

Date: October 8, 2024

To: Mayor Kircher and Council Members

From: Robert and Sandra Ludlow, 18 Canyon Road, Ross, CA

Re: Agenda Item 11. **Regulating pickleball courts on private property and in residential zones.**

We would like to express, and reiterate our opposition to allowing pickleball courts in residential zones because of the noise nuisance that they represent.

Pickleball is a use that is not consistent with the Town's ordinances and design guidelines.

Ordinance 9.20.010 prohibits " ... any unnecessary noises or sounds which are annoying to persons of ordinary sensitiveness " and the Town's adopted design guidelines include the Overarching Design Principle to " Respect Neighboring Properties and Prioritize Privacy ".

Pickleball is a known source of offensively loud noise. Many of our friends play pickleball and it is a fine sport, but it is a known source of offensively loud noise. This noise has been deemed a nuisance by many municipalities, not just for the volume, but also for the pitch and frequency of the noise. Other sports do not have the same history of noise complaints.

The Town of Ross strives to maintain a peaceful small town atmosphere. The Town of Ross has existing municipal ordinances that prohibit crowing roosters, loud musical instruments, or loud machinery. It would be entirely consistent with the intent of maintaining a peaceful small town atmosphere to update the Town's ordinances to prohibit pickleball. It is an activity that would undoubtedly be disturbing to neighbors.

Noise-reducing paddles and balls are ineffective and unenforceable. The pickleball industry recognizes that the game produces unacceptable noise levels. The quietest equipment produced so far has only reduced sound levels from 85dB to 80 dB, and requiring the use of such equipment would be completely unenforceable.

Sound mitigation measures would require obtrusive sound walls. If pickleball courts were to be allowed subject to noise mitigation measures, sound barriers would need to be tall, solid walls that are contrary to the Town's design guidelines to " Maintain a visual connection from the street into a property. "

The noise of pickleball would affect the value of neighboring properties. Noise nuisance from neighboring properties needs to be disclosed to prospective buyers. A single court would affect all neighboring properties within audible range.

Proactive action is needed from the Town Council. A clear ordinance to prohibit pickleball on open residential courts is needed to limit and avoid litigation, costly acoustic studies, and acrimony between neighbors.
