

Mayors Comments Regarding the McCormick Parcel A Application

These comments were read into record during the February 11, 2020, Port Orchard City Council meeting.

The City has received comments from citizens regarding a proposal for further development within the McCormick Woods community. I wanted to take this opportunity to address some of the questions raised and to explain the City's process land use action.

First, the proposal at issue is for a subdivision and City staff is currently reviewing the application. This is a "Type III" permit, which is reviewed by Staff to ensure that all requirements in the Port Orchard Municipal Code are met by the applicant. The application is then submitted to the Hearing Examiner for a final determination. The Hearing Examiner will consider the application during a public hearing. Any public comments received by the City prior to the hearing will be submitted to the Hearing Examiner, and the public will also be invited to comment at the hearing. The date for that hearing is not yet set, but additional public notice will be provided once that date is set.

According to the Port Orchard Municipal Code, in our City—as in many other cities—this type of permit is not subject to review and approval by the City Council or Mayor. If someone disagrees with the Hearing Examiner's decision their recourse is in Kitsap County Superior Court.

To address some of the specific questions the City has received:

- **Traffic:** Citizens have raised Traffic concerns related to Parcel A. The original development agreement called for a four-lane road. Current traffic studies and the City's current Traffic Improvement Plan call for shoulder, pedestrian, lighting and intersection improvements along Old Clifton. The proposal will be reviewed for compliance with what is required by the City's current standards.
- **Schools:** Citizens have raised concerns related to building new schools. While the City does assess school Impact fees on behalf of the South Kitsap School District, the City is not authorized under state law to require a developer to build new schools.
- **Trees:** Many of you have expressed concerns related to the tree buffer along Old Clifton and the entrance to McCormick Woods. We've heard you and the letters we've received are part of the record that will be presented to the Hearings Examiner.
- There have been comments that "Parcel A was not part of the original Plat and master plan for McCormick Woods, [and thus] the City Council has no obligation to approve." It's true that parcel A is not part of the original development agreement and its entitlements. As a result, Parcel A is a new application and it must meet the City's current code requirements.

- Finally, the City has received comments that the proposed development is not in compliance with the current CC&Rs for the larger community. Any inconsistency between the CC&Rs and the proposal submitted to the City is a civil matter between the residents and the developer.

Again, I encourage our citizens to submit their concerns in the form of letters to the building department, where they will become part of the permanent record submitted to the Hearing Examiner for this land use matter.