROPOSED STORMWATER DETENTION POND SITES AND SUMMARY TABLES GREEN FOREST PROPERTY CITY OF BUENA VISTA, VA.

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Designed: CMA
Drawn: EES
Scale: 1" = 80'
Date: FEB. 13, 2013
Commission No.
12066