

TESTIMONY IN OPPOSITION TO BILL NO. 36-0200

Committee of the Whole

Virgin Islands Legislature

February 23, 2026

Good day Honorable President Milton Potter, Honorable Senators of the 36th Legislature, all Legislative staff present, and member of the public both viewing and listening.

Thank you for the opportunity to testify today.

My name is Dr. David A. Doward. I am a physician, a Virgin Islander by birth, and the owner of property directly adjacent to Parcel 6A Beeston Hill.

I appear before you today in respectful but firm opposition to Bill No. 36-0200.

Let me begin clearly.

I support housing.

I support responsible development.

What I do not support is the unnecessary commercial rezoning of residential land when existing law already provides a clear path forward.

I. This Issue Is Personal, But It Is Not Just Personal

Like many Virgin Islanders, I left home to pursue education and professional training, always with the hope of returning to invest in St. Croix and raise my family here.

I purchased my property in Beeston Hill according to the rules in place at the time, with the expectation that surrounding land would remain governed by the established residential zoning framework.

Parcel 6a Beeston Hill sits directly adjacent to my home. So yes, this matter is personal to me.

But I want to be equally clear: this concern extends well beyond my household. It reflects broader questions about planning consistency, community stability, and long-term confidence in our zoning framework.

II. Housing Does Not Require B-2 Rezoning

We all recognize that St. Croix needs additional housing. That point is not in dispute.

However, the professional record before this body is clear.

The Department of Planning and Natural Resources has twice recommended denial of the requested commercial rezoning, in both 2021 and 2025.

Importantly, DPNR identified multiple lawful pathways that would allow the proposed residential development without converting this land to B-2.

These include:

- Subdivision
- Group Dwelling
- Planned Area Development under 29 V.I.C. § 232

In short, housing can move forward under the current zoning.

There is no demonstrated legal or practical necessity to rezone nearly 16 acres to a broad commercial classification in order to achieve a 24-unit residential project.

I present Exhibit 1, which is the closing section of DPNR's May 6, 2021 report regarding the earlier request to rezone 6a Beeston Hill from R-1 to B-3.

I also present Exhibit 2, which is an excerpt from page 7 of DPNR's October 21, 2025 report. As part of its analysis, DPNR took into account the applicant's statement regarding an excess of commercial property in St. Croix that is grossly underutilized.

Exhibit 3 presents DPNR's October 21, 2025 recommendation to deny rezoning of 6a Beeston Hill since the proposed development can be accomplished using the planning and development tools already available.

III. The Proposed Unit Mix Raises Policy Questions

Even more concerning is the reported unit allocation associated with the project.

Planning materials indicate that approximately 70 percent of the units are intended as rentals, and roughly half of those rentals may be short-term rentals.

That results in only a limited number of units available for homeownership while introducing a higher-turnover visitor component into what is currently a low-density residential area.

This raises a reasonable policy question for this body:

If the primary objective is to expand stable housing opportunities for residents and returning Virgin Islanders, does this structure meaningfully advance that goal?

IV. The Rezoning Is Dramatically Overbroad

The developer's concept indicates that approximately 3 to 4 acres would be used for the residential component.

Yet the bill rezones the entire 15.942-acre parcel to B-2.

This leaves the majority of the property, roughly 11 to 12 acres, commercially rezoned but programmatically undefined.

Under Virgin Islands law, B-2 permits approximately 197 potential uses.

Once that designation is granted, those uses become legally permissible.

This creates long term uncertainty regarding:

- Future commercial conversion
- Traffic and infrastructure intensity
- Loss of residential land inventory
- Upward pressure on land pricing

Future homeowners in the development would not be shielded from the broader commercial uses allowed under the new zoning.

DPNR highlighted this concern in its 2025 report, as shown in Exhibit 4 which is an excerpt from the 2025 report.

V. The Bill Does Not Contain the Promised Safeguards

Public statements have suggested that this rezoning is narrowly limited to a 24-unit residential project with continuing legislative oversight.

However, as written, Bill No. 36-0200 contains none of those safeguards.

The legislation simply amends the zoning map to reclassify the parcel from R-1 to B-2.

There is:

- No binding unit cap
- No housing-only restriction
- No perpetual limitation running with the land
- No conditional overlay mechanism

As legislators, you understand clearly:

Public statements do not amend statutory law.

If housing-only limitations are truly intended, they must appear in the legislation itself.

I present Exhibit 5 which are publicly provided statements on the Government House's Facebook page. I will read the highlighted section.

Exhibit 6 is the Bill before you today which does not contain any of the promised safeguards and provides an uncontrolled blanket rezoning of the 15.9 acre parcel.

VI. Consistency With the Comprehensive Plan Matters

The Comprehensive Land and Water Use Plan was adopted after years of public engagement and was intended to bring predictability and discipline to land use decisions across the Territory.

One of its central themes was moving away from ad hoc spot zoning and toward structured, plan-based development.

Approving a broad commercial rezoning here, despite:

- DPNR's professional recommendations, and
- Available residential development pathways

risks undermining confidence in that carefully developed framework.

DPNR's 2025 recommendation report highlights this concern. I present Exhibit 7, an excerpt from that report.

VII. The Broader Signal to Returning Virgin Islanders

I would like to close by speaking briefly as someone who hopes to continue investing in St. Croix.

Many Virgin Islanders living abroad, and many professionals like myself, want to come home, build here, retire here, and reinvest in our communities.

But long-term investment decisions depend heavily on the stability and predictability of land use policy.

When long standing residential land can be broadly converted to commercial use without demonstrated necessity, it creates uncertainty that extends well beyond a single parcel.

Closing

Honorable Senators, this is not a choice between housing and no housing.

Housing can proceed under existing residential tools already provided in Virgin Islands law.

The real question before this body is whether it is necessary, or prudent, to permanently commercialize nearly 16 acres of residential land in order to achieve that goal.

For the reasons outlined today, I respectfully urge you to vote no on Bill No. 36-0200 and to encourage residential development through the lawful pathways that already exist.

Thank you for your time, your service, and your thoughtful consideration.

Respectfully,

David A. Doward