



# County of Monterey

Item No.2

## Zoning Administrator

Legistar File Number: ZA 25-038

July 31, 2025

**Introduced:** 7/23/2025

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Zoning Administrator

### **PLN240107 - CHAMISAL FAMILY PARTNERSHIP LTD ET AL**

Continued from April 10, 2025 and May 29, 2025- Public hearing to consider a Minor Amendment to a previously approved Use Permit (PC1584) that allowed the establishment of the Chamisal Tennis and Fitness Club consisting of 14 courts, a clubhouse, and a swimming pool. This Amendment would allow for the conversion of two existing tennis courts into eight pickleball courts, the addition of three new pickleball courts, and the future conversion of one existing tennis court into four pickleball courts.

**Project Location:** 185 Robley Rd, Salinas

**Proposed CEQA action:** Find that the project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines section 15301, and that no exceptions pursuant to section 15300.2 apply.

#### RECOMMENDATION:

It is recommended that the Zoning Administrator adopt a resolution to:

1. Find the project Categorically Exempt pursuant to section 15301 of the CEQA Guidelines, and there are no exceptions pursuant to section 15300.2; and
2. Approve a Minor and Trivial Amendment to a previously approved Use Permit (PC01584) that allowed the establishment of the Chamisal Tennis and Fitness Club consisting of 14 courts, a clubhouse, and a swimming pool. This Amendment would allow for the conversion of two tennis courts into eight pickleball courts, the addition of three pickleball courts, and the future conversion of one tennis court into four additional pickleball courts (total of 25 tennis or pickleball courts).

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**).

Staff recommends approval/denial subject to 3 conditions of approval.

#### PROJECT INFORMATION:

**Agent:** Stephen Lyon

**Property Owner:** Robert Mitchell

**APN:** 416-321-017-000

**Parcel Size:** 9 acres

**Zoning:** PQP/B-8-VS

**Plan Area:** Toro

**Flagged and Staked:** No

**Project Planner:** Joseph Alameda, Assistant Planner

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SUMMARY:

The subject property is located at 185 Robley Road in Salinas, within the Toro Area Plan. On December 20, 1972, the County of Monterey Planning Commission approved a Use Permit (PC01584) that allowed the establishment of the Chamisal Tennis and Fitness Club, consisting of 14 courts, a clubhouse, and a swimming pool. The applicant proposes a Minor and Trivial Amendment to the original Use Permit to allow for the conversion of two tennis courts into eight pickleball courts, the addition of three pickleball courts, and the future potential to convert one tennis court into four additional pickleball courts. At full build-out, a total of 25 athletic courts would be available to the Chamisal Tennis and Fitness Club members. No increase in membership numbers is anticipated, and the installation of pickleball courts is proposed to respond to a shift in facility demands. The Chamisal Tennis and Fitness Club would continue to hold events, including but not limited to sports and gatherings associated with a country club. No other changes to the uses or development approved under PC01584 are proposed.

The Zoning Administrator considered this project on April 10, 2025. After public testimony, the Zoning Administrator continued the hearing to May 29, 2025, and requested that the applicant provide staff with additional materials related to noise quality, water use, and membership numbers. On May 29, 2025, the Zoning Administrator continued the item to a date uncertain to allow additional time to obtain the requested information. Staff is now returning with a revised draft resolution (**Exhibit A**) that incorporates the project's water demand, historical membership numbers, and an updated noise analysis.

DISCUSSION:

*Noise*

Chamisal Fitness & Tennis Club ("Club") hours are typically between 5:00 a.m. and 8:00 p.m. Sources of noise associated with the Club are generally limited to noise associated with on-site activities, including human voices, tennis and pickleball matches, and various other on-site activities. Sources of noise observed in the vicinity of the Club that were not related to Club activities included noise from traffic on nearby roadways, residential landscaping activities, and noise associated with aircraft overflights on approach to the Monterey Regional Airport. In accordance with Title 10, Chapter 10.60 and the 2010 General Plan Safety Element, an Acoustics report (County of Monterey Library No. LIB250054) was prepared to assess the potential impacts of the additional courts (conversion and proposed). The report involved both long-term and short-term ambient noise level measurements at six locations in the vicinity of the Chamisal Fitness & Tennis Club and the surrounding residential areas. The closest existing residential land uses to the pickleball courts are located at setback distances of 500 feet or greater from the center of the eight pickleball courts. With the construction of the proposed pickleball court adjacent to Robley Road, the nearest residence would be approximately 325 feet northeast (site R-2).

The noise levels measured at sites ST-3 and ST-5 are the most accurate representation of the proposed pickleball noise levels that may be heard within 50 to 100 feet of the perimeter of Club activities. At these locations, pickleball noise levels were measured to be between 40.6 and 64.8 decibels (dB). At 75 feet from the nearest court line, pickleball activities generated noise between 71 to 73 decibels. When measured from the nearest (proposed) court, the acoustical engineer found that the maximum noise levels at the closest residential land uses

(325 feet and 500 feet) would be in the range of approximately 58-62 dB. When measured from the nearest residence (325 feet), proposed pickleball activities would generate approximately 9 to 11 additional decibels than the Club's existing tennis activities, which generate approximately 49-51 dB. See **Exhibit D**.

In general, the rapid and repetitive nature of pickleball rallies can create a more noticeable "pop" that can be disruptive to nearby residents, especially in quiet residential areas. Additionally, pickleball strikes can produce a higher-pitched sound (~1.2 kHz) compared to tennis balls. While the noise levels and pitch associated with tennis activities would be noticeably lower than those associated with pickleball activities, the noise levels associated with both activities (tennis and pickleball) when measured from nearby residential uses are not expected to exceed the Monterey County daytime or nighttime maximum noise level standards of 70 and 65 dBs. In relation to general public welfare, peace, and health, the acoustical report found that "noise produced by tennis and/or pickleball activities during the hours of operation are not considered to be a detriment to the health, life, or safety of the neighbors and neighborhood overall, at any sensitive receptor (residential land use) location in the vicinity of the Club" (**Exhibit D**).

2010 General Plan Policy S-7.4 requires that new noise generators may be allowed in areas where projected noise levels are "conditionally acceptable". Additionally, Table S-2 of the Safety Element (2010 General Plan) finds that development generating noise between 55 to 70 dB is considered to be conditionally acceptable within Residential Land Use areas. Title 10 section 10.60.030 prohibits any machine, mechanism, device, or contrivance that produces a noise level that exceeds seventy (70) dBA measured fifty (50) feet from being operated. Noise generated from playing pickleball, specifically the paddle hitting the ball, would be considered a contrivance or device in this case. Based on the conclusions of the prepared Acoustics report, the proposed pickleball use will not generate noise that exceeds the 70 dBA maximum established by Title 10 and is within the acceptable levels established by the 2010 General Plan Safety Element. Further, Title 10 section 10.60.040(C) exempts outdoor gatherings and sporting events on commercial or institutional premises from the allowed daytime and nighttime noise thresholds of Title 10, provided such use is conducted pursuant to applicable rules, regulations, and zoning restrictions. The Chamisal Fitness & Tennis Club property is zoned Public Quasi-Public and allows sporting events and outdoor gatherings. Thus, although the proposed use complies with applicable regulations and policies related to noise, the noise generated by the proposed pickleball use is also exempt from the requirements of Title 10.

Though the project proposes to allow the establishment of pickleball at the Club, this use has been occurring on-site for a few years. HCD-Staff is unaware of any complaints received by neighbors regarding noise, traffic, or other potential nuisances associated with pickleball/outdoor activities. Use of the proposed pickleball courts would conclude around 8:00 pm, prior to the start of the County's nighttime noise regulations (9:00pm). The proposed conversion of tennis courts to pickleball courts and the installation of additional pickleball courts are in keeping with the intention of the original Use Permit and are an appropriate use under the PQP zoning district. Based on the above information, staff believes the proposed use would not introduce a noise that is inconsistent with the allowed uses of the underlying zoning (public recreational uses and country clubs) or detrimental to the surrounding residential community. The Applicant has also recently installed noise-reducing panels on the exterior of

the pickleball courts to address the raised noise concerns (see **Exhibit E**).

*Water Use/Demand*

The B-8 zoning overlay was enacted in November 1992 (and amended in September 1993) due to concerns associated with groundwater supply in the Toro Area (Ordinance No. 03647, November 24, 1992; Ordinance No. 3704, September 7, 1993).

The B-8 overlay was adopted primarily to prevent new parcels from being created in the Toro Area (Board of Supervisors Resolution No. 12-040). The stated purpose of the B-8 overlay is to “restrict development and/or intensification of land use in areas where, due to water supply, water quality, sewage disposal capabilities, traffic impacts or similar measurable public-facility type constraints, additional development and/or intensification of land use if found to be detrimental to the health, safety, and welfare of the residents of the area, or the County as a whole” (Title 21 section 21.42.030.H). “Intensification” is defined in Chapter 21.42 as “the change in the use of a building site which increases the demand on the constraint(s) which caused the ‘B-8’ District to be applied over that use existing at that time the ‘B-8’ District is applied to the property.”

The B-8 District expressly allows “construction or expansion of commercial uses where such construction or expansion can be found to not adversely affect the constraints which caused the ‘B-8’ District to be applied to the property” (Title 21 section 21.42.030.H.2). As described above, the constraint which caused the B-8 zoning overlay to be applied to a portion of the Toro planning area, inclusive of the project site, was groundwater supply.

As described above, the Club was established (permitted) in 1972, approximately 20 years prior to the enactment of the B-8 overlay. Accordingly, the Club’s water demand would have been accounted for in baseline groundwater conditions that established the B-8 overlay. Historical water demand information is not available, and thus, the following discussion is provided to demonstrate that the proposed project will not conflict with the B-8 overlay. According to 2021 through 2024 Chamisal Water Association statements, the Club’s water usage ranged between 2.9-acre feet per year (AFY) to 4.5 AFY (**Exhibit E**). During this timeframe, the Club was actively offering pickleball facilities and had between 757 and 780 active members. Based on membership reports produced by the Applicant/Owner, the Club had 768 active units in 1994, two years following the enactment of B-8 overlay. Accordingly, it is presumed that historical water demand would be similar to today’s demand (2.9 to 4.5 AFY), given that membership rates have not substantially changed. It is recognized that during the early 2000s (2001-2003), the Club had up to 1,097 active members. However, the additional approximately 200 members were unlikely to demand a substantially larger amount of water than required by the overall Club operation (pool, restaurant, plumbing, etc.).

Pickleball has existed on site for the past few years, and active memberships have remained steady (750-800) during this time. Accordingly, the Club has indicated to staff that they do not expect a substantial increase in memberships upon issuance of this permit. Based on this information, the proposed project is not expected to adversely affect the constraints that caused the ‘B-8’ District to be applied to the property and surrounding area (groundwater), and the project is consistent with the limitations of Title 21 Chapter 21.42.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

HCD-Engineering Services  
Environmental Health Bureau  
HCD-Environmental Services  
Monterey County Regional Fire Protection District

Prepared by: Joseph Alameda, Associate Planner, x7079

Reviewed and Approved by: Fionna Jensen, Principal Planner (WOC)

The following attachments are on file with the HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval
- Plans

Exhibit B - Vicinity Map

Exhibit C - Public Comment

Exhibit D - Acoustics Report

Exhibit E - Membership Reports and Water Usage

cc: Front Counter Copy; Monterey County Regional Fire Protection District;  
HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau;  
Joseph Alameda, Planner; Fionna Jensen, Principal Planner (WOC); Robert Mitchell, Property  
Owners; Stephen Lyon, Agent; The Open Monterey Project; LandWatch (Executive Director);  
Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Holger Kappler, Herman Campos,  
Interested Parties; Planning File PLN240107