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October 8, 2024

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VIA EMAIL

Mayor C. William Kircher
Councilmember Julie Mcmillan
Councilmember Teri Dowling
Councilmember Elizabeth Robbins
Councilmember Matthew Salter
Town of Ross
P.O. Box 320
Ross, CA 94957

Re: Town Council Agenda Item No. 11

Dear Mayor Kircher and Honorable Councilmembers:

Perkins Coie LLP represents Thom Weisel, who lives at 7 Upper Road. The staff report for Agenda Item No. 11 presents the issue before the Council as “possible regulations for pickleball courts on private property and residential zones,” and the possible options available to the Council as:

1. Town Council may amend the Municipal Code to prospectively prohibit pickleball court uses within 250 feet of residential property lines; or
2. Town Council may amend the Municipal Code to prospectively prohibit pickleball court uses in residential zones.
3. Town Council may amend the Municipal Code Use Permits Section adding pickleball court as a use classification requiring a use permit. This would likely require a noise study and noise mitigation, such as a noise barrier to demonstrate that the noise will not exceed 55 dB along all property lines, along with additional requirements and conditions of approval; or
4. Town Council may keep the current Municipal Code as is, without regulation of pickleball courts.

October 10, 2024 Staff Report for Agenda Item 11 at 1 and 4.

It is not clear from this framing of the issue and the proposed options for the Council’s consideration whether the Council is considering only pickleball courts and play on private residential properties within residential zones, **or** all pickleball courts and play on private property in residential zones.

The Town’s Municipal Code provides at Section 18.16.030.B that “nonprofit social and recreational clubs” in the Single Family Residence (R-1) District require a use permit for their operations. Mr. Weisel seeks clarification that under the existing regulations pickleball courts and/or play at such a facility would be required to be included in the facility’s use permit.

Thank you for your consideration of this issue.

Mayor Kircher and Honorable Councilmembers
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Sincerely,

A handwritten signature in blue ink that reads "D Quick". The signature is written in a cursive style with a large, looped "D" and a trailing flourish.

Deborah E. Quick
Senior Counsel

DEQ:ews
None

cc: Benjamin Stock, Esq.