Pickleball is Fun!
But Regulating? Not So Much

Presented by ...
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What is Pickleball?
The Popularity of Pickleball

“America’s Fastest Growing Sport”
The Popularity of Pickleball

• More than 36.5 million people played pickleball from August 2021 to August 2022.

• 14% of Americans played pickleball at least once in that 12-month period.
The Popularity of Pickleball

Pickleball play has increased by 85.7% year-over-year and by 158.6% over three years. The number of new pickleball participants in 2022 exceeded the total number of pickleball participants in 2021.

The Popularity of Pickleball

The average age of a pickleball participant: 35

The age group for most participants: 25-34

The Popularity of Pickleball

The U.S. needs at least 25,754 new pickleball courts to meet current demand in 2023.

“Demand is increasing every year at astonishing rates.”

The Pickleball Court

Tennis Court Dimensions

- 78 feet long
- 36 feet wide

Pickleball Court Dimensions

- 64 feet long
- 20 feet wide

So, What's the Problem?
Noise

Type  Regularity
Duration  Proximity
Novak hitting forehand drills 🎾
**Kansas City Star**
Neighbors can’t take the racket, so a Johnson County city is taking down pickleball nets
The popular game has led to noise complaints and even lawsuits.

**Los Angeles Times**
Pickleball noise is fueling neighborhood drama from coast to coast

**abc News**
As pickleball grows in popularity, noise complaints are also on the rise

**The Wall Street Journal.**
It’s Been Awkward.’ Pickleball Is Pitting Neighbor Against Neighbor in Noise-Conscious Communities.

**Pickleball Rally**
Pickleball brings noise complaints, lawsuits to Phoenix neighborhoods

**The New York Times**
Shattered Nerves, Sleepless Nights: Pickleball Noise Is Driving Everyone Nuts
Nationwide scourge of unneighborly clashes, petitions, calls to the police and lawsuits, with no solution in sight.

**KPBS**
Homeowners are increasingly taking legal action over pickleball racket

**Pennsylvania Record**
Lawsuit says Pittsburgh's pickleball courts are a noisy nuisance
Noise = Unwanted Sound
Based on Annoyance?
Time of Day Penalty
-5 for evenings (7pm - 10pm) and weekends
-10 for nighttime (10pm - 7am)
"The loudest sound produced hundreds of times during a Pickleball match - two to four millisecond ‘impulse sound’ generated when a paddle connects with a ball - peaks at 85 decibels from a backyard more than 50 feet away."

Lance Willis, Ph.D. Acoustical Engineering
Spendiarian & Willis Acoustics & Noise Control
Solutions to the Problem?
Solution Approaches: Nuisance vs. Land Use Regulation

- Private Nuisance
- Public Nuisance
- Zoning
- Focused Land Use Regulation
Solution Considerations: Nuisance vs. Land Use Regulation

Key = Nature of the Problem

- Highly Popular Activity
- Conflict In Some – Not All Circumstances
- Location, Number of Courts, Operation Hours
- Third Parties Use of Court – Not Owner
- Not a Consistent “Nuisance”
Centennial’s Approach

Focused Land Use Regulation

What We Knew

• Pickleball is Popular
• Court Conversions & Construction is *Imminent*
• Nationally Proven Conflict for Residential Uses
• Complete Ban Would be Difficult
• No Comprehensive Regulatory Examples
What We Did NOT Know

• The “Nature and Extent” of Pickleball Noise
• How to Measure Pickleball Noise
• Types of Mitigation Methods & Opportunities
• Effectiveness of Mitigation Methods
• Number of Existing Pickleball Courts in City
Considerations

• Risk of New Pickleball Courts
• Reasonable Justification for Regulations
• Types of Courts to Address
• Balance of Stakeholder Interests
• Identifying Impacts of Greatest Concern
• Permit Program & Requirements
• How to Address Pre-Existing Courts
CITY OF CENTENNIAL, COLORADO
ORDINANCE NO. 2023-O-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO ESTABLISHING A TEMPORARY MORATORIUM ON THE … ESTABLISHMENT OF NEW OUTDOOR PICKLEBALL COURTS LOCATED WITHIN 500 FEET OF RESIDENTIAL ZONED OR RESIDENTIALLY USED LAND AND DECLARING AN EMERGENCY

Look to:

Risks of New Pickleball Courts
Reasonable Justification for Regulations

Pickleball Noise Impact Assessment and Abatement Planning

Prepared for
City of Centennial 13133 E. Arapahoe Road Centennial, Colorado 80112
Project Manager
Neil Marciniak
Pickleball NOISE is different...
But the SOUND is the same.
Measuring Sound

Measurement procedures based on the adjusted sound exposure level according to ANSI S12.9 (Quantities And Procedures For Description And Measurement Of Environmental Sound), Part 4 (Noise Assessment and Prediction of Long-Term Community Response)
Study Recommendation on Distance and Successful Noise Abatement

Distance of Outdoor Courts to Residential:
- 600' and beyond – noise abatement less likely
- 500'-600' - review is recommended
- Within 350' - most require noise abatement
- Within 150' - requires extensive noise abatement
- Within 100' - not recommended

"Pickleball Noise Impact Assessment and Abatement Planning" (Centennial, CO) - Lance Wills, PhD
Reasonable Justification for Regulations

Conclusions:

• Pickleball Noise is **Special & Harmful**
• Pickleball Noise can Be **Measured**
• **Noise Study** can Identify Site’s Noise Impact
• **Distancing** = Best Practice to Mitigate
• **Other Methods** can Mitigate a Site’s Noise
Types of Courts

• Indoor
  No Recognized Noise Problem

• Outdoor
  Permanent Lines and/or Net
  Temporary Lines and Net

• Informal
  Unorganized/Impromptu Play
Balance of Interests
Impacts of Concern

• Proximity to Residential Use
• Type & Level of Noise
• Hours of Operation
• Lighting
• Variances
Pickleball Noise Standard. An Outdoor Pickleball Court, or any collection of adjacent Outdoor Pickleball Courts, shall not produce noise in excess of 47 decibels measured at the nearest adjacent property lines for properties zoned for residential use or used for residential purposes.
Measurement Standard

Averaging techniques such as equivalent-continuous and maximum fast exponential time weighted sound pressure levels (LAeq and LAmax) are not permitted for the Noise Impact Assessment.

Measurement procedures based on the adjusted sound exposure level according to ANSI S12.9 (Quantities And Procedures For Description And Measurement Of Environmental Sound), Part 4 (Noise Assessment and Prediction of Long-Term Community Response) shall be used to assess the noise impact assessment of Pickleball.
Hours of Operation and Lighting

**Hours of Operation.** An Outdoor Pickleball Court shall only be made available for use and may only be used for Pickleball between the hours of 8:00 a.m. and 8:00 p.m. It is unlawful to allow the use of or to use an Outdoor Pickleball Court for Pickleball after 8:00 p.m.

**Lighting.** If the Outdoor Pickleball Court is illuminated pursuant to a City-approved application, all illumination of the court shall be limited to the hours between 8:00 a.m. and 8:00 p.m. It is unlawful to illuminate an Outdoor Pickleball Court after 8:00 p.m.
Variances

Variances. Requirements for the creation and operation of Outdoor Pickleball Courts are not eligible for variances...
Permitting Process

- **Permanent Court**
  - Permit Application & Approval Required
  - Pre-Submittal Meeting & Community Meeting
  - Application Requirements
    - Site Plan
  - **Noise Impact Assessment**
    - Prove < 47 db at Residential Adjacent Property
    - Mitigation Methods (if Needed)
Permitting Process

• **Temporary Court**
  • **NO** Permit Required
  • Operational Requirements:
    • Temporary
    • <47 dB at Adjacent Residential Property Lines
    • 8:00 AM to 8:00 PM Operation Limits
Pre-Existing Permanent Courts

• Existing = Permanent & Before Date of Moratorium
• Found: Recreation Districts, HOAs, and Backyards
• Allow “Limited Exception” Application
  • Prove Existing
  • Granted Exception
  • Must Operate <47 dB
  • 8:00 AM – 8:00 PM Limitation
• Violation Risks Order to Cease Operation
• Following Order, Continued Operation Requires Full Permit
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