



City of Virginia Beach

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BEACHES AND WATERWAYS ADVISORY COMMISSION
757-385-4131

MUNICIPAL CENTER
BUILDING 2
2405 COURTHOUSE DRIVE
VIRGINIA BEACH, VIRGINIA 23456-9001

August 15, 2016

David L. Hansen, City Manager
Municipal Center, Building 1
2401 Courthouse Drive, Room 234
Virginia Beach, Virginia 23456

Re: Event homes

Dear Mr. Hansen:

The Beaches and Waterways Advisory Commission has completed its work on the issue of event homes as directed by City Council on April 19, 2016. The Commission met numerous times over the course of three months. Most of these meetings included the opportunity for public input. In addition, the Commission held six public hearings between July 18 and July 22 at various locations — the Aquarium, the Wyndham on Atlantic Avenue, the Virginia Beach Resort and Conference Center on Shore Drive, the Bayfront Advisory Commission, the Meyera E. Oberndorf Central Library and the Sandbridge United Methodist Church. These meetings were well attended and provided an opportunity for the Commission to hear the comments and concerns of communities throughout the City. Communication with the civic leagues was provided through contact with the Virginia Beach Council of Civic Organizations. The opportunities for public comment were frequent and extensive.

Many citizens spoke in opposition to any event activities in residential areas. However, the majority of the Commission voted to forward to City Council the attached draft ordinance that would not ban such events, but instead regulate and control them to the greatest extent possible. The draft ordinance would reduce the number of events permitted under the existing zoning interpretation from three to two per year. A key concern of the Commission was enforcement of the proposed ordinance. Without effective enforcement there will be no reduction in the problems that these events may entail, including noise, traffic, parking, trash or fireworks—much of which could be limited today with effective enforcement of existing ordinances.

The Commission believes that the proposed ordinance could help with enforcement and provide some safeguards by, among other things, requiring a parking plan for every event, a trash plan, a police presence and an accountable individual for the two events that are allowed with a permit every year.

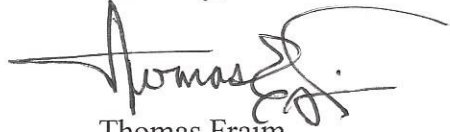
Another issue involved the procurement by the event host of insurance in an amount sufficient to provide protection to attendees and the City. The type and amount of insurance coverage is left to the discretion of the City, but the Commission discussed and agreed that the insurance coverage, as a first option, should be provided by a standard carrier, licensed and admitted as a carrier who participates in the Virginia Insurance Fund in the Commonwealth. A closer look at the City's insurance requirements is certainly warranted in these situations, to protect all parties involved.

There was also some discussion from the communities that the penalty for a second violation of the permit should be much more onerous than the fine proposed by the proposed ordinance. Suggestions included making a second offense a class 1 misdemeanor, punishable by up to twelve (12) months in jail and a \$2500 fine.

The Commission worked long and hard on a solution to event homes, but was unable to reach a consensus on what that solution would be. Some wanted a total ban on all events, even those with very small numbers, and others said there was not a problem and wanted no additional regulation. This is a difficult and complex problem. The Commission tried to hear from everyone and to recommend to City Council a reasoned and acceptable compromise ordinance that would provide some relief for the communities and yet allow a reduced number of events to continue with stringent requirements. Still the Commission can only recommend the attached proposed ordinance to you on a vote of seven for and two against.

The Commission anticipates that you will staff the proposed ordinance to all City departments for their comments and concerns. If there are substantial changes proposed, the Commission would appreciate the opportunity to again look at the proposed ordinance. Until that time, the Commission appreciates the trust and confidence that City Council has placed in us and knows our efforts do not go unnoticed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas Fraim', with a stylized flourish extending from the end.

Thomas Fraim
Chairman