

North Virginia Beach Civic League News

JULY 2022

A LETTER FROM YOUR PRESIDENT

KEEPING AN EYE ON VIRGINIA'S STATEHOUSE

While we celebrate summer at the beach, we have created a committee to keep watch on the General Assembly, where we expect more short-term rental bills to be introduced in the next legislative session that might take aim at our neighborhood.

By Gary Sharpe
NVBCL president



SUMMERTIME has arrived, and there was no better way to kick off the season than our wonderful NVBCL Summer Social on June 23 at the Wyndham. (Check out *Monica Stein's wrapup on Page 2.*) Thank you all for such a fantastic turnout!

Being in person with everyone and enjoying the perfect weather, excellent appetizers and live music was a special treat. We will look forward to seeing each other again for our next social in the fall.

Our board of directors continues to work on the best solution to help safeguard the North End from any unwelcome short-term rental outcomes at the state and local levels. While the previous state legislative session came to an end without any immediate threat to our current STR regulations, the proposed STR bills highlighted just how quickly things can shift toward an undesirable outcome for our community. We fully expect to see similar bills introduced in future sessions and have shifted our focus to a longer-term approach to

monitoring such activity.

In an effort to be best prepared for the next legislative session and beyond, we have voted to form a Government Affairs Committee to monitor any proposed STR legislation at the state level. The committee will be chaired by board members Skip Gibson and Jayna Eller and rounded out with a few from our general membership. Skip and Jayna will bring welcomed experience to the committee and give us our best chance of staying ahead of upcoming issues.

Of course, we also will continue our close communication with our City Council, City Manager's Office and other departments to keep abreast of any proposed changes and engage them to speak to our membership as necessary.

While the board and our new committee are happy to dedicate their time and efforts to monitor for new legislation, I encourage everyone to contact us if they have any insight into any upcoming STR-related issue. An excellent resource for monitor-

Please see **PRESIDENT**, Page 3



STREETS/UTILITIES/PUBLIC SAFETY

Public parking A row over the ROW – not that it ever really left the North End

By Martin Waranch
Streets/Utilities/Safety

I am not pleased to write this. You may be equally displeased to read it.

The problem: the massive "taking" of city property for personal use across the North End – the widespread practice of landscaping to the street pavement in such a way as to discourage, in many cases deny, the public's right to park on city streets.

Everyone should know that the street pavement is *not* the limit of the city's right of way, or ROW. On average, the city owns 10 to 15 feet

on either side of the pavement, and that space is intended for public on-street parking, not just for the landowner. Off-pavement parking is absolutely necessary to allow emergency vehicles passage, and parking on either side with one wheel on the street can impede large emergency-response vehicles.

Many of you might remember Channel 10's "Ten on Your Side" expose years ago accusing North End residents of taking public parking spaces for personal use. That led to the threat to turn our

Please see **PARKING**, Page 2

Our hydrants are fired up for Ukraine

Such a coincidence that the city's fire hydrant colors appear to support Ukraine.

Well, not all of them. Turns out the yellow barrel is standard, but the hydrant cap's color indicates important firefighting information.

Before 2020 the city used the red barrel/white cap motif "for aesthetic purposes," according to vbgov.com. The Fire and Public Works departments started to repaint all 9,000 or so hydrants in July that year to align with



the National Fire Protection Association's color coding system: The cap color signifies each hydrant's flow rate in gallons per minute (gpm) – red, orange, green, blue.

In the North End, the caps are light blue, for the highest flow rate: 1,500 gpm and above.

This is more than aesthetics. When firefighters arrive on the scene, they "will know immediately the limitations of the hydrant based on observed amount of fire and the need for additional hydrants," according to the city's website. Didn't know that, did you? Neither did I.

– Don Naden



Upcoming civic league general meeting dates (Tuesdays, 6:30 p.m., at A.R.E.)

July 19, Oct. 18

Speaker for the July 19 meeting

City Councilman **Linwood Branch** will discuss his



thoughts on working with the North End and helping our neighborhood.

Treasurer's report

Thank you to all members of the civic league who have paid their 2022 dues. Our membership stands at 820, and our assets are \$49,109.24.

This newsletter includes 2022 member-dues envelopes. Our annual dues are \$20, for the calendar year. You also can pay through PayPal on the NVBCL website, www.nvbcl.org. Please include your North End address, your primary resident address and your email address.

– Bonner Styles



Public safety phone numbers
 2nd Precinct Police, 757.385-2700
 Nonemergency police, 757.385-5000, option 3
 Fire/police emergency, 911

PARKING

From the front

Atlantic Avenue median over to public parking. Your civic league's response was to survey and identify all the illegal "No Parking" signs along the public ROW and have them removed. That took the heat off, temporarily.

The heat has come back with a vengeance. People are "preparing" available public parking areas in ways that make it appear to be private. Grass as well as bushes and trees grow in as though part of the homeowner's lot, reducing available on-street parking.

Although unlikely, the city could determine at any time that this encroachment is too burdensome and demand the removal of what many consider their private property. City property is usually easily identified: Utility lines and most water meters are on the city side of your front property line.

City officials are not unreasonable. Though unwritten, they are apparently OK with at least 8 to 9 feet from the pavement for whatever improvement the homeowner might want to make. If you plant grass all the way to the paved edge, expect people to park on it. The city now allows gravel on the unimproved portion of the ROW.

No one may put up a "private parking" sign on the street side of their property. ■

NOTE TO READERS

Please be aware that our newsletter distribution will be changing for all future mailings.

For current members who have paid their dues, there will be no change. However, if you have been receiving a newsletter marked "current resident" or have unpaid dues beyond the two-year mark, you will no longer receive the mailed newsletter.

Dues are easily payable on our website under the membership section or by sending a check (payable to NVBCL) to P.O. Box 1676, Virginia Beach, VA 23451.

We thank you for your continued support. If you have any questions about your current standing, please do not hesitate to reach out to us through our email: info@nvbcl.org.

– Gary Sharpe

NVBCL HOSPITALITY

Social instancing We partied hardy at the Wyndham for our summer gathering

By Monica Stein
 Hospitality

The NVBCL kicked off summer perfectly.

Lots of friends and neighbors got together at the Wyndham Hotel's Surf Club Ocean Grille on what proved to be one of the most beautiful nights of the early summer, June 23. The tunes were fantastic (thank you, Lewis McGehee and friends), and food, drinks and, of course, the location could not have been better.

Thank you to Linda Palluch and Hannah Prilaman for making check-in and updating civic league dues a breeze. And thank you Grant, Charlie, Russell and the most popular server of the night, Logan Deaver, for passing around the delicious, free appetizers.

See you in the fall at our next social – stay tuned for details.



DON NADEN | NVBCL

It was a beautiful late June evening out on the Wyndham hotel's oceanside patio.



MONICA STEIN PHOTOS | NVBCL

Server Logan Deaver worked inside and out on the patio passing out appetizers.



From left, Tore Skeppstrom, Mary Gentry, Worth Remick, Kathryn Sharpe and Jayna Eller



From left, Jana & Steve Hadder, Allison & Anthony Sitar

TREE PRESERVATION

Our trees are mostly at risk

Live Oaks not alone in lacking legal protection

By Mary Reid Barrow

Why doesn't Virginia Beach have laws to protect the live oak, our official city tree?

This question comes up at the North End almost every time a live oak is cut down to make way for a new house or condo.

Part of the reason lies with the city's stormwater regulations.

Because of sea level rise, the regulations require that many low-lying properties be filled before starting new construction. No tree can survive if the land is built up around it. The regulations also require

drainage improvements on lots that often adversely impact trees.

The other part of the problem lies with the Commonwealth of Virginia. State law says localities have no power to legislate tree protection ordinances on private property. The only exception now is the Chesapeake Bay Preservation Act, which protects trees generally within 100 feet of the Bay shoreline and its tributaries to protect against erosion and help water quality.

Special, individual trees – unique due to historical significance, for example – also may be protected by a locality on rare occasions.

Legislation to grant localities the

right to put other restrictions into place to protect trees on private property has been pending in the General Assembly for two years. But if, and when, the legislation does pass, our City Council then would have to pass its own ordinance governing what would be required in Virginia Beach.

If you want to help, stay informed about the legislation in the next session of the Assembly and let your senators and delegates know how you feel. Ask candidates where they stand on this issue, then follow through to make sure City Council responds to the legislation if it is approved and enacts an ordinance that will help keep our live oaks – and all trees – safer.

– Barrow is a North End resident and Friends of Live Oaks member.

Pumped 79th pump station gets a happy ending at last

By Don Naden
Newsletter editor

The last time we visited the issue of the 79th Street stormwater pump station – in our January newsletter – there was good and bad news for North Enders who pass it most days on Atlantic Avenue.

The good: Repairs were under way, and new parts were on order.

The bad: Repairs were still under way, and new parts were still on order.

Well, we can now report that the unsightly and long-maligned station – and a major pain in the, uh, work affairs of city engineer Richard Harrell – have at long last been resolved.

The repair and replacement work has been completed, according to Harrell, project manager/civil engineer in the city’s Public Works Stormwater Operations division.

“Much of this work started in August 2020 after Hurricane Isaias,” he wrote in an early June email. “Just prior to the storm we



DON NADEN PHOTOS | NVBCL

encountered a pump performance problem as well as a check valve problem.”

And there were many other problems with the roughly 43-year-old station, including delivery delays, that meant “we needed to install a bypass pump, which is the reason for the external pump and piping,”

he added. Not a pretty sight.

In fact, Harrell requested the city dress things up around the pump station with some landscaping, and that has begun. Two large Hollywood Junipers, with extensive root systems too close to the foundation, have been removed and will be replaced with False Hollies, our



With the bypass pump equipment gone, things are almost back to normal. The two trees on the right have been removed, to be replaced by other trees.

NVBCL Beautification Committee chair, Jim Spruance, reports. And negotiations are under way with the landscaping division to beautify the area with more extensive barrier landscaping.

The entire story is way more complicated than this report, but let’s just leave it where it is now – *finished* – with a big thank you to Mr. Harrell and his city colleagues.

BEACHES & RECREATION

VB Oceanfront, North End still digging out after big spring storm

By Skip Gibson
Beaches & Recreation

Remember the May 2022 storm of high winds, very large surf and rain? The five-day storm caused beachfront erosion in some areas while others experienced sand accumulation.

The city’s Beach Operations division has been working continuously since the storm to repair the damage, restoring sand to the base of the Oceanfront seawall that experienced erosion, digging out the children’s play area at First Street, clearing the beach of an excessive amount of garbage that washed ashore and cleaning the walkways and walkway shoulders leading to the beach. This work is in addition to their normal work supporting the many planned beach events as summer gets into high gear.

The city is responding as quickly as possible to the many calls received from North End residents.

During the storm, the dunes from 58th Street north to Fort Story did their job and in many places have accumulated more sand. The new sand appears as waves of sand closest to the ocean side base of the dunes. Beaches



DON NADEN | NVBCL

The 79th Street beach access looked like this June 25. “This is an example of the extensive sand blown onto boardwalks from the storm,” NVBCL director Skip Gibson says, “and the city is working to clear all walkways as quickly as possible.”

in other parts of the city were not as fortunate as the North End, and many experienced erosion.

The city continues to request our assistance to stay off the dunes and use the designated walkways leading to the beach to protect the sea grass/sea oats growing in the dunes.

As we head for a fun day at the beach with picnics, listening to the sound of the shorebirds

and waves, and swimming, it’s important for each of us to take care of this wonderful resource. The biggest thing you can do is

to hang on to your garbage, particularly anything plastic. The No. 1 type of trash found on beaches is single-use food and beverage containers. Also, don’t leave damaged beach chairs or umbrellas on the beach. You can deposit trash

and damaged beach equipment in the trash cans – or take them home.

If you’ve been on the beach in the last few weeks, perhaps you have noticed a higher number of dolphins. Over the last few weeks of May and early June, newly born dolphin calves can be seen close to their mother’s side. Calves are born brown with stripes, weigh about 45 pounds and are about 3 feet long at birth. They are growing rapidly as their mothers are feeding on red drum, mackerel, croaker, sea trout and puppy drum, which are very plentiful.

Enjoy your summer at the beach!

PRESIDENT

From the front

ing activity at the state level is the Legislative Information System, which can be easily accessed online via <https://lis.virginia.gov>. Remember, our greatest strength as a civic league is our members and our collective voice.

Also please remember as the beach-going crowds descend into our neighborhood this summer, we would like to respectfully remind everyone to be mindful of encroachment into the city right of way on our streets. (See *Martin Waranch’s report on Page 1.*) We are seeing public parking along many of our streets eliminated at an increasing pace, which leads to more congestion and an unfair burden on those neighbors and streets that respect the ROW, as well as those who are trying to visit our beautiful beach.

Finally, I am pleased to announce our recently appointed City Councilman, Linwood Branch, has graciously accepted our invitation to speak at our next general membership meeting, Tuesday, July 19. Mr. Branch will be introducing or, possibly better said, reintroducing himself to our group and sharing his thoughts, views and vision for working for and with the North End and helping our neighborhood continue to thrive. ■

North Virginia Beach Civic League News

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Zoning Issues

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Mike Byrnes, 434-3200, mikebyrnes@cox.net

Find more information on our website, nvbcl.org.

Have you paid your \$20 dues for 2022?

Annual dues are for the calendar year. You can pay online, at www.nvbcl.org, or send a check (payable to NVBCL) to P.O. Box 1676, Virginia Beach, VA 23451.

ZONING ISSUES

City, NVBCL meet to revise development rules

By Billy Almond
Zoning Issues

The NVBCL's zoning committee is working on several initiatives with City Councilman Linwood Branch and city Planning Director Bobby Tajan, Zoning Administrator Hannah Sabo and Planning staff to revise regulations as they pertain to redevelopment.

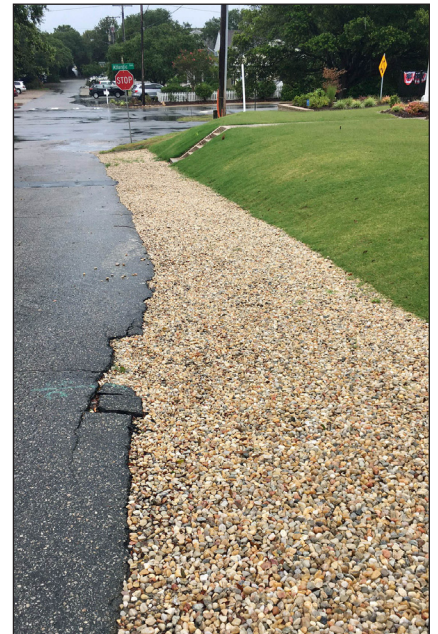
Your civic league's Zoning Review Committee members met in person with these city representatives June 9 regarding the following redevelopment topics. (This is just a list of topics; the ZRC will present these issues in further detail at the October general membership meeting, July 19.)

- Remaining nonconforming parcel resubdivisions into new nonconforming parcels.
- Clarifications to the R5RNE zoning ordinance regarding the "Two Detached Cottage" options, graphic examples and narrative revisions in the zoning ordinance.
- "Two Detached Cottage" option allowed on 7,500 square foot parcels or larger.
- Revisions to the R5RNE zoning ordinance to allow garage apartments "by-right," that is, what is legally allowed.
- Establishment of the R5RNE Zoning/Civil inspector and contact information.
- Public Works Real Estate participation and processes regarding public Right of Way (ROW) encroachments, including Oceanfront properties and associated dune systems, and blatant privatization of ROW property frontage with site construction that takes away public parking.
- The City of Virginia Beach's zoning ordinance definition of "impervious cover" with respect to permeable pavement systems, regarding public parking in the ROW.
- Interior Oceanfront parcels with no direct attachment to a public ROW – impervious-cover hardship.
- Property line vacation requirements for redevelopment.

The zoning committee will continue to participate in the Planning Department discussions and will report the outcome to the NVBCL's general membership as soon as possible.

The ZRC continues to review applicants' requests for variances at 6 p.m. the second Thursday of the month at the A.R.E. Visitor Center, 67th Street at Atlantic Avenue.

Construction at the North End is very active. Property owners are selling properties to developers who are tearing down older cottages and building duplexes or the detached-cottage schemes. We ask that before you sell your property to a developer,



DON NADEN | NVBCL

Gravel next to the street and within the city right-of-way is an example of permeable cover, allowing for public parking. "If you plant grass all the way to the paved edge, expect people to park on it," NVBCL director Martin Waranch writes on Page 2. "The city now allows gravel on the unimproved portion of the ROW." This example is on 81st Street.

to talk with the ZRC regarding your options for redevelopment.

We are seeing an increase in illegal, nonpermitted construction including driveway expansions, shed construction, decks, terraces, fences and other house additions. If you see construction on your street and do not see a visible city permit displayed on the property, please contact any ZRC member.

We remind our neighbors that developers have three options for North End properties: single-family house, duplex or two detached cottages on one parcel. The two detached-cottages option is an incentive-based design guideline, and a developer must comply with the design criteria in the zoning overlay ordinance.

We remind our neighbors that any opportunity to determine what type redevelopment happens on your street starts with the "Seller of the Parcel." Once the parcel has sold, it is in the hands of the buyer, who has the three by-right options listed above.

If you wish to attend a ZRC meeting, please contact Billy Almond at 757.235-0731 or via email at billy@wplsite.com for additional information in advance of our meetings.