

MOTION: MAY

**September 8, 2015
Regular Meeting
Res. No. 15-564**

SECOND: PRINCIPI

**RE: DEFER TO DATE UNCERTAIN – ZONING TEXT AMENDMENT
#PLN2013-00339, REGULATION OF EVENT CENTERS –
COUNTYWIDE**

ACTION: APPROVED

WHEREAS, on April 24, 2013, Supervisor May (DIR 13-28) requested that staff prepare for the Board of County Supervisors' consideration, an initiation for a Zoning Text Amendment to reduce the impacts from event centers/meeting halls on surrounding properties; and

WHEREAS, on May 21, 2013, the Board of County Supervisors initiated a Zoning Text Amendment to regulate the location and siting of event centers/meeting halls through Resolution Number 13-323; and

WHEREAS, the Prince William County Planning Commission duly ordered, advertised and held a public hearing on December 4, 2013, and recommended adoption as stated in Planning Commission Resolution Number 13-094; and

WHEREAS, the Board of County Supervisors desires to defer consideration of Zoning Text Amendment #PLN2013-00339, Regulation of Event Centers/Meeting Halls to a date uncertain;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors does hereby defer Zoning Text Amendment #PLN2013-00339, Regulation of Event Centers/Meeting Halls to a date uncertain.

Votes:

Ayes: Caddigan, Candland, Jenkins, Lawson, May, Nohe, Principi, Stewart

Nays: None

Absent from Vote: None


Absent from Meeting: None

For Information:

Planning Director

County Attorney

ATTEST: _____


Clerk to the Board




Melissa S. Peacor
County Executive

COUNTY OF PRINCE WILLIAM
OFFICE OF EXECUTIVE MANAGEMENT
1 County Complex Court, Prince William, Virginia 22192-9201
(703) 792-6600 Metro 631-1703 FAX: (703) 792-7484

BOARD OF COUNTY SUPERVISORS
Corey A. Stewart, Chairman
Maureen S. Caddigan, Vice Chairman
Pete Candland
John D. Jenkins
Jeanine M. Lawson
Michael C. May
Martin E. Nohe
Frank J. Principi

August 21, 2015

TO: Board of County Supervisors

FROM: Christopher M. Price, AICP 
Director of Planning

Thru: Melissa S. Peacor
County Executive

RE: Zoning Text Amendment #PLN2013-00339, Regulation of Event
Centers/Meeting Halls – **Countywide**

I. Background is as follows:

- A. Purpose of the Zoning Ordinance – Section 15.2-2283 of the Code of Virginia states that zoning ordinances shall be for the general purpose of promoting the health, safety, or general welfare of the public.
- B. Purpose of Amendment – In 2009, the Board of County Supervisors amended the Zoning Ordinance to permit event centers and meeting halls in the B-1, General Commercial, B-2, Neighborhood Business, B-3, Convenience Retail, O(L), Office Low-Rise, O(H), Office High-Rise, O(M), Office Mid-Rise, and O(F), Office Flex districts as by-right uses. The intent was to fulfill a demand at the time for commercial facilities that could cater to group events and special occasions, such as weddings, birthday parties, graduation, etc.
- C. Background – During the period that this amendment has been in effect, it has become evident that under certain conditions, specifically where a building is located in a non-residential district within close proximity to a residential neighborhood and is converted into an event center, there can be negative impacts upon the surrounding neighborhood. Numerous complaints were made by residents of a neighborhood in which an event center was located within fifteen (15) feet of the residential development. The complaints cited excessive noise emanating from within the building and loitering in the parking lot. These complaints resulted in numerous calls for service by the Police Department. At the same time, event centers and meeting halls are a legitimate use for which there is a demand by businesses, nonprofit organizations, and the general public. The

most logical means of ameliorating these impacts while providing for a legitimate land use is to establish additional standards within the Zoning Ordinance pertaining to the location and siting of event centers and meeting halls that will sufficiently address the impacts of these facilities.

- D. Proposed Remedy – The proposed remedy is to establish standards within the Zoning Ordinance that will adequately reduce the impacts of noise and outside activities including parking within adjacent residential neighborhoods.

II. Current Situation is as follows:

- A. Application of Current Language – This Zoning Text Amendment is in response to a request from Supervisor May (DIR 13-23), requesting preparation of a Zoning Text Amendment to reduce the impacts of event centers and meeting halls on adjacent neighborhoods.
- B. Zoning Text Amendment Initiated – On May 21, 2013, the Board of County Supervisors initiated a Zoning Text Amendment to regulate event centers and meeting halls through Res. No. 13-323. See Attachment B – BOCS Initiating Resolution.
- C. Zoning and Development Review Advisory Committee – The committee reviewed the proposed text amendment on August 21, 2014 and recommended approval.
- D. Planning Commission Public Hearing – A public hearing before the Planning Commission was duly ordered advertised and held on September 4, 2013 but was deferred to date uncertain (Attachment C). A public hearing before the Planning Commission was properly advertised for December 4, 2013, where they recommended adoption with the request that staff cross-reference other County codes in reference to nuisances such as noise and litter.
- E. Planning Office Recommendation – Subsequent to the Planning Commission hearing, the Chamber of Commerce noted a concern about the need for event centers at sport facilities and similar venues. Staff added language as a minor, less restrictive addition to address this concern. The Planning Office recommends approval of zoning text amendment #PLN2013-00339, Regulation of Event Centers/Meeting Halls, as proposed in Attachment A.
- F. Board of County Supervisor Public Hearing – A public hearing before the Board of County Supervisors has been property advertised for September 8, 2015.
- G. Board Action Requested – Board of County Supervisors' action is requested to adopt zoning text amendment #PLN2013-00339, Regulation of Event Centers/Meeting Halls, to the Prince William County Zoning Ordinance.

III. Issues in order of importance are:

- A. Policy – Does the amendment further the purposes of the Zoning Ordinance?
- B. Community Input – Have members of the community raised any issues?
- C. Legal – Are there any legal implications associated with this zoning text amendment?
- D. Timing – What are the timing considerations of the zoning text amendment?

IV. Alternatives beginning with the staff recommendation are as follows:

- A. Adopt zoning text amendment #PLN2013-00339, Regulation of Event Centers/Meeting Halls, to the Prince William County Zoning Ordinance.
 - 1. Policy – The proposed text will promote the purpose of the Zoning Ordinance as defined in Sec.32-200.01 by facilitating the creation of a convenient, attractive and harmonious community, and providing safety from crime.
 - 2. Community Input – The Planning Office has not received any comments from the community as of the date of this staff report. The Chamber of Commerce noted a concern about the need for event centers at sport facilities and similar venues. Staff worked with the Chamber to address this concern.
 - 3. Legal – The adoption of the zoning text amendment will incorporate the proposed requirements into the Zoning Ordinance, which is enforceable by the County. Legal issues resulting from the Board of County Supervisors action would be appropriately addressed by the County Attorney's Office.
 - 4. Timing – There is no time requirement for the Board of County Supervisors to take action on zoning text amendments.
- B. Do Not Adopt zoning text amendment #PLN2013-00339, Regulation of Event Centers/Meeting Halls, to the Prince William County Zoning Ordinance.
 - 1. Policy – Not adopting the Zoning Text Amendment would be contrary to the purpose of the Zoning Ordinance by not providing for the reasonable protection of adjoining neighborhoods from potential excessive noise and other nuisance factors associated with event centers/meeting halls.
 - 2. Community Input – The Planning Office has not received any comments from the community as of the date of this staff report. The Chamber of Commerce noted a concern about the need for event centers at sport

facilities and similar venues. Staff worked with the Chamber to address this concern.

3. Legal – Legal issues resulting from Board of County Supervisors action would be appropriately addressed by the County Attorney’s Office.
4. Timing – There is no time requirement for the Board of County Supervisors to take action on zoning text amendments.

V. **Recommendation** is that the Board of County Supervisors concurs with Alternative A and adopt the attached ordinance.

Staff: Nick Evers, x6861

David McGettigan, AICP, x7189

Attachments:

- A. Proposed Text Amendment
- B. BOCS Initiating Resolution
- C. Planning Commission Resolution

Attachment A – Proposed Text Amendment

ARTICLE IV. COMMERCIAL, OFFICE AND INDUSTRIAL DISTRICTS

PART 400. GENERAL REGULATIONS

Section 32-400.26. General Provisions for Event Centers/Meeting Halls

Where permitted, event centers and meeting halls shall meet the following standards:

1. Event centers and meeting halls located in commercial and office districts shall be located at least five hundred (500) feet from any residential or agricultural zoning district, except in accordance with subsection 5 below.
2. Any off-street parking area associated with an event center/meeting hall shall be located no closer than one hundred (100) feet from any residential or agricultural zoning district.
3. An event center/meeting hall associated with a religious institution and located on the same property as the religious institution and an event center/meeting hall associated with a country club, a sports facility or complex, a civic club, a farm winery or adaptive re-use of a historic site, shall be exempt from the required separation distances in (1) and (2) above.
4. Any event center/meeting hall event which involves live entertainment will require a Certificate of Live Entertainment.
5. An event center/meeting hall located within five hundred (500) feet of any residential or agricultural zoning district shall require a special use permit.
6. All speakers will be oriented such that the direction of the primary transmission is away from the closest adjacent residential property line.
7. Event Centers shall be kept free of litter in accordance with Chapter 22 of the County Code and noise levels shall not exceed the permissible standards of Chapter 14 of the County Code.

Attachment B – BOCS Initiating Resolution

MOTION: MAY

**May 21, 2013
Regular Meeting
Res. No. 13-323**

SECOND: NOHE

RE: INITIATE A ZONING TEXT AMENDMENT TO REGULATE EVENT CENTERS – COUNTYWIDE

ACTION: APPROVED

WHEREAS, in accordance with Title 15.2-2285 of the Code of Virginia, Ann., the Board of County Supervisors may amend the Zoning Ordinance whenever it determines that public necessity, health, safety, convenience, general welfare and good zoning practice necessitate such change; and

WHEREAS, certain impacts have been experienced by property owners adjoining certain event centers and such impacts can only be reduced or eliminated by applying additional restrictions on such uses; and

WHEREAS, consideration of an amendment to the Zoning Ordinance for the above-referenced issue is required by public necessity, convenience, general welfare and good zoning practice, and is consistent with the intent of Title 15.2-2283 of the Code of Virginia, Ann; and

WHEREAS, on April 24, 2013, Supervisor May (DIR 13-28), requested that staff prepare for Board of County Supervisors' consideration, an initiation for a Zoning Text Amendment to reduce the impacts from event centers on surrounding properties; and

WHEREAS, the Prince William Board of County Supervisors believes that public general welfare as well as good planning practices are served by the initiation of this Zoning Text Amendment;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors does hereby initiate a Zoning Text Amendment to the Prince William County Zoning Ordinance to regulate the location and siting of event centers and meeting halls.

Attachment B – BOCS Initiating Resolution

May 21, 2013
Regular Meeting
Res. No. 13-323
Page Two

Votes:

Ayes: Caddigan, Candland, Jenkins, May, Nohe, Principi, Stewart

Nays: Covington

Absent from Vote: None

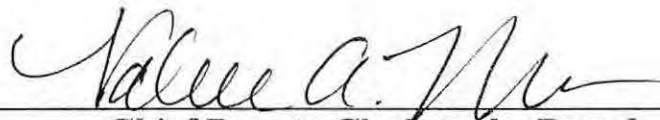
Absent from Meeting: None

For Information:

Planning Director

County Attorney

ATTEST: _____



Chief Deputy Clerk to the Board

Attachment C – Planning Commission Resolution

PLANNING COMMISSION RESOLUTION

MOTION: HAYNES **September 4, 2013**
Regular Meeting
Res. No. 14-067
SECOND: ARNOLD
RE: ZONING TEXT AMENDMENT #PLN2013-00339, REGULATION OF
EVENT CENTERS – COUNTYWIDE
ACTION: DEFERRED TO DATE UNCERTAIN

WHEREAS, in accordance with Title 15.2-2285 of the Code of Virginia, Ann., the Board of County Supervisors may amend the Zoning Ordinance whenever it determines that public necessity, health, safety, convenience, general welfare and good zoning practice necessitate such change; and

WHEREAS, certain impacts have been experienced by property owners adjoining certain event centers/meeting halls and such impacts can only be reduced by applying additional restrictions on such uses; and

WHEREAS, amending the Zoning Ordinance pertaining to the above-referenced issue is required by public necessity, convenience, general welfare and good zoning practice, and is consistent with the intent of Title 15.2-2283 of the Code of Virginia, Ann; and

WHEREAS, on April 24, 2013, Supervisor May (DIR 13-28), requested that staff prepare for Board of County Supervisors' consideration, an initiation for a Zoning Text Amendment to reduce the impacts from event centers and meeting halls on surrounding properties; and

WHEREAS, on May 21, 2013 the Board of County Supervisors initiated a zoning text amendment to regulate the location and siting of event centers and meeting halls through Res. No. 13-323; and

WHEREAS, prior to the public hearing being open, the Planning Office requested that the Zoning Text Amendment be deferred to date uncertain in order to meet again with the Design Ordinance Review Advisory Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Prince William County Planning Commission does hereby defer Zoning Text Amendment #PLN2013-00339, Regulation of Event Centers to date uncertain.

Votes:

Ayes: Arnold, Bryant, Burgess, Fry, Haynes, Holley, Vanegas

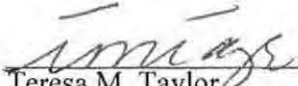
Nays: None

Absent from Meeting: Hosen

Abstained from Vote: None

MOTION CARRIED

Certified Copy:



Teresa M. Taylor
Clerk to the Planning Commission

Attachment C – Planning Commission Resolution

PLANNING COMMISSION RESOLUTION

MOTION: BURGESS
SECOND: VANEGAS
RE: ZONING TEXT AMENDMENT #PLN2013-00339, REGULATION OF EVENT CENTERS - COUNTYWIDE
ACTION: RECOMMEND ADOPTION

**December 4, 2013
Regular Meeting
Res. No. 13-094**

WHEREAS, this is a request to amend the following sections of the PWC Zoning Ordinance to incorporate recent changes made to the Code of Virginia: Section 32-100 to revise the definition of cemetery, military installation and temporary family health care structures; Section 32-210.13 to revise the regulations for temporary family health care structures; Section 32-601.34 to allow for the adjustment or relocation of billboards; Section 32-700.60 to limit the notification requirements for large federal or state parcels to the portion affected by development and revise the notification requirements to military installations; and, Section 900.20 regarding Board of Zoning Appeals procedures; and

WHEREAS, the Prince William County Planning Commission duly ordered, advertised, and held a public hearing on December 4, 2013 at which time public testimony was received and the merits of the above-referenced zoning text amendment were considered; and

WHEREAS, the Prince William County Planning Commission believes that public general welfare as well as good planning practices are served by the adoption of this zoning text amendment;

NOW, THEREFORE, BE IT RESOLVED, that the Prince William County Planning Commission does hereby recommend adoption of Zoning Text Amendment #PLN2013-00339, Regulation of Event Centers, with the request that staff cross-reference other County codes in reference to nuisances such as noise and litter.

Votes:


Ayes: Arnold, Bryant, Burgess, Fry
Nays: Holley, Hosen, Vanegas
Absent from Meeting: Haynes
Abstained from Vote: None

MOTION CARRIED


Certified Copy:



Teresa M. Taylor
Clerk to the Planning Commission



Prince William County Government
Board of County Supervisors



Zoning Text Amendment #PLN2013-00339, Regulation of Event Centers (Countywide)

*Nick Evers, AICP
Planning Office*

BACKGROUND

- In 2009 the BOCS amended the Zoning Ordinance to permit event centers and meeting halls in the B-1, B-2, B-3, O(L), O(H), O(M), and O(F) districts as by-right uses.
- Under certain conditions, event centers and meeting halls have generated complaints related to noise impacting adjacent neighborhoods.
- Request – to amend Article IV of the Zoning Ordinance to regulate the siting and location of event centers and meeting halls.
- Recommendation - Approval

September 8, 2015 Countywide [2]

SUMMARY OF PROVISIONS		
Provision	Existing	Proposed
Setback from residential/agricultural districts	None	500 ft.
Off-street parking separation from residential/agricultural districts	None	200 ft.
Religious Institution, Adaptive Re-use, Country Club, Farm Winery exemption	None	Yes
Speaker restrictions	None	Sound to emanate away from residential properties

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PROPOSED AMENDMENT

ARTICLE IV. COMMERCIAL, OFFICE AND INDUSTRIAL DISTRICTS
PART 400. GENERAL REGULATIONS

Section 32-400.26. General Provisions for Event Centers/Meeting Halls
Where permitted, event centers and meeting halls shall meet the following standards:

1. Event centers and meeting halls located in commercial and office districts shall be located at least five hundred (500) feet from any residential or agricultural zoning district.
2. Any off-street parking area associated with an event center/meeting hall shall be located no closer than one hundred (100) feet from any residential or agricultural zoning district.
3. An event center/meeting hall associated with a religious institution and located on the same property as the religious institution and an event center/meeting hall associated with a country club, a sports facility or complex, a civic club, a farm winery or adaptive re-use of a historic site, shall be exempt from the required separation distances in (1) and (2) above.

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PROPOSED AMENDMENT

4. Any event center/meeting hall event which involves live entertainment will require a Certificate of Live Entertainment.
5. An event center/meeting hall located within five hundred (500) feet of any residential or agricultural zoning district shall require a special use permit.
6. All speakers will be oriented such that the direction of the primary transmission is away from the closest adjacent residential property line.
7. Event Centers shall be kept free of litter in accordance with Chapter 22 of the County Code and noise levels shall not exceed the permissible standards of Chapter 14 of the County Code.

September 8, 2015Countywide[5]

RECOMMENDATION

- The Planning Commission recommended adoption, with the request that staff cross-reference other County codes in reference to nuisances such as noise and litter.

- The Planning Office concurs and recommends approval of Zoning Text Amendment #PLN2013-00339, Regulation of Event Centers.

September 8, 2015Countywide[6]

13-C

MOTION:

**September 8, 2015
Regular Meeting
Ord. No. 15-**

SECOND:

**RE: ZONING TEXT AMENDMENT #PLN2013-00339, REGULATION OF
EVENT CENTERS – COUNTYWIDE**

ACTION:

WHEREAS, in accordance with Title 15.2-2285 of the Code of Virginia, Ann., the Board of County Supervisors may amend the Zoning Ordinance whenever it determines that public necessity, health, safety, convenience, general welfare and good zoning practice necessitate such change; and

WHEREAS, certain impacts have been experienced by property owners adjoining certain event centers/meeting halls, and such impacts can only be reduced by applying additional restrictions on such uses; and

WHEREAS, amending the Zoning Ordinance pertaining to the above-referenced issue is required by public necessity, convenience, general welfare and good zoning practice, and is consistent with the intent of Title 15.2-2283 of the Code of Virginia, Ann.; and

WHEREAS, on April 24, 2013, Supervisor May (DIR 13-28) requested that staff prepare for the Board of County Supervisors' consideration, an initiation for a Zoning Text Amendment to reduce the impacts from event centers/meeting halls on surrounding properties; and

WHEREAS, on May 21, 2013, the Board of County Supervisors initiated a Zoning Text Amendment to regulate the location and siting of event centers/meeting halls through Resolution Number 13-323; and

WHEREAS, the Prince William County Planning Commission duly ordered, advertised and held a public hearing on December 4, 2013, and recommend adoption as stated in Planning Commission Resolution Number 13-094; and

WHEREAS, the Prince William Board of County Supervisors duly ordered, advertised and held a public hearing on September 8, 2015, at which time public testimony was received and the merits of the above-referenced amendment were considered; and

WHEREAS, the Prince William Board of County Supervisors believes that public general welfare, as well as good zoning practices, are served by the adoption of this Zoning Text Amendment;

September 8, 2015
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NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors does hereby adopt Zoning Text Amendment #PLN2013-00339, Regulation of Event Centers/Meeting Halls.

ATTACHMENT: Text Amendment Language

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

For information:

Planning Director

County Attorney

ATTEST: _____

Clerk to the Board

ARTICLE IV. COMMERCIAL, OFFICE AND INDUSTRIAL DISTRICTS

PART 400. GENERAL REGULATIONS

Section 32-400.26. General Provisions for Event Centers/Meeting Halls

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6. All speakers will be oriented such that the direction of the primary transmission is away from the closest adjacent residential property line.
7. Event Centers shall be kept free of litter in accordance with Chapter 22 of the County Code and noise levels shall not exceed the permissible standards of Chapter 14 of the County Code.