



Planning Services Division

3675 Mt. Diablo Boulevard, Suite 210

Lafayette, CA 94549-1968

Tel. (925) 284-1976 • Fax (925) 284-1122

<http://www.ci.lafayette.ca.us>

RECREATION COURTS

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6-570 Purpose.

The purpose of this article is to reduce the impacts of recreation courts and their appurtenant fencing and lighting in residential land use districts, and to implement the Lafayette general plan which envisions maintaining the semi-rural character of the city. This article is intended to:

- (1) protect the health and welfare of residential neighborhoods;
- (2) prevent nuisance situations that can change the nature of a residential neighborhood;
- (3) minimize the impacts of noise and visual appearance of recreation courts; and
- (4) permit the use of reasonable recreational activity within the yards of properties within a residential land use district.

6-571 Definitions.

In this article unless the context requires otherwise:

- (1) “fence height” means the vertical distance from the court surface to the top of the fence at any given point;
- (2) “recreation court” means an area primarily designed or intended to be used for a sport, athletic or game activity, such as but not limited to tennis, handball, volleyball, basketball, shuffleboard, and ball batting. Recreation court encompasses such elements as fencing, lighting, overhead enclosure, netting, equipment, and other structures designed, used or intended to be used in an activity conducted on a recreation court;
- (3) “residential land use district” means both single family and multifamily land use districts,

6-572 Courts subject to land use permit approval.

A recreation court in a residential land use district is subject to land use permit approval as provided in this article.

6-573 Procedures for review.

The procedure for land use permit approval of a recreation court is as follows:

- (1) an application for a land use permit shall be submitted to the zoning administrator accompanied by the required fee;
- (2) if the zoning administrator finds that the proposed recreation court fully complies with the purpose, intent, and development standards of this article and meets the findings required for a land use permit set forth in section 6-215 of the Lafayette Municipal Code, the zoning administrator may issue a land use permit without the requirement for a public hearing;
- (3) if the zoning administrator determines that a public hearing is necessary to address potential impacts or to act on a request for an exception, written notice of an application shall be provided as prescribed in Section 6-211 of the municipal code;
- (4) the zoning administrator may refer the application to the design review commission or to the planning commission, or both, for review and action;
- (5) the hearing authority may approve, conditionally approve or deny the application;
- (6) the decision of the hearing authority is subject to the right of appeal in the manner as set forth in Chapter 6-2, Article 3.

6-574 Development standards.

A recreation court shall comply with each of the following development standards.

- (1) No court shall be sited closer than 50 feet to a residence on an adjacent parcel;
- (2) No court shall be located within the setbacks governing main dwelling units in the zoning district in which it is proposed to be located;
- (3) No court shall be located in the front yard area between the front property line and the primary residence;
- (4) No court shall be illuminated with court lighting;
- (5) No court shall adversely impact existing natural or manmade drainage systems of the neighborhood. The applicant shall implement on-site detention or other means to achieve zero net increase to peak storm water runoff. Offsite improvements may be required to mitigate an increase in runoff from the site;
- (6) A recreation court shall be landscaped with plantings that provide mitigation screening for each side of the court which has the potential to have an adverse visual or aural impact on a neighboring property;
- (7) A recreation court shall be used solely for the recreational use and enjoyment of the occupants of the property and their guests and may not be used for other uses such as but not limited to a commercial activity, parking lot, storage or other use not meeting the definition of a recreation court;
- (8) Fencing and other court enclosures shall be dark in color and designed to be unobtrusive. The height shall be no taller than 10 feet above the finished surface of the court.

6-575 Exceptions.

If a recreation court does not comply with the development standards in section 6-574 (1-4), an applicant may submit a request to the zoning administrator for an exception. The zoning administrator shall act on each request for an exception to section 6-574 (1-3). The reviewing body for an exception to section 6-574 (4) is the Planning Commission. The reviewing body for an exception shall make the following finding to grant an exception:

The grant of an exception will not result in a recreation court that has the potential to adversely impact a neighboring property, the local neighborhood, a street, a public walkway, trail, or other public space.

6-576 Fees.

- (a) The fee for the exception authorized in section 6-575 is the same as that required for a variance application, as fixed by city council resolution;
- (b) The fee for the land use permit authorized in section 6-572 is the same amount required for a land use permit application by the zoning administrator or by the planning commission, as fixed by city council resolution.