

NORTH VIRGINIA BEACH CIVIC LEAGUE

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Legislative Affairs Update – February 1, 2024

Our Legislative Affairs Committee has been busy since the last NVBCL Newsletter and eBlast, so we want to give you an update on the current session of the Virginia General Assembly, scheduled to run from January 10 to March 9.

NVBCL supports local authority for Virginia Beach, and all localities in Virginia, to regulate land use (zoning) and planning, including local determination for compatible uses of property in each district (e.g. residential, commercial, industrial, agricultural). So, we advocate for the General Assembly to give Virginia Beach MORE authority, not less, to enact and enforce local ordinances for land use and planning.

Therefore, NVBCL opposes any legislation that pre-empts Virginia Beach authority for land use or planning, including for Short-Term Rentals (STRs), Accessory Dwelling Units (ADUs), or exemption of entire classes of entities, such as realtors or others, from compliance with our local ordinances.

We are in direct communication with VB Council Member Worth Remick, VB Commissioner of the Revenue Phil Kellam, Senator Bill DeSteph, Delegate Anne Ferrell Tata, and others about our concerns with the following bills:

- **SB 304 Development and use of ADUs.** We oppose this because it requires Virginia Beach to allow ADUs in every residential district, without permits or conditions, such as requiring adequate parking, water, or sewer capacity. ***On 2/1, the nearly identical HB 900 was continued to the 2025 session and referred to the Virginia Housing Commission by the House subcommittee on which Del. Tata is a member. We want the Senate to do the same for SB 304.***
- **SB 544 Remove locality's ability to prohibit STRs in owner's primary dwelling.** We oppose this because we believe the City of Virginia Beach should retain authority to determine where STRs are a compatible use for an ADU.

We have withdrawn our objections to the following bills, asking only for a clarifying line amendment to each:

- **HB 695 Establish a state-wide STR registry.** We have withdrawn our objections to this bill after meeting with Phil Kellam who resolved our concerns, explaining why the additions that we requested were not needed and could jeopardize passage of this bill that Commissioners of the Revenue state-wide need, particularly to help them deal with AirBnB.
- **HB 1461 Allow an entity that leases or subleases a property to use it as an STR.** We have requested a line amendment to clarify that this will not apply to properties that VB ordinances would not otherwise be allowed as an STR.

We still need your support! Here is how you can help:

The remaining bills that we oppose, SB 304 and SB 544, are currently only in the Senate, but if they pass there, they go to the House. So please call or email Senator Bill DeSteph and Delegate Anne Ferrell Tata about our concerns. If you send and email, include your street address so they can recognize you as a constituent. They both told us in person that they generally support our position of protecting local authority for land use and zoning regarding STRs and ADUs.

- Senator Bill DeSteph, (804) 698-7520, senatordesteph@senate.virginia.gov
- Delegate Anne Ferrell Tata, (804) 698-1099, delaftata@house.virginia.gov

Thank you for your interest, your time, and your willingness to help!

Questions? Contact our Legislative Affairs Co-Chairs:

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