



# RESIDENTIAL LAND USE REGULATION CITY OF BUENA VISTA

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

June 2019

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

Residential dwelling units are permitted in all zoning districts except for industrial and conservation districts. However, the number and type of dwelling units allowed in a given zoning district vary. The [residential districts](#) (R1, R2, R3, and R4) go from low density (1 unit allowed in R1) to multifamily (R4). Multifamily apartment buildings are also allowed in the mixed use (MU and MB) and institutional (INST) districts. “Accessory apartments” are not allowed in any district; each dwelling unit is consider a separate, equal, independent unit. See the tables below.

The permitted number of dwelling units in R1, R2, and R3 is governed by lot size (sq ft). A standard lot is 50’ x 125’.

Zone	1 Unit	2 Units	3+ Units
R1	12500 sf (2 lots)	Not Permitted	Not Permitted
R2	9375 sf (1-1/2 lots)	15625 sf (2-1/2 lots)	Not Permitted
R3	6250 sf (1 lot)	9375 sf (1-1/2 lots)	Not Permitted
R4	6250 sf (1 lot)	9375 sf (1-1/2 lots)	None

Zone	Minimum Unit Size
R1 and R2: all units	1200 square feet
R3: all units	960 square feet
All other zones: multifamily “efficiency” units (where multifamily is permitted use)	Studio/1 bedroom – 320 square feet 2 bedroom – 390 square feet 3 bedroom – 460 square feet

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

## 2. Multiple Dwelling Units

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

### 3. Basements

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

### 4. Maximum Occupants and Conditional Use Permits

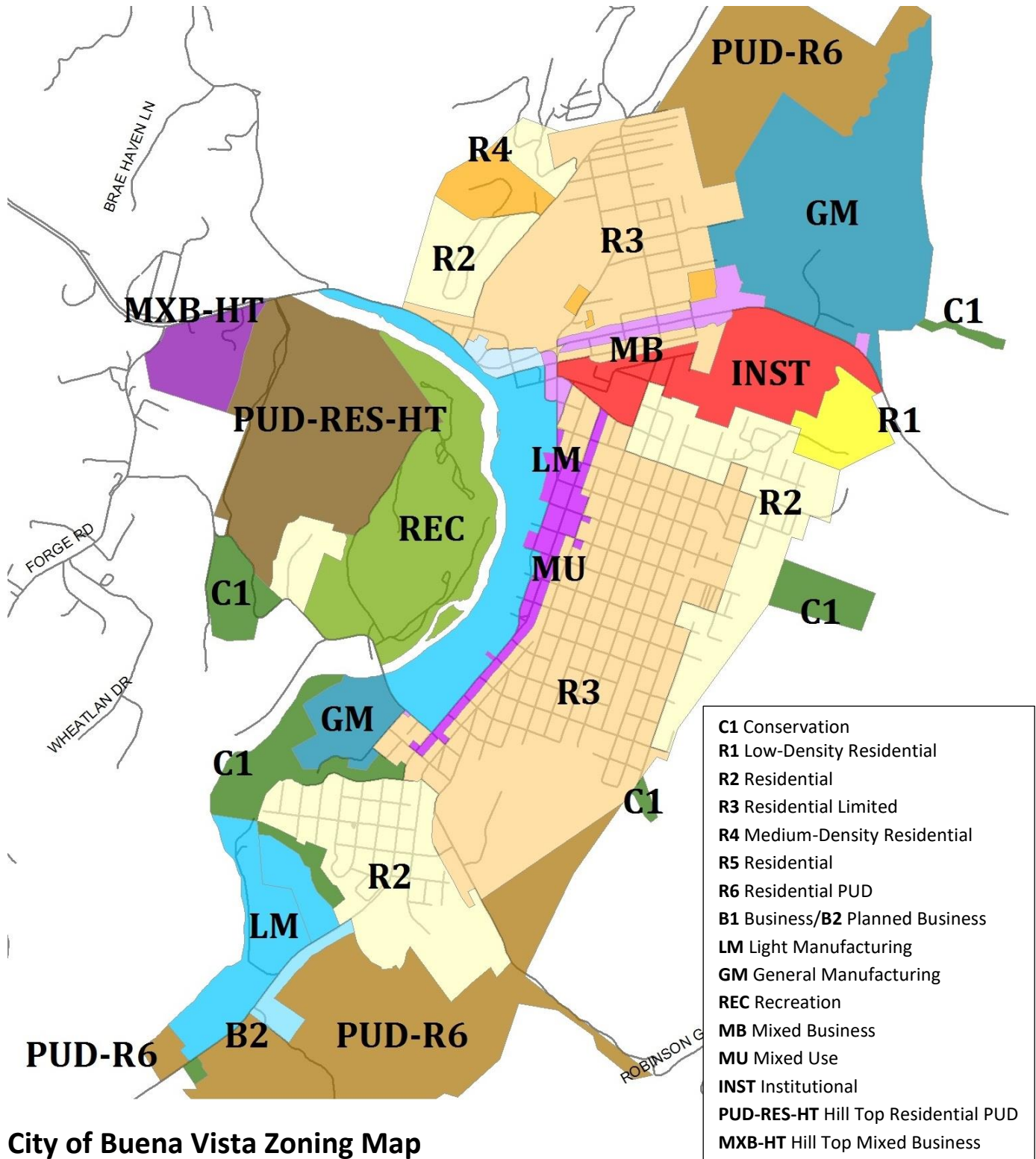
A dwelling unit may only be occupied by a family. A family is defined as one of the following:

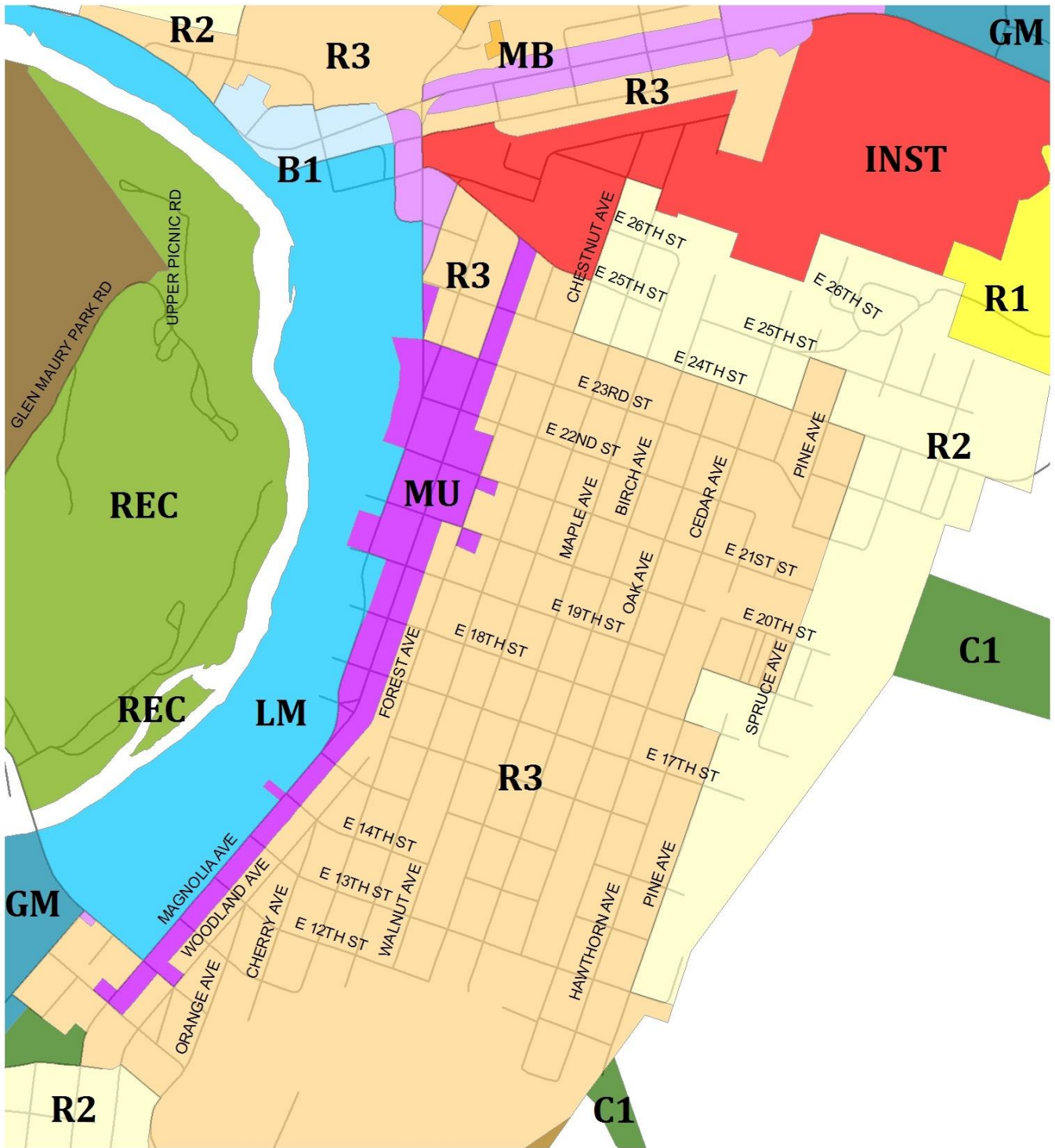
- (1) An individual; or
- (2) Two (2) or more persons related by blood, marriage, adoption, or guardianship; or
- (3) Two (2) or more persons related by blood, marriage, adoption, or guardianship and not more than two (2) persons not related by blood, marriage, adoption, or guardianship; or
- (4) A group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

Any combination of occupants that does not meet that definition requires a conditional use permit under Section 711 Group Homes ([§711.00.1](#)). The conditional use permit process requires the submittal of detailed site plans and a hearing before the Planning Commission and City Council to consider potential impacts on the neighborhood. This applies to all zoning districts.

### 5. Off-Street Parking

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





**City of Buena Vista Zoning Map – Detail with Street Names**

## Additional Information

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

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Buena Vista VA 24416  
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2039 Sycamore Avenue  
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## Other Resources

The City of Buena Vista Code of Ordinances

[https://www.municode.com/library/va/buena\\_vista/codes/code\\_of\\_ordinances](https://www.municode.com/library/va/buena_vista/codes/code_of_ordinances)

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

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

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