

Changed my mind

Tracy Doyle <tracyoilsistas@gmail.com>

Wed 8/23/2023 5:04 PM

To: Planning Department <planning@edcgov.us>

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Hi Commissioners:

I would like to cancel my initial opinion and letter regarding pickle ball courts. I don't have enough info to determine if I actually do support this. So I rescind my support.

Thanks,
Tracy Doyle
Cameron Park

--

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Cameron Park Pickleball Courts

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Barbara Gross <barbara_gross@sbcglobal.net>

Wed 8/23/2023 8:15 PM

To: Planning Department <planning@edcgov.us>; Brandon Reinhardt <Brandon.Reinhardt@edcgov.us>; Kris X. Payne <KPayne@edcgov.us>; Lexi Boeger <Lexi.Boeger@edcgov.us>; Andy Nevis <Andy.Nevis@edcgov.us>; Daniel Harkin <Daniel.Harkin@edcgov.us>

You don't often get email from barbara_gross@sbcglobal.net. [Learn why this is important](#)

Hello,

I am writing in support of re-opening and keeping the Cameron Park Lake Pickleball Courts open.

I began playing early on, approximately 10 years ago, at the lake. It was a delightful time of learning the game and meeting neighbors and others in the community. I was not yet retired, so could only play on Saturday mornings. I remember one of the neighbors whose backyard backed up to the courts approaching us and respectfully and sincerely asking us if we could start at 8:30 am on Saturdays so he could sleep in. We immediately obliged and changed the start time to 8:30.

During the years I have played there have been many benefits to myself, my husband, and so many others. Here are just a few of them:

- My husband lost over 50 pounds while picking up the sport.
- I lost over 25 pounds while playing
- I started a beginners group on Monday mornings so others could come and learn
- When I retired 6 years ago I barely knew anyone in Cameron Park and the surrounding community. With the pickleball players I acquired many new acquaintances and quite a few of them have become good friends. Where else would that have happened??
- Early on the informal leaders of the CP pickleball group decided that our courts would be open to ALL, whether you knew how to play or not. We were not going to "rank" the players and have designated courts for different levels. You played with whoever's paddle was up next. Some games you would be playing with players better than you – so you would learn and up your game. Some games you would play with players not as skilled as you – so you would payback the time others played with you when you were just learning. It was a friendly, open place to play. No other area around us has that set up. You are ranked and must play competitively. Yuck!
- During COVID, playing outside in the courts was a delight and a life saver for so many. It was a chance to workout, be outside, laugh, socialize (at a distance) and keep some sanity in our lives that was suddenly tipped upside down and so isolating.
- Unfortunately, we have lost two of our players in the last couple of years. While I am very sad to not have them playing with us anymore, it was an honor and a pleasure to get to know them and have them as friends, which I would not have done without pickleball to bring us together. At one of the memorials, over half of the people attending were from the pickleball community, most of whom would not have known him without those courts being available to us.
- While pickleball is great, I was looking for something to keep my brain invigorated, as well as my body. One of the players introduced us to Mah Jongg and we now have a group of us who meet every week to play. We have become a support group for each

other, through sickness, death and life events. Again, I stress, that none of that would have happened without meeting each other through pickleball.

- I have recently been diagnosed with a rare disease and have been ill for over a year. The pickleball community and the Mah Jongg group have been unbelievably supportive to me and my husband. Cards, flowers, calls, texts, meals, etc. helped me to get through a very difficult and isolating time in my life. I am beyond grateful for them! I recently played for my first time in over a year and going to the courts was like walking into Cheers. Players stopped playing, yelled my name, and gave me hugs. It was quite amazing and emotional. I felt like I had come "home".

So, in summary, the pickleball playing is wonderful for the comraderie, exercise, laughter and good will for those that play and the community that is Cameron Park. I feel it should be applauded and looked upon as a wildly successful program for all. Instead, ONE person is allowed to shut it down, versus the 400+ people who have played at the courts. Something seems very wrong about that! Especially someone who KNOWINGLY bought a piece of property backing up to a very large park. The same thing happened when a dog park was recommended for our community. ONE person (who owned and operated a doggy day care business) was able to shut it down completely. All other neighbors were on board. So, the tenacious group continued to have discussions with CSD for a better location, and now we have a lovely dog park used by so many in the community.

I feel the compromise offered was sincere and very doable, but even that was turned down by the ONE person against the courts – by the way, the courts that she uses regularly to play tennis. Fair?? I don't think so!

I would love to see courts built on Christa McAullife park. There is parking, a bathroom, and most importantly, no homes nearby to be affected by the noise. The freeway will not suffer from noise from the pickleball bounces. That said, it will probably be a few years, just like the dog park, before all hoops are jumped through to make that happen. In the meantime, PLEASE let us have the pickleball courts that you helped build, for the benefit of so many.

Regards,
Barbara Gross
Cameron Park Resident

Sent from [Mail](#) for Windows

**Public Comment re ADM-A23-0003/Appeal Filed of Staff Level Planning Director
Approval of Administrative Permit, ADM23-0014 (Cameron Park CSD Pickleball Courts)**

Joel Ellinwood <jellinwood49@gmail.com>

Wed 8/23/2023 10:15 PM

To: Planning Department <planning@edcgov.us>

P.C. 08/24/2023

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5 Pages

📎 1 attachments (110 KB)

Joel Ellinwood ltr to EDC Planning Commission 8-23-2023.pdf;

You don't often get email from jellinwood49@gmail.com. [Learn why this is important](#)

Please distribute the attached letter to the Planning Commissioners at or before the hearing on item #4 at tomorrow's meeting. Thank you.

Joel Ellinwood

Tel: (916) 214-2801

Joel Ellinwood, J.D./M.C.R.P
3119 Cambridge Road
Cameron Park, CA 95682
Tel: (916) 214-2801
Email: jellinwood49@gmail.com
August 23, 2023

El Dorado County Planning Commission
c/o Planning Services
2850 Fairlane Court
Placerville, CA 95667

Sent via email: planning@edcgov.us

Re: Appeal by Dave and Liz Gates of Administrative Permit Application ADM-23-0014
Cameron Park Community Services District Pickle Ball Courts

Honorable Commissioners:

I write in support of the appeal by Dave and Liz Gates to be heard at the August 24, 2023
Planning Commission meeting.

I am a resident within the Cameron Park Community Services District on the opposite side of
Cameron Park Lake from the location of the District's tennis courts. I am well familiar with the
courts and their surroundings. I have been a tennis player since childhood. I am also familiar
with and have personally observed pickleball courts, including those at Cameron Park Lake. I
have many friends and relatives who greatly enjoy playing pickleball.

I am a land use and environmental law attorney with a Masters degree in City and Regional
Planning. I do not represent Mr. and Mrs. Gates in this matter but I support their appeal. I have
reviewed the staff report and other materials prepared for your review and consideration. There
are several fundamental errors in those reports as explained below.

First and foremost is the characterization of the action by the Director of the administrative
permit as a "ministerial" act. The California Environmental Quality Act (CEQA) Guidelines
defines the distinction between a discretionary action which is subject to CEQA, and a
ministerial act which is exempt at 14 C.C.R. § 15002 (i):

(i) Discretionary Action. CEQA applies in situations where a governmental agency
can use its judgment in deciding whether and how to carry out or approve a
project. A project subject to such judgmental controls is called a "discretionary
project." See Section 15357.

(1) Where the law requires a governmental agency to act on a project in a set
way without allowing the agency to use its own judgment, the project is called
"ministerial," and CEQA does not apply. See Section 15369.

(2) Whether an agency has discretionary or ministerial controls over a project depends on the authority granted by the law providing the controls over the activity. Similar projects may be subject to discretionary controls in one city or county and only ministerial controls in another. See Section 15268.

CEQA Guidelines section 15357 provides further explanation of the characteristics of a discretionary project:

"Discretionary project" means a project which requires the exercise of judgment or deliberation when the public agency or body decides to approve or disapprove a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances, regulations, or other fixed standards. The key question is whether the public agency can use its subjective judgment to decide whether and how to carry out or approve a project.

Guidelines section 15369 explains ministerial projects:

"Ministerial" describes a governmental decision involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely applies the law to the facts as presented but uses no special discretion or judgment in reaching a decision. A ministerial decision involves only the use of fixed standards or objective measurements, and the public official cannot use personal, subjective judgment in deciding whether or how the project should be carried out. Common examples of ministerial permits include automobile registrations, dog licenses, and marriage licenses. A building permit is ministerial if the ordinance requiring the permit limits the public official to determining whether the zoning allows the structure to be built in the requested location, the structure would meet the strength requirements in the Uniform Building Code, and the applicant has paid his fee.

The Administrative Permit at issue in this matter required the exercise of personal or professional judgment by the Director (and by the Planning Commission on appeal), not simply ticking the boxes to determine compliance with fixed standards or objective measurements. The park is zone RFH in which tennis courts are allowed subject to an administrative permit (EDC Code § 130.25.020), not as an explicitly permitted use which would be clearly ministerial.

Per § 130.52.010.A.2. the standards for approval of an administrative permit are:

- a. The structure(s) or use(s) are in compliance with the applicable zone provisions, standards or requirements of this Title, any applicable specific plans,

- or any other regulations adopted by the County through ordinance or resolution;
and
b. The structure(s) and use(s) are in compliance with requirements and conditions of previously approved entitlements, such as Minor and Conditional Use Permits, or variances, if applicable.

Pickle ball courts are not listed in the use matrix in the RFH zone. Uses not listed are prohibited. § 130.020.030.A.2.b. unless the Director makes a determination that the unlisted use is allowed as a similar and compatible use, which is inherently a discretionary judgment call. To make that determination under El Dorado County Code section 130.020.030.A.3 the Director must make the following findings in writing:

- (1) The characteristics of, and activities associated with the use are similar to one or more of the listed uses, and will not involve a greater intensity than the uses listed in the zone; [emphasis added]
- (2) The use will be consistent with the purposes of the applicable zone;
- (3) The use will be consistent with the General Plan and any applicable specific plan; and
- (4) The use will be compatible with the other uses allowed in the zone.

A determination that a use qualifies as a similar and compatible use and the findings supporting the determination shall be in writing. The Zoning Ordinance shall be periodically amended to incorporate those uses not listed in this Article which are found to be similar and compatible.

The evidence submitted by the Gates in their appeal is overwhelming that the conversion of tennis courts to pickleball courts involves a much greater intensity of use than tennis court use in multiple respects:

- The number of potential players in the same area could be quadrupled. One tennis court would be permanently converted to four pickleball courts. Instead of four players playing doubles on one tennis court, there could be sixteen players playing doubles on four much smaller pickleball courts. Two other existing tennis courts could include two temporary pickleball courts each. In a space with a maximum of 12 tennis players, there could be as many as 32 pickleball players.
- The nature and intensity of sound generated by pickleball is much greater than tennis. Smaller courts means more frequent ball strikes in the same period of time. The sound emitted by a hard paddle striking a hard plastic pickleball is much more intense and louder than a felt-covered soft tennis ball striking a stringed tennis racket. Measurements by professional sound engineers that the Gates submitted as part of the record document that fact. Player enthusiasm also results in occasional loud expressions of triumph or frustration. More players in the same area means more such noise.

- The greater number of pickleball players that can be accommodated in the same area means many more vehicles going and coming to the venue, overwhelming the limited parking spaces available at the park and overflowing to surrounding neighborhood streets.

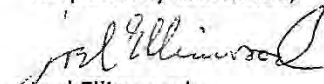
By law the Director's written findings that pickleball use will not involve a greater intensity of use than tennis must be supported by substantial evidence in the record considered as a whole. Failure to do so is legally considered an abuse of discretion.

Tennis and pickleball are only superficially similar recreational uses – both involving a paddle or racket and a ball played on a hard court over a net. However, the similarities end there. The issue before the Planning Commission is whether the legal standards for granting a CEQA exemption and approving pickleball as a similar and compatible use as tennis, not a popularity contest about pickleball.

It is clear that pickleball is a popular and growing sport, accommodating a broader range of ages, fitness and skill levels than tennis. I strongly support the CPCSD providing pickleball facilities in an appropriate location that does not create a nuisance for surrounding nearby residents, such as the Gates and their neighbors. Conversion of the tennis courts to pickleball use at Cameron Park Lake is not such a location.

In sum, the decision involved in the administrative permit at issue is a discretionary one, not a ministerial one. It is therefore subject to CEQA, and not entitled to the statutory exemption under CEQA Guidelines § 15268 as proposed by staff. The evidence submitted by the Gates establishes that the increased noise and other impacts of a conversion of tennis courts to pickleball courts cannot be feasibly mitigated to a less than significant level so that approval of a mitigated negative declaration is legally permissible. Furthermore, in order to approve an administrative permit, the Director must find that pickleball does not involve a greater intensity of use than tennis and support those findings by evidence in the record when considered as whole – which finding cannot reasonably be made in light of the substantial evidence submitted by the Gates in support of their appeal. For these reasons I respectfully request that the Commission grant the appeal and direct staff to provide appropriate findings as outlined above to support the denial of the administrative permit.

Respectfully submitted,



Joel Ellinwood

Public Comment re PC Meeting Aug 24 Agenda item #4 23-1530


P.C. 08/24/2023
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4 Pages

Eve Lowry <evejlowry@gmail.com>

Wed 8/23/2023 8:39 PM

To: Planning Department <planning@edcgov.us>

Cc: Liz Gates <lizrgates@gmail.com>

 1 attachments (47 KB)

Pickle ball letter.pdf;

You don't often get email from evejlowry@gmail.com. [Learn why this is important](#)

Please provide a copy of the letter attached to each of the Planning Commissioners at tomorrow's meeting.

Thank you.

Eve Lowry

Eve Lowry
3119 Cambridge Rd
Cameron Park, CA 95682
August 23, 2023

To El Dorado County Planning Commission
Sent via email: planning@edcgov.us

Re: Public Comment - Planning Commission Meeting Aug 24 Agenda item #4 23-1530

Good Day,

I have received the Notice of Decision re Administrative Permit ADM23-0014 to allow permanent Pickle Ball courts at Cameron Park Lake. I live in a condo at the lake. I love pickle ball and love seeing the diversity of people who enjoy this form of recreation and social interaction. I applaud your goodwill intention to support this activity for the many people who enjoy it.

I understand your inclination to rule in favor of the recreational needs of a large group of enthusiasts over the needs of a few neighbors.

However, I am writing in OPPOSITION to this decision. The tennis courts have been here for decades, and were used daily for that game before one of the courts was converted to 4 pickle ball courts and another was adapted for multi-use pickle ball/tennis.

The notice of the planning staff recommendation to approve this project states:
"Although pickleball courts are not directly listed within the El Dorado County Zoning Ordinance, it has been determined to be a similar and compatible use with tennis courts."

I can only surmise this determination was made without visiting the site or experiencing the noise level. I have experienced the sound of 6 pickle ball courts in use at this location and I can tell you it sounds like a war. If you are playing, or watching, for an hour or two, that's fine. But to be subjected to this level of explosive, ballistic, repetitive noise for long periods, is absolutely intolerable. Your letter accurately states that the property line is 10 feet from the courts. The neighbors whose backyards begin at that property line, are subjected to intolerable noise levels when the pickleball courts are in use.

This is not a one-time, finite event, like 4th of July fireworks, or a concert... when folks in neighboring homes can prepare by securing their animals, closing their windows, or even leaving their homes for the duration of the event. This is a serious kind of noise that is extremely disturbing on a continuous and unpredictable basis.

Fire engines, ambulances, warning sirens... all create disturbing, but necessary noise levels, which no one questions. Pickle ball is a wonderful sport, and necessary for the happiness of the

many aficionados who participate. It provides excellent recreational opportunities, for healthy physical activity and beneficial social interaction, with very low maintenance and staffing cost to the CSD. Pickle ball courts should be provided, but not in a location which causes demonstrable harm to the neighbors.

The sound level from the Cameron Park Lake pickle ball courts has been tested and exceeds the legal limit for residential neighborhoods. I understand that noise level ordinances can somehow be overridden or "waived" to meet recreation needs, but, in this case, that is completely unnecessary. Cameron Park CSD has 1.2 million dollars of categorical funds from developer impact fees, available to build new recreation facilities. This is money which was earmarked for a Splash Pad project that has been cancelled. It cannot be used for staffing, maintenance, repairs or services, such as fire protection, classes, etc. It can only be used to build new recreational amenities.

The CSD already owns a perfect location for pickle ball courts in Christa McCauliffe Park, adjacent to existing sports fields, parking, and bathrooms AND distant from residential housing. A sample proposal was developed by a Sports Court construction company for this site, and provided to the CPCSD. This sample plan would accommodate 8 pickle ball courts in this location, for about \$400,000. This is the cost for a top of the line facility. Lower quality courts, similar to the existing courts at the lake, would cost less. Even at the top cost level, this is one third of the available funds, and would provide more courts, with easier access and more available parking than Cameron Park Lake. The existing soccer fields at Christa McCauliffe Park would not need to be moved or eliminated, as there is a wide band of unused space on the backside of the park.

Christa McCauliffe Park is across the street from Camerado Middle School, offering the opportunity for joint use agreements. The proposed location of the pickle ball courts is on the far side of the park, away from the school, not 10 feet, but several hundred yards away from the school property line.

Pickle ball is currently being accommodated in the CSD building gymnasium. This facility could continue to be used until the new pickle ball courts are available.

The Cameron Park CSD board, as well as your planning department, has been made aware of the many lawsuits occurring across the country related to unbearable noise levels from pickle ball courts. It would be irresponsible on the part of both the CSD and the Planning and Building Department to expose the county to the inevitable and costly lawsuits which will result from ignoring the detrimental impact on the health and sanity of the neighbors.

This can all be avoided by properly and thoughtfully locating courts for this excellent sport.

Please help the Cameron Park CSD be a good neighbor, while avoiding the threat of expensive lawsuits for both the CSD, and the county government.

Denying the re-instatement of pickle ball at Cameron Park Lake would truly be in the best interest of the many.

Sincerely,

Eve Lowry

(DISTRIBUTED AT PC 8/24/2023 HEARING) ITEM # 4
10 PAGES



**EL DORADO COUNTY
PLANNING & BUILDING DEPARTMENT**

2850 Fairlane Court, Placerville, CA 95667
Phone (530) 621-5355, Fax (530) 642-0508

To: Planning Commission Agenda of: August 24, 2023
From: Evan Mattes, Senior Planner
Date: August 17, 2023
Subject: ADM-A23-0003/Appeal Filed of Staff Level Planning Director Approval of Administrative Permit, ADM23-0014 (Cameron Park CSD Pickleball Courts)

Recommendation

Based on the analysis of Administrative Permit, ADM23-0014, staff recommends the Planning Commission deny the appeal and uphold the approval of Administrative Permit ADM23-0014, based on the Findings and subject to the Conditions of Approval as approved by the Planning Director.

Alternative Action

Grant the appeal by Dave and Liz Gates (ADM-A23-0003), deny Administrative Permit, ADM23-00014, and instruct staff to return with Findings for Denial.

Background

An Administrative Permit, ADM23-0014, was submitted on March 31, 2023 for a request to allow for four permanent pickleball courts, two multiuse pickle ball/tennis courts and one dedicated tennis court.

The project site, identified by Assessor's Parcel Number 083-020-024, is located within Cameron Park Lake, a public park located operated by the Cameron Park Community Services District (CSD). The tennis/pickleball courts are located at the northern portion of the park approximately 10 feet from the northern property line. The site has been used for tennis courts since at least the mid 1970's and did not require any permits when constructed. Originally consisting of four tennis courts, the CSD began converting tennis courts to pickle ball courts in 2015. Currently there are four dedicated pickleball courts, two multiuse pickleball/tennis courts, and one dedicated tennis court. The property is zoned Recreational Facilities, High (RF-H), with a General Plan Land Use Designation of Public Facilities (PF).

Currently the Zoning Ordinance requires the approval of an Administrative Permit for the establishment of tennis courts. Due to the time of which the tennis courts were initially established, the original tennis courts are legal nonconforming. The conversion of existing courts to accommodate pickleball is considered to be an intensification of the original legal nonconforming use and would require either an Administrative Permit, to establish the courts as a legal conforming use, or a Conditional Use Permit to intensify a legal nonconforming use. The project

? Please clarify legal nonconforming aspects
↑
w/o permit
not legal
Doesn't conform to
130.25.030 or/and
130.40.210F.2

confusing

Refer to Appeal pg 5.

23-1530 A 1 of 3

applicant chose to pursue an Administrative Permit. With the approval of this Administrative Permit the courts would no longer be legal nonconforming and would be legal conforming instead. Should this Administrative Permit be denied, the project applicant could pursue the alternative Conditional Use Permit for intensification.

← should apply only to Allowed uses explicitly listed; otherwise it is discretionary.

Administrative Permits are a staff level review with Planning Director approval and was approved July 24, 2023. Administrative Permits are a ministerial project and are statutorily exempt from CEQA per Section 15268 of the CEQA Guidelines. As a ministerial project only the adopted standards may be applied. Conditions of Approval, which are not adopted standards cannot be applied to the project. ★

Appeal Filed

On July 25, 2023, Appeal ADM-A23-0003 was submitted in a timely manner by Dave and Liz Gates appealing the Planning Director's approval of Administrative Permit, ADM23-0014, Cameron Park CSD Pickleball Courts (enclosed). As stated in their letter, the appellant is specifically concerned about the potential noise impacts and associated quality of life issues.

Staff Response

Below is a summary of staff's response to the concerns stated in the submitted appeal.

CEQA Exemption

The appellant states that while Administrative Permits are considered to be ministerial, the noise exemption is classified as a categorical exemption and therefore the noise exemption does not apply to ministerial projects.

The appellant is confusing the Zoning Ordinance and CEQA requirements. Pursuant to section 130.52.010 of the El Dorado County Zoning Ordinance, the issuance of an Administrative Permit shall be a ministerial project pursuant to CEQA. Since Administrative Permits are ministerial projects, they are statutorily exempt from CEQA per Section 15268 of the CEQA Guidelines. The appellant erroneously refers to Section 130.37.020.A as a Categorical Exemption per CEQA. Section 130.37.020.A is the section of the Zoning Ordinance that exempts activities conducted in public parks from the noise standards of the Zoning Ordinance. *? where?*

** The exemption assumes a prior review and consideration of potential noise impacts of each listed Allowed Use.*

Use Determination:

Pursuant to Section 130.020.030.A.3, where uses are not listed within the Zoning Ordinance the Planning Director may determine that the unlisted use is similar and compatible with a listed use. It was determined that while a pickleball court is a use that is not explicitly listed in the Zoning Ordinance that it was similar and compatible with a tennis court. Appellant states that pickleball courts and tennis courts are substantially dissimilar and incompatible due to noise generated from and the size of the game of pickleball versus noise generated from tennis. Pursuant to Section 130.37.020.A activities conducted in public parks are exempt from the noise standards of the zoning ordinance. The subject parcel is zoned RFH, which is intended to regulate and promote recreational uses and activities with high concentrations of people or activities of a more urban nature. As a recreational use the proposed pickleball courts would be consistent and compatible with the RFH zone and the other uses allowed within the RFH zone. The current courts could

This determination had no supporting documentation & ignores relevant dissimilarities.

in other words, exercise judgement or discretion

** Noise from Approved Uses with the required permit is exempt. Pickleball is not an Approved Use.*

accommodate a maximum of 36 people. Under the previous court arrangement a total of 16 people could play at a time. This is a 20-player increase. Your Commission will be able to hear public testimony regarding this compatibility finding and weigh the testimony received.

Legal Nonconforming Status: *increased intensity is not allowed. See Appeal pg 5, 130.6d.050.*

The appellant asserts that the original tennis courts were not legal nonconforming as no permit history was found and that the original tennis courts can never be considered legal nonconforming as the current RFH zone has a 50-foot setback. At the time of establishment, a tennis court within a public park would not have required an administrative permit. The Building Department did not and continues to not require building permits for flat work, such as tennis courts. Due to the requirements of the time of establishment the original tennis courts are considered legal nonconforming. Unless otherwise specified within the Zoning Ordinance, the zoning standard setbacks are applied as a structural setback and would not be applied to flatwork. Furthermore, legal nonconforming structures that do not comply with current setbacks may be expanded so long as the expansion does not encroach further into the required setback. While the courts are not a structure and would not have structural setbacks, there would be no expansion closer to the property line. However, when read in conjunction with other sections of the Zoning Ordinance, there is a potential statutory ambiguity. Section 130.30.210 requires that administrative permits for outdoor recreational facilities are reviewed for impacts to surrounding areas. Again, your Commission is positioned to receive public testimony regarding impacts of the recreational use on the neighboring area and whether the Administrative Permit meets the requirements of the Zoning Ordinance.

Please see Appeal pg. 11.

Allowed uses (emphasis) and associated structures

Incorrect statement Refer to Appeal pg 5.

Not correct - Refer to Appeal pg 5.

130.40.21

Declaratory, Pickleball similar and compatible with tennis courts must include review of impacts to surrounding areas both RF-H and Residential.

The Administrative Permit is required due to the increased number of overall courts. With the issuance of the Administrative Permit the courts would be conforming with the current Zoning Ordinance and would no longer be legal nonconforming. The findings for an expansion of a legal nonconforming use are not applicable to this Administrative Permit.

Staff Conclusion

** Logic must bring you to conclude the permit approval should be denied.*

Based on the above staff analysis of the appeal request, staff recommends the Planning Commission deny the appeal and uphold the approval of Administrative Permit ADM23-0014, based on the Findings as approved by the Planning Director. However, if your Commission receives testimony and reaches a different conclusion, staff is prepared to provide guidance on alternative actions.

Enclosures (45 pages total)

- ADM-A23-0003 Appeal Form
- ADM23-0014 Approval Letter
- ADM23-0014 Application Packet
- ADM23-0014 Aerial Maps



sented in Table III. The maximum, L_{MAX} , sound levels were 87, 81, and 85 dB(A) for the three time periods while the peak levels were 113, 111 and 113 dB. When sound is generated by impulses, the normal L_{eq} or L_{MAX} sound levels can not correctly identify the sound level. Figure 2 compares the L_n statistical sound level measured at Position 2 with both the "hard" and the "soft" Pickleball. A comparison is given in Figure 3 of these statistical sound levels with the unweighted peak sound level, L_{ZPK} .

See pg 20 for Figure 3

TABLE II. Summary of Sound Levels Measured Positions #1, #2, and #3 with a Slow Response and Position #4 with a Fast Response During Pickleball Activity with the Normal Hard Pickleball Compared with a Soft Pickleball at Cameron Lake Park Courts.

Position	Time, a.m.	Measured Sound Level, dB(A), Slow Response							
		L_{eq}	L_{MAX}	L_{ZPK}	$L_{1.7}$	$L_{5.3}$	L_{25}	L_{50}	L_{90}
#1, No PB	07:52-08:00	49	69	106	56	50	47	46	43
#1, Hard PB	08:00-09:00	53	68	92	60	57	54	51	45
Soft then Hard	09:00-10:00	54	66	91	61	58	55	52	47
#1, Hard PB	09:10-10:00	54	66	91	61	58	55	52	47
#1, Hard PB	10:00-10:28	55	66	91	62	59	56	54	48
#1, Hard PB	08:50-09:00	55	68	89	62	58	55	53	47
#1, Soft PB	09:00-09:10	53	63	88	60	56	53	50	46
Total Time	07:52-10:28	54	69	106	61	58	55	52	46
#2, Hard PB	08:33-09:00	68	87	113	77	70	66	62	56
Soft then Hard	09:00-10:00	66	82	111	76	70	66	62	56
#2, Hard PB	09:10-10:00	67	81	111	76	70	66	63	56
#2, Hard PB	10:00-10:54	67	85	113	76	70	66	63	56
#2, Hard PB	08:50-09:00	68	87	113	77	70	66	62	56
#2, Soft PB	09:00-09:10	65	82	106	73	68	64	61	55
Total Time	08:33-10:54	67	87	113	76	70	66	63	56
#3, Hard PB	08:34-09:00	67	77	112	73	70	68	65	60
Soft then Hard	09:00-10:00	66	75	111	73	69	67	64	59
#3, Hard PB	09:10-10:00	66	75	111	73	69	67	65	59
#3, Hard PB	10:00-10:53	67	78	114	74	71	67	64	60
#3, Hard PB	08:50-09:00	67	74	112	74	72	69	65	60
#3, Soft PB	09:00-09:10	63	69	109	69	67	64	61	58
Total Time	08:34-10:53	66	78	114	73	70	67	64	59
#4, Hard, Fast	08:49-08:53	67	93	109	76	65	59	55	49

#1 our Nook windows

#2 inside our back gate

#3 behind our shed

#4 Evans' fence

At Position #3, Table II shows L_{eq} sound levels of 67, 66 and 67 dB(A) from 8:34 to 9:10 a.m., 9:00 to 10:00 a.m. and 10:00 to 10:53 a.m. with a hard Pickleball. The L_{MAX} sound level was 77, 75 and 78 dB(A) for the three time intervals. The L_{ZPK} sound level was 112, 111 and 114 dB, while the

L_{ZPK} = unweighted peak sound level
 L_{MAX} = maximum sound level
 L_{eq} = Average sound level -

6

$L_{1.7}$ = sound level exceeded in a minute
 $L_{5.3}$ = sound level exceeded in 5 minutes
 L_{25} = sound level exceeded in 15 minutes
 L_{50} = sound level exceeded in 30 min
 L_{90} = sound level exceeded in 1 hour

POINTS OF REFERENCE MEASURED IN DECIBELS

- 0 The softest sound a person can hear with normal hearing
- 10 normal breathing
- 20 whispering at 5 feet
- 30 soft whisper
- 50 rainfall
- 60 normal conversation
- 110 shouting in ear
- 120 thunder

COMMON NOISE LEVELS (DBA)

Do *your* daily activities put you at risk of noise-induced hearing loss? Check out the list below and see if action is needed to protect your hearing from noise. Repeat exposure to noise at a level of just 70 dBA can cause permanent hearing issues. What can you do? Avoid noisy environments. And on those occasions where you can't distance yourself from the noise source, use hearing protection. Noise-induced hearing loss is permanent, yet entirely preventable.

Home

- 50 Refrigerator
- 50-60 Electric Toothbrush
- 50-75 Washing Machine
- 50-75 Air Conditioner
- 50-80 Electric Shaver
- 55 Coffee Percolator
- 55-70 Dishwasher
- 60 Sewing Machine
- 60-85 Vacuum Cleaner
- 60-95 Hair Dryer
- 65-80 Alarm Clock
- 70 TV Audio
- 70-80 Coffee Grinder
- 70-95 Garbage Disposal
- 75-85 Flush Toilet
- 80 Pop-Up Toaster
- 80 Doorbell
- 80 Ringing Telephone
- 80 Whistling Kettle
- 80-90 Food Mixer or Processor
- 80-90 Blender
- 110 Baby Crying
- 110 Squeaky Toy Held Close to Ear
- 135 Noisy Squeeze Toys

Work


- 40 Quiet Office, Library
- 50 Large Office
- 65-95 Power Lawn Mower
- 80 Manual Machine, Tools
- 85 Handsaw
- 90 Tractor
- 90-115 Subway
- 95 Electric drill
- 100 Factory Machinery
- 100 Woodworking Class
- 105 Snow Blower
- 110 Power Saw
- 110 Leaf Blower
- 120-125 Chainsaw, Hammer On Nail
- 120 Pneumatic Drills, Heavy Machine
- 120 Jet Plane at Ramp
- 120 Ambulance Siren
- 130 Jackhammer, Power Drill
- 130 Air Raid
- 130 Percussion Section at Symphony
- 140 Airplane Taking Off
- 150 Jet Engine Taking Off
- 150 Artillery Fire at 500 Feet
- 189 Rocket Launching from Pad

Recreation

- 40 Quiet Residential Area
- 70 Freeway Traffic
- 85 Heavy Traffic, Noisy Restaurant
- 90 Truck, Shouted Conversation
- 95-110 Motorcycle
- 100 Snowmobile
- 100 School Dance, Boom Box
- 110 Music Club, Disco
- 110 Busy Video Arcade
- 110 Symphony Concert
- 110 Car Horn
- 110-120 Rock Concert
- 112 Personal Music Player on High
- 117 Football Game Stadium
- 120 Band Concert
- 125 Auto Stereo
- 130 Stock Car Races
- 143 Bicycle Horn
- 150 Firecracker
- 156 Cap Gun
- 157 Balloon Pop
- 162 Fireworks (at 3 Feet)
- 163 Rifle
- 166/170 Handgun, Shotgun

Source: Noiseawareness.org

Sec. 130.40.210 - Outdoor Recreational Facilities—Commercial or Public.

- A. **Applicability.** Commercial or public outdoor recreational facilities are subject to the provisions of this Section where allowed under the use matrices for the zones. The standards under this Section do not apply to private recreational facilities such as swimming pools or tennis courts, that are accessory to an individual residence, a planned community or a multi-unit residential complex and not open to the public, or that are accessory to a school.
-  B. **Permit Requirements.** Where allowed under the use matrices for the zones, those commercial or public outdoor recreational facilities allowed by right shall be subject to the building permit process, while those subject to Administrative or Conditional Use Permit approval shall be reviewed for impacts to the surrounding area. In addition, the specific use standards under Subsections D-G (Hunting/Fishing Club, or Farm; Off-highway or Off-road Vehicle area; Parks, Day Use; Swimming Pools and Tennis Courts, respectively) below in this Section shall apply.
- C. **Commercial Stables.** Stables that provide horses for hire at an hourly, daily or weekly rate, commercial boarding and training of horses, or riding lessons that exceed the standards of a home occupation shall be subject to the following minimum standards:
1. **Minimum Lot Size**—Ten acres.
 2. **Setbacks.** Under this Subsection, commercial stables, barns, and other structures used for or intended to be used for the sheltering of horses and/or other animals shall comply with the setback requirements of the zone in which they are located, except that the minimum setback from any residentially-zoned property shall be 100 feet.
 3. **Parking and Loading.** Horse trailer parking spaces required under Chapter 130.35 (Parking and Loading) in Article 3 (Site Planning and Project Design Standards) of this Title shall be located a minimum of 50 feet from any public road or right-of-way.
 4. **Arenas.** Training arenas shall have a minimum setback of 100 feet from any residentially-zoned property. Arenas used for shows or events where more than 10 people could congregate at any one time shall be subject to a Conditional Use Permit in compliance with Section 130.52.021 (Conditional Use Permits) in Article 5 (Planning Permit Processing) of this Title.
 5. **Equestrian Trails.** Prior to Department approval of a permit for a commercial stable where the public may be riding off of the premises, the applicant shall demonstrate access to a trail easement for equestrian purposes. Proposed commercial stables adjacent to trail easements may be required to dedicate land for trail access points, as determined by the Director.
 - a. If horses will be traveling on a roadway, written approval shall be submitted from the



REAL ESTATE TRANSFER DISCLOSURE STATEMENT
 (CALIFORNIA CIVIL CODE §1102, ET SEQ.)
 (C.A.R. Form TDS, Revised 6/20)



THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY SITUATED IN THE CITY OF Chualar, COUNTY OF San Joaquin, STATE OF CALIFORNIA, DESCRIBED AS _____

THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH SECTION 1102 OF THE CIVIL CODE AS OF (date) _____. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER(S) OR ANY AGENT(S) REPRESENTING ANY PRINCIPAL(S) IN THIS TRANSACTION, AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PRINCIPAL(S) MAY WISH TO OBTAIN.

I. COORDINATION WITH OTHER DISCLOSURE FORMS

This Real Estate Transfer Disclosure Statement is made pursuant to Section 1102 of the Civil Code. Other statutes require disclosures, depending upon the details of the particular real estate transaction (for example: special study zone and purchase-money liens on residential property).

Substituted Disclosures: The following disclosures and other disclosures required by law, including the Natural Hazard Disclosure Report/Statement that may include airport annoyances, earthquake, fire, flood, or special assessment information, have or will be made in connection with this real estate transfer, and are intended to satisfy the disclosure obligations on this form, where the subject matter is the same:

- Inspection reports completed pursuant to the contract of sale or receipt for deposit.
- Additional inspection reports or disclosures: _____

No substituted disclosures for this transfer.

II. SELLER'S INFORMATION

The Seller discloses the following information with the knowledge that even though this is not a warranty, prospective Buyers may rely on this information in deciding whether and on what terms to purchase the subject property. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

THE FOLLOWING ARE REPRESENTATIONS MADE BY THE SELLER(S) AND ARE NOT THE REPRESENTATIONS OF THE AGENT(S), IF ANY. THIS INFORMATION IS A DISCLOSURE AND IS NOT INTENDED TO BE PART OF ANY CONTRACT BETWEEN THE BUYER AND SELLER.

Seller is is not occupying the property.

A. The subject property has the items checked below: *

- | | | |
|--|---|---|
| <input type="checkbox"/> Range | <input type="checkbox"/> Wall/Window Air Conditioning | <input type="checkbox"/> Pool: |
| <input type="checkbox"/> Oven | <input type="checkbox"/> Sprinklers | <input type="checkbox"/> Child Resistant Barrier |
| <input type="checkbox"/> Microwave | <input type="checkbox"/> Public Sewer System | <input type="checkbox"/> Pool/Spa Heater: |
| <input type="checkbox"/> Dishwasher | <input type="checkbox"/> Septic Tank | <input type="checkbox"/> Gas <input type="checkbox"/> Solar <input type="checkbox"/> Electric |
| <input type="checkbox"/> Trash Compactor | <input type="checkbox"/> Sump Pump | <input type="checkbox"/> Water Heater: |
| <input type="checkbox"/> Garbage Disposal | <input type="checkbox"/> Water Softener | <input type="checkbox"/> Gas <input type="checkbox"/> Solar <input type="checkbox"/> Electric |
| <input type="checkbox"/> Washer/Dryer Hookups | <input type="checkbox"/> Patio/Decking | <input type="checkbox"/> Water Supply: |
| <input type="checkbox"/> Rain Gutters | <input type="checkbox"/> Built-in Barbecue | <input type="checkbox"/> City <input type="checkbox"/> Well |
| <input type="checkbox"/> Burglar Alarms | <input type="checkbox"/> Gazebo | <input type="checkbox"/> Private Utility or |
| <input type="checkbox"/> Carbon Monoxide Device(s) | <input type="checkbox"/> Security Gate(s) | Other _____ |
| <input type="checkbox"/> Smoke Detector(s) | <input type="checkbox"/> Garage: | <input type="checkbox"/> Gas Supply: |
| <input type="checkbox"/> Fire Alarm | <input type="checkbox"/> Attached <input type="checkbox"/> Not Attached | <input type="checkbox"/> Utility <input type="checkbox"/> Bottled (Tank) |
| <input type="checkbox"/> TV Antenna | <input type="checkbox"/> Carport | <input type="checkbox"/> Window Screens |
| <input type="checkbox"/> Satellite Dish | <input type="checkbox"/> Automatic Garage Door Opener(s) | <input type="checkbox"/> Window Security Bars |
| <input type="checkbox"/> Intercom | <input type="checkbox"/> Number Remote Controls _____ | <input type="checkbox"/> Quick Release Mechanism on |
| <input type="checkbox"/> Central Heating | <input type="checkbox"/> Sauna | Bedroom Windows |
| <input type="checkbox"/> Central Air Conditioning | <input type="checkbox"/> Hot Tub/Spa: | <input type="checkbox"/> Water-Conserving Plumbing Fixtures |
| <input type="checkbox"/> Evaporator Cooler(s) | <input type="checkbox"/> Locking Safety Cover | |

Exhaust Fan(s) in _____ 220 Volt Wiring in _____ Fireplace(s) in _____
 Gas Starter _____ Roof(s): Type: _____ Age: _____ (approx.)
 Other: _____

Are there, to the best of your (Seller's) knowledge, any of the above that are not in operating condition? Yes No. If yes, then describe. (Attach additional sheets if necessary): _____

(*see note on page 2)

Buyer's Initials X(_____) X(_____)

Seller's Initials X(_____) X(_____)

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REAL ESTATE TRANSFER DISCLOSURE STATEMENT (TDS PAGE 1 OF 3)

Property Address: _____ Date: _____

- B. Are you (Seller) aware of any significant defects/malfunctions in any of the following? Yes No. If yes, check appropriate space(s) below.
- Interior Walls Ceilings Floors Exterior Walls Insulation Roof(s) Windows Doors Foundation Slab(s)
- Driveways Sidewalks Walls/Fences Electrical Systems Plumbing/Sewers/Septics Other Structural Components

(Describe: _____)


If any of the above is checked, explain. (Attach additional sheets if necessary.): _____

*Installation of a listed appliance, device, or amenity is not a precondition of sale or transfer of the dwelling. The carbon monoxide device, garage door opener, or child-resistant pool barrier may not be in compliance with the safety standards relating to, respectively, carbon monoxide device standards of Chapter 8 (commencing with Section 13260) of Part 2 of Division 12 of, automatic reversing device standards of Chapter 12.5 (commencing with Section 19890) of Part 3 of Division 13 of, or the pool safety standards of Article 2.5 (commencing with Section 115920) of Chapter 5 of Part 10 of Division 104 of, the Health and Safety Code. Window security bars may not have quick-release mechanisms in compliance with the 1995 edition of the California Building Standards Code. Section 1101.4 of the Civil Code requires all single-family residences built on or before January 1, 1994, to be equipped with water-conserving plumbing fixtures after January 1, 2017. Additionally, on and after January 1, 2014, a single-family residence built on or before January 1, 1994, that is altered or improved is required to be equipped with water-conserving plumbing fixtures as a condition of final approval. Fixtures in this dwelling may not comply with section 1101.4 of the Civil Code.

- C. Are you (Seller) aware of any the following:
1. Substances, materials, or products which may be an environmental hazard such as, but not limited to, asbestos, formaldehyde, radon gas, lead-based paint, mold, fuel or chemical storage tanks, and contaminated soil or water on the subject property Yes No
 2. Features of the property shared in common with adjoining landowners, such as walls, fences, and driveways, whose use or responsibility for maintenance may have an effect on the subject property Yes No
 3. Any encroachments, easements or similar matters that may affect your interest in the subject property Yes No
 4. Room additions, structural modifications, or other alterations or repairs made without necessary permits. Yes No
 5. Room additions, structural modifications, or other alterations or repairs not in compliance with building codes . . Yes No
 6. Fill (compacted or otherwise) on the property or any portion thereof Yes No
 7. Any settling from any cause, or slippage, sliding, or other soil problems Yes No
 8. Flooding, drainage or grading problems Yes No
 9. Major damage to the property or any of the structures from fire, earthquake, floods, or landslides Yes No
 10. Any zoning violations, nonconforming uses, violations of "setback" requirements Yes No
 11. Neighborhood noise problems or other nuisances Yes No
 12. CC&R's or other deed restrictions or obligations Yes No
 13. Homeowners' Association which has any authority over the subject property Yes No
 14. Any "common area" (facilities such as pools, tennis courts, walkways, or other areas co-owned in undivided interest with others) Yes No
 15. Any notices of abatement or citations against the property Yes No
 16. Any lawsuits by or against the Seller threatening to or affecting this real property, claims for damages by the Seller pursuant to Section 910 or 914 threatening to or affecting this real property, claims for breach of warranty pursuant to Section 900 threatening to or affecting this real property, or claims for breach of an enhanced protection agreement pursuant to Section 903 threatening to or affecting this real property, including any lawsuits or claims for damages pursuant to Section 910 or 914 alleging a defect or deficiency in this real property or "common areas" (facilities such as pools, tennis courts, walkways, or other areas co-owned in undivided interest with others) Yes No

If the answer to any of these is yes, explain. (Attach additional sheets if necessary.): _____

- D. 1. The Seller certifies that the property, as of the close of escrow, will be in compliance with Section 13113.8 of the Health and Safety Code by having operable smoke detector(s) which are approved, listed, and installed in accordance with the State Fire Marshal's regulations and applicable local standards.
2. The Seller certifies that the property, as of the close of escrow, will be in compliance with Section 19211 of the Health and Safety Code by having the water heater tank(s) braced, anchored, or strapped in place in accordance with applicable law.

Buyer's Initials X(_____) X(_____) Seller's Initials X(_____) X(_____) 

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REAL ESTATE TRANSFER DISCLOSURE STATEMENT (TDS PAGE 2 OF 3)

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**Concerned Homeowners and Residents Opposing the Approval
of ADM23-0014
Cameron Park CSD Pickle Ball Courts**

Ken Zack and Cindy Pizer Zack
(Zack Revocable Trust)
2901 Royal Park Drive
Cameron Park, CA 95682
916-835-3196

Ken Zack 7-24-23

Charles & Allison Orofino
2873 Royal Park Dr.
Cameron Park, CA
95682
530-676-4583

Charles Orofino 8-12-23
Allison Orofino
8-12-23

Jennifer & Arnaldo Herrera
2861 Royal Park Dr.
Cameron Park, CA 95682
916-768-9590

Jennifer Herrera
8/12/2023

Jim & Zelma Sobba
2915 Royal Park Dr.
Cameron Park, CA 95682
530-672-1533

Zelma Sobba
8/12/2023

Jim & Jeri Keetelberg
2902 Royal Park
Cameron Park, CA 95682

Jim Keetelberg
8/12/2023

MARK : ELAINE TWEDE *Mark Tweede*
2947 CAMBRIDGE RD *E. Tweede*
CAMERON PARK CA 95682
(530) 556-9559

Susan & Doug Parrish *Susan Parrish*
2914 Royal Park dr. *Douglas A. Parrish*
Cameron Park, CA 95682
530 957 2112

Joseph Mader
2888 ROYAL PARK DR *Joseph Mader*
CAMERON PARK CA. 95682 8-12-2023

Scott
Jennifer Griffith
2927 Royal Park Drive
Cameron Park, CA
916-410-0504 *Jennifer Griffith*
8/17/2023

Judy Calera
3297 Kolls Dr
Cameron Park CA 95682 *Judy Calera*
8/18/2023