

Memorandum

Date: December 13, 2012

To: Planning Commission

From: John Sonnen, Planning Director

Subject: Part II of the proposed unrelated code amendments

On September 19, 2012, the Planning Commission began review of Part II of the proposed unrelated CDC amendments. The Commission got through the draft sports courts provisions and started review of the draft lighting provisions. The attached draft, dated December 11, 2012 (Attachment 1), includes the changes to these provisions called for by the Planning Commission. The draft also includes several other proposed code amendments that the Commission has not yet addressed, including Design Review submittal requirements, residential uses in commercial districts, temporary uses, and storm water control for individual residential lots. Following the Planning Commission's review and refinement of the proposed CDC amendments (parts I and II), they will be released for public review. A public hearing will be scheduled early next year.

In response to a letter from the Planning Commission to the City Council requesting that the Council declare the outdoor recreation related activity at two residences nuisances, the City Manager directed staff to prepare potential amendments to the nuisance code addressing light trespass, noise and projectiles for the City Council's consideration. On November 19, 2012 the City Council reviewed the proposed nuisance provisions. (The video of the Council meeting is at: http://westlinn.granicus.com/MediaPlayer.php?view_id=2&clip_id=308.) The Council decided to proceed with refinement of the draft amendments pertaining to noise and light trespass, but rejected the potential regulation of projectiles as nuisances. (The proposed amendments to the nuisance code presented to the Council on November 19, 2012, are included as Attachment 2). In light of the Council's direction, staff requests that the Planning Commission reconsider whether to continue work on the proposed CDC amendments related to sports courts and lighting (pages 1-12 of the attached draft).