

B. NEW BUSINESS (Refer to Planning Board)

BARNSTABLE TOWN COUNCIL

165
ITEM # 2017-XXX
INTRO: 06/15/17

1105
**2017-100 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I
GENERAL ORDINANCES, CHAPTER 240 ZONING, ARTICLE III SECTION 33 TO
ALLOW FOR SPORTS AND RECREATION FACILITIES; SECTION 35
GROUNDWATER PROTECTION OVERLAY DISTRICTS TO CREATE SPECIAL
SITE CLEARING AND STORMWATER REQUIREMENTS FOR SPORTS AND
RECREATION FACILITY USES; AND SECTION 128 DEFINITIONS TO DEFINE
SPORTS AND RECREATION FACILITY.**

ORDERED: That Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning be amended as follows:

SECTION 1

That Chapter 240, Article III, §33 "IND Industrial District" of the Zoning Ordinance is hereby amended as follows:

1. Add a new principal permitted use to §240-33A(1), as follows:
 - (g) Sports and Recreation Facility
2. Amend the Bulk Requirements set forth in §240-33E as follows:
 1. Add a footnote 1 to the Minimum Yard Setbacks, Front, which provides:
 1. For Sports and Recreation Facilities, outdoor uses (e.g., fields, tracks, courts and swimming pools, etc.) and their accessory structures with a footprint of less than 2,000 square feet shall have a minimum front yard setback of 20 feet; provided however, that for such outdoor uses which are temporarily (i.e., not more than 182 days) covered by an air-supported or removable bubble/dome, said temporary bubble/dome shall have a minimum front yard setback of 15 feet. Retaining walls (including those used for outdoor climbing) and outdoor field/court lighting for Sports and Recreation Facilities shall not be subject to these setbacks.
 2. Add a footnote 2 to the Minimum Yard Setbacks, Side and Rear, which provides:
 2. For Sports and Recreation Facilities, outdoor uses (e.g., fields, tracks, courts and swimming pools, etc.) and their accessory structures with a footprint of less than 2,000 square feet shall have a minimum side and rear setback of 10 feet; this 10 foot side/rear setback shall also apply to such outdoor uses which are temporarily (i.e., not more than 182 days) covered by an air-supported or removable bubble/dome. Retaining walls (including those used for outdoor climbing) and outdoor field/court lighting for Sports and Recreation Facilities shall not be subject to these setbacks.

3. After Maximum Building Height, change the footnote from "1" to "3" and add a clause after "whichever is lesser" so that it reads as follows:
 3. Or two stories, whichever is lesser, except that for Sports and Recreation Facilities, the maximum building height shall be 55 feet measured to the highest point on the roof (not including antennas or similar roof fixtures).
4. Add a footnote 4 after "Maximum Lot Coverage as % of Lot Area" which provides:
 4. For Sports and Recreation Facilities, the following outdoor uses shall not be considered structures included in this calculation: open air solar-mounted carports, fields (grass or turf), courts, tracks, swimming pools, rinks, retaining walls, and similar outdoor, open air features; additionally, any such outdoor uses which are temporarily (i.e., not more than 182 days) covered by an air-supported or removable bubble/dome shall not be included in this calculation.
3. Add "except they shall not apply to Sports and Recreation Facilities" to the end of §240-33 F, Special Screening Requirements, so that the section reads as follows:

F. Special screening requirements. The provision of §240-32F herein shall apply to all uses except they shall not apply to Sports and Recreation Facilities.

SECTION 2

That Chapter 240, Article III, §35 "Groundwater Protection Overlay Districts" of the Zoning Ordinance is hereby amended as follows:

1. At the end of both §240-35F(4) and §240-35G(4), Site Clearing provisions in the Wellhead Protection (WP) and Groundwater Protection (GP) Overlay Districts, add the following at the end of the last sentence:

For Sports and Recreation Facilities, the site clearing/natural state requirements shall not apply where the proposed Stormwater Management System will be designed and constructed to provide a minimum water quality volume treatment equal to 1 inch times the total impervious area of the post-development site; and to provide treatment to remove at least 44% Total Suspended Solids prior to discharge to the infiltration system. Additionally, a long-term operations and maintenance plan shall be developed and implemented to ensure that stormwater management systems function as designed. At a minimum, the plan shall include:

1. Stormwater management system(s) owners;
2. The party or parties responsible for operation and maintenance, including how future property owners will be notified of the presence of the stormwater management system and the requirement for proper operation and maintenance;
3. The routine and non-routine maintenance tasks to be undertaken after construction is complete and a schedule for implementing those tasks;
4. A plan that is drawn to scale and shows the location of all stormwater BMP's in each treatment train along with the discharge point;
5. A description and delineation of public safety features; and
6. An estimated operations and maintenance budget.

The plan shall be subject to review and approval by the Director of Public Works as a condition of Site Plan Review Approval. Stormwater Operation and Maintenance Reports documenting compliance with the plan shall be submitted annually to the Director of Public Works and Director of Planning & Development.

2. At the end of both §240-35F(3) and §240-35G(3), Lot Coverage provisions in the Wellhead Protection (WP) and Groundwater Protection (GP) Overlay Districts, add the following at the end of the last sentence:

For the purposes of this section, a temporary (i.e., not more than 182 days) air-supported or removable bubble/dome over a Sports and Recreation Facility's outdoor use (e.g., outdoor field, track, court, swimming pool) shall not be considered a building or structure.

SECTION 3

That Chapter 240, Article XIII, §128 "Definitions" is hereby amended by adding the following new definition:

SPORTS AND RECREATION FACILITY – A facility that offers indoor and outdoor sporting, recreation, physical fitness and training, and athletic competition venues. Such a facility may include multiple structures including a field house that contains one or more indoor: ice rinks, playing fields, athletic courts, track space, swimming pools, fitness training centers, locker rooms, batting cages, accessory retail and sports related pro-shops, athletic and fitness training center, including rehabilitation facilities, food concessions and restaurant, child care areas, sports-related museums and memorabilia, accessory office space and community meeting rooms. Such facilities may also contain outdoor playing fields, tracks and courts, swimming pools, viewing stands, scoreboards, outdoor lighting, and detached comfort stations (restrooms/concessions) and other accessory structures.

SPONSOR: John Flores, Councilor Precinct 1

DATE	ACTION TAKEN
_____	_____
_____	_____

_____	Read Item
_____	Motion to Open Public Hearing
_____	Rationale
_____	Public Hearing
_____	Close Public hearing
_____	Council Discussion
_____	Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2017-XXX

INTRO: 06/15/17

SUMMARY

TO: Town Council
FROM: Total Athletics of Cape Cod, through Elizabeth Jenkins, Planning & Development Director
DATE: June 12, 2017
SUBJECT: Zoning Amendments to permit Sports & Recreation Facilities

BACKGROUND: This Zoning Ordinance amendment modifies the IND Industrial Zoning District to permit construction of an indoor/outdoor multi-sport recreational facility subject to specified dimensional requirements which are created for the use. Other than modifying the height requirements to allow for a maximum roof height of 55 feet and eliminating the industrial special screening requirements for this use, the majority of dimensional changes pertain to the outdoor component of the use. The amendment also changes the WP and GP site clearing requirements for such developments provided the development adheres to a detailed stormwater operations and maintenance plan with specified water quality treatment requirements, which are above and beyond what the Zoning Ordinance presently requires. The proposed amendment also provides clarity to the Building Division regarding the applicable dimensional requirements for a temporary air-supported bubble/dome over any such outdoor uses. Finally, the amendment creates a proposed definition for the new use.

The Industrial District has access to the municipal wastewater treatment plant and there is adequate land area for this type of multi-sport complex. The Cape Cod Chamber of Commerce commissioned a study to explore youth and amateur sports tourism opportunities for the Cape and this zoning amendment will encourage that type of development to locate within the Town of Barnstable. The development of such a facility will provide additional recreational and sporting opportunities to the Town and the region, and will positively impact the local and regional economy, particularly in the shoulder and off-seasons.

STAFF ASSISTANCE: Elizabeth Jenkins, Director, Planning & Development Department

**Town of Barnstable
Planning Board
Notice of Public Hearing
Proposed Zoning Amendment – TC Item No. 2017-165
AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I GENERAL
ORDINANCES, CHAPTER 240 ZONING FOR SPORTS AND RECREATION FACILITIES
July 10, 2017 at 7:00 P.M.**

The Planning Board of the Town of Barnstable, acting under Chapter 40A, Section 5 of the General Laws of the Commonwealth of Massachusetts, will hold a public hearing on Monday, July 10, 2017, at 7:00 p.m. in the Hearing Room of the Barnstable Town Hall, 367 Main Street, Hyannis, MA. The purpose of this hearing is to take comment on the proposed zoning ordinance amendments to Chapter 240 Article III: Section 33 to allow for sports and recreation facilities; Section 35 Groundwater Protection Overlay Districts to create special site clearing and stormwater requirements for sports and recreation facility uses; and Article XIII Section 128 Definitions to define 'Sports and Recreation Facility'.

This amendment was referred to the Planning Board for a public hearing by Town Council Item No. 2017-165. Copies of the proposed amendment are available for review at the Barnstable Town Clerk's Office, 367 Main Street, Hyannis, MA, and at the Planning Board, Planning & Development Department, 200 Main Street, Hyannis MA, during regular business hours, Monday through Friday 8:30 a.m. through 4:30 p.m.

Barnstable Patriot
June 23 & 30, 2017

Ray Lang, Chair
Barnstable Planning Board



Town of Barnstable
Planning & Development Department
www.townofbarnstable.us/planninganddevelopment



Elizabeth Jenkins, AICP
Director

June 23, 2017

Department of Housing and Community Development
100 Cambridge Street, Suite 300 - Boston, MA 02114

✓ Cape Cod Commission
P.O. Box 226 - 3225 Main Street (Route 6A) - Barnstable, MA 02630

Town of Sandwich, Planning Board
16 Jan Sebastien Drive - Sandwich, MA 02563

Town of Mashpee, Planning Board
16 Great Neck Road - Mashpee, MA 02649

Town of Yarmouth, Planning Board
1146 Route 28 - Yarmouth, MA 02664

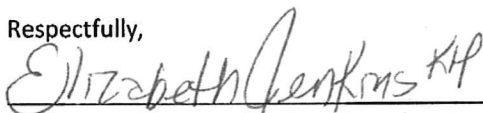
Town of Barnstable, Zoning Board of Appeals
200 Main Street- Hyannis, MA 02601

Reference: Town of Barnstable Planning Board – Notice of Public Hearing on Proposed Zoning Amendment TC Item No. 2017-165 – Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning for Sports and Recreation Facilities

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Respectfully,


Elizabeth S. Jenkins, AICP, Director, Planning & Development

Attach: Notice Amendment & Summary
Copy: Planning Board File Zoning Amendment No. 2017-165
Planning Board Chair, Raymond B. Lang

