

BEACHES AND WATERWAYS ADVISORY COMMISSION

MISSION: To review issues referred to it by City Council concerning access to, and the preservation, development and use of, the City's beaches and waterways, and to make recommendations to the City council regarding such issues.

Meeting Minutes

June 23, 2016

Chairman Fraim called the meeting of the Beaches and Waterways Advisory Commission to order at 4:00 pm in the City Council Chambers, Building 1.

Commissioners Present: Michael Anderson, Michael Clark, Charles Guthrie, Paul Hamaker, William Hearst, Christopher Jacobs, Kenneth Jobe, Wes Laine, Emsy Munden.

City Staff Present: Kay Wilson, Bill Macali (City Attorney's Office), Chris Langaster, Keven Kemp, (Planning), Rebecca Lear (Public Works),

Chairman Fraim called the meeting to order at 4:00 pm. A motion was made to accept the minutes from the June 16, 2016 meeting. The motion was seconded and the minutes approved as circulated.

Chairman Fraim began the meeting by explaining the purpose of today's meeting. He would be asking for a motion to approve Draft 5 as the starting point for soliciting comments and information from civic groups through the Council of Civic Organizations. There will be five open public forums at the following locations: The Virginia Aquarium, the Wyndham Hotel, The Virginia Beach Resort and Conference Center, The Meyera Oberndorf Central Library and Sandbridge United Methodist Church. The meeting dates and times will be advertised in the Beacon. Once the public forums are complete, the Commission will work on a draft ordinance to be presented to City Council through the normal agenda item process.

Chairman Fraim called for the first speaker. Herb Jones spoke about the recent vote by the Sandbridge Civic League a copy of which was provided to the Commissioners. He explained that the vote was to forbid events in the Sandbridge residential area and that 82% (64-14) of the members present voted in favor of banning events in the area. Chairman Fraim added the Sandbridge Civic League has approximately 850 families (1700 votes) and the vote that was held only represented about 3% of the membership.

Molly Brown spoke on the process of passing a motion, that it only required a majority of the members present. She spoke of the current event program in place as a pilot program that failed. She added that enforcement was nonexistent and the Commission should be working to protect the residents. The draft should read no commercial events in residential areas. There was discussion among the commissioners about the definition of an event. Ms. Brown expressed that she felt when you paid to have an event that in itself was the definition; she added that the event organizers have no stake in the neighborhood. There was additional discussion regarding the differences between residences and rental homes. Chairman Fraim advised that the resolution did not specify rental or residence.

Walt Hunter spoke about the Event Home Committee (of the Sandbridge Civic League). He explained the committee worked on two ordinances to eventually present to the full membership. The committee voted to present Alternate 1 Draft # 3 with some modifications. He stated that the vote taken at the last meeting to ban events only represented 3% of the membership and that the new slate of officers was elected with a 5-2 majority and over 750 votes cast. He added that the committee worked to evaluate all of the factors including trying to define what an event home was. He stated that the event home itself was not the issue; it was the behaviors that occurred at the events. Commissioner Clark stated the he thought the vote would have been overwhelming in favor of banning events if the 500 signatures on change.org were representative of the entire civic league.

Chairman Fraim advised that he was ready to seek a motion to confirm and adopt Draft #5 Alternative 1. Chairman Fraim advised the intent of the vote was to produce a document that could be taken to the civic leagues to gather information. A copy of the motion is attached. The motion was made by Vice Chairman Jobe and seconded by Commissioner Anderson. The vote was 8 in favor, 2 opposed. The motion passed with 80% of the vote in favor.

Public comment continued. Bob Walker stated that he didn't understand what the problem was. Only 28% of the homes are owner occupied and only 11% are on the oceanfront. He did not agree with getting rid of weddings and felt that the vote by the civic league to ban events was not at all representative of the entire civic league.

Bob Bowden spoke about the public safety issue with events. The event homes are built as residences but used commercially with no safety inspections. He added that the infrastructure at Sandbridge cannot support these events, the roads are small and emergency vehicles have trouble getting through.

Page Three
June 23, 2016

Bill Brown stated that no one has a problem with routine weekly rentals. He emailed the Commission his definition of an event. He added that there is an obvious difference between renting to a family on vacation and renting to a group for a large event.

Chairman Fraim advised that the ordinance tries to control noise, parking and trash. A valet or shuttle service must be used to avoid overcrowding onto the public streets, the number of people to determine if the function was an event (subject to the requirement in the ordinance) was dropped to 50 from 75, number of events per year per residence went from 3 to 2, only 7 day rentals with 1 day for an event. He added that the house itself is not the problem; it is the event that causes issues.

The meeting was adjourned at 5 pm.