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SENATE BILL NO. 354

Offered January 14, 2026

Prefiled January 13, 2026

A *BILL to amend and reenact § 15.2-2279 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 22 of Title 15.2 a section numbered 15.2-2209.4, relating to minimum parking requirements; prohibition on mandates by localities.*

Patrons—Salim and Srinivasan

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-2279 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 1 of Chapter 22 of Title 15.2 a section numbered 15.2-2209.4 as follows:

§ 15.2-2209.4. Prohibition on minimum parking requirements.

A. *Notwithstanding any other provision of law, general or special, no locality shall adopt, enforce, or maintain any ordinance, policy, or requirement that mandates a minimum number of parking spaces for any new building, structure, or other use approved by the locality on or after September 1, 2026, or any existing building, structure, or other use that is undergoing material rehabilitation. For the purpose of this section, "material rehabilitation" means improvements or reconstruction where the cost amounts to at least 25 percent of the assessed value of such building, structure, or other use for local real estate tax purposes for the year prior to the initial expenditure of any rehabilitation expenses.*

B. *Nothing in this section shall be construed to:*

- 1. *Prohibit a developer, property owner, or operator from providing parking spaces voluntarily;*
- 2. *Limit the authority of a locality to regulate the design, location, or use of parking spaces that are voluntarily provided; or*
- 3. *Affect parking requirements established by federal or state law, including requirements under the federal Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq., or for electric vehicle charging infrastructure.*

C. *Any ordinance, policy, or requirement in conflict with this section is void and of no effect. No proposal shall be denied due to inconsistency with parking mandates as described in this section, and any such proposal so denied shall be deemed approved for all purposes.*

§ 15.2-2279. Ordinances regulating the building of houses and establishing setback lines.

Any locality may by ordinance regulate the building of houses in the locality including the adoption of ~~off-street parking requirements~~, minimum setbacks and side yards and the establishment of minimum lot sizes.

Any locality may by ordinance require that no building be constructed within thirty-five feet of any street or roadway and may provide for exceptions to such requirement whenever a large portion of existing buildings along a section of street or roadway is within thirty-five feet of such street or roadway. The provisions of such an ordinance shall not apply within the limits of any town which has enacted a zoning ordinance or has adopted an ordinance establishing minimum setbacks.

2. That the provisions of this act shall become effective on September 1, 2026.

INTRODUCED

SB354