

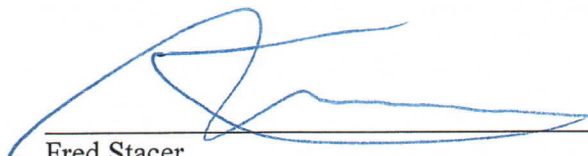
PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY
MEMORANDUM #16-019

DATE: March 28, 2016
TO: City Commission
FROM: Planning and Zoning Board/ Local Planning Agency
SUBJECT: Proposed Text Amendments to Zoning Code
Athletic Courts and related fencing

At the meeting of the Planning and Zoning Board/ Local Planning Agency held on March 23, 2016, the Board considered proposed text amendments to the Zoning Code regarding Athletic Courts and Related Fencing as set forth in the Department of Development Services Administrative Report 16-052.

Staff recommends text amendments that create a new accessory use "Athletic Court or Field," delete the existing exemption from fence height standards for recreational fencing, and create a new subsection in the Fences standards regarding fences for Athletic Court or Field.

With a unanimous vote for the approval of the amendment, it is the recommendation of the Board that the text amendments be approved.

 4-12-16

Fred Stacer
Chairman
Planning and Zoning Board/ Local Planning Agency

11. Chapter 155 Zoning Code Text Amendment, Athletic Courts and related fencing

Staff is recommending text amendments which propose a new accessory use: Athletic Court or Field and propose revisions to the related “recreational fencing” standards.

Karen Friedman introduced herself to the Board and stated that the intent of the proposed text amendments are to clarify the city’s allowance of the accessory use of Athletic Courts as well as the necessary fencing. The intent of the text amendments are to permit this athletic courts and fields as an accessory use with reasonable standards that ensure that the impacts of these courts on neighboring properties and abutting right-of-way are minimized.

In particular, the text amendments create a new accessory use “Athletic Court or Field.” The definition clarifies this is not for Parks or Plazas. The definition also clarifies this use is not intended to regulate a basketball hoop. This use would be permitted as an accessory use for many principal uses, including but not limited to, single-family and multi-family residential uses, schools, community centers, and hotels. They would not be permitted in the front or street side yards. They could be located in the interior side or rear yard setback, provided they are five feet from the property line. The text amendments would also delete the existing exemption from fence height standards for recreation fencing.

Instead, a new subsection in the Fences standards regarding fences for Athletic Court or Field. The standards would allow these fences to be permitted up to fourteen (14) feet in height provided their location, materials, and transparency comply with additional standards. The 14 foot height is recommended for two reasons. First, fencing industry standards for athletic court fencing vary between 10 feet and 15 feet. Second, Miami-Dade County utilizes a 14 foot height standard for “Fences for tennis courts; fences and walls for other recreational uses”. A copy of the industry information and Miami-Dade County standards are attached for your reference.

Tobi Aycock asked Karen Friedman if the fence is transparent, why would there be any restrictions if it is in the rear yard corner of houses on waterways. Ms. Friedman answered that the City would like to protect the views of adjacent property owners and the increased height prompts the restrictions.

Ms. Friedman stated that she is concerned that the Board’s staff reports do not have all of the conditions due to a missing page. It was determined that a page of the staff report was missing and it was needed to continue with the Board’s review.

MOTION was made by Jeff Torrey and seconded by Tobi Aycock to table the text amendments until Staff can provide the missing page to the Board. All voted in favor of the above motion; therefore, the motion was approved.

MOTION was made by Trip Bechert and seconded by Tobi Aycock to remove the item from the table. All voted in favor of the above motion; therefore, the motion passed.

Karen Friedman stated that the Board received the five (5) specific conditions that would need to be met in order for the fence associated with an athletic court or field to be extended up to fourteen (14) feet in height. Ms. Friedman read off the five conditions to the Board.

MOTION was made by Trip Bechert and seconded by Jeff Torrey to recommend approval of the proposed text amendments. All voted in favor of the above motion; therefore, the motion passed.

12. Special Meeting, ETOC Land Use Plan Amendment

Consideration of a request for a special meeting to present and discuss the proposed East Transit Oriented Corridor (ETOC) Land Use Plan Amendment on April 20th, 2016.

Mr. Stacer asked the Board if the proposed date was ok with everyone's schedules. The Board members had no objections.

MOTION was made by Trip Bechert and seconded by Beth Anderson to approve the proposed workshop on April 20, 2016 at 6pm. All voted in favor of the above motion; therefore, the motion passed.

13. Special Meeting, Capital Improvement Plan

Consideration of a request to meet in June to review the presentation of the FY 17-21 Capital Improvement Plan.

Ms. MacNeil stated that in order for the Planning and Zoning Board to be the last advisory board to review the Capital Improvement Plan (CIP), the meeting would have to take place in the month of June. Ms. MacNeil stated that the Chambers were available on June 15th and the 29th. Ms. MacNeil added that the regular meeting for June is on the 22nd; however, the special magistrate's schedule would conflict with the Planning and Zoning Board hosting a meeting at 5pm.

The Chairman discussed reviewing the CIP at 6pm on June 22, 2016 and having the regular meeting moved to 7pm. Ms. Anderson asked if an hour is sufficient for this meeting. Ms. Gomez stated that an hour would be sufficient. Ms. Sarver asked if the Planning and Zoning Board is required to review the CIP and Ms. Gomez confirmed that it is a requirement. Mr. Stacer asked the Board their preference for the time of the special meeting and several members of the Board responded that the 6pm meeting time for the CIP review on June 22nd worked well.

MOTION was made by Beth Anderson to hold a special meeting for the review of the Capital Improvement Plan at 6pm on June 22, 2016 and for the regular meeting to be held

Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. // kem