

**City of Port Orchard
City Council Study Session
Regarding the Development Regulations Project
March 20, 2007**

PRESENT: KIM E. ABEL, MAYOR

COUNCILMEMBERS: John Clauson, Fred Chang, Carolyn Powers, Rob Putaansuu and Rick Wyatt.

ALSO PRESENT: Public Works Director Abed, Planning Director Long-Woods, City Clerk Merlino and City Attorney Combs.

City Attorney Combs opened the meeting at 7:00 p.m. and started discussion with confirming the revised meeting schedule, topics and the confirmation of the decisions that were made at the March 6, 2007 Study Session.

The following topics were discussed with recommendations by the City Council:

Concurrency Management System

See attached letter from City Attorney Combs, dated March 29, 2007, which summarized the action the Council agreed upon. However the Council determined the Council would like to review the Concurrency Management System further as it relates to:

- How does the City determine if there are enough ERU's to meet the future demands?
- What determines when a traffic study is necessary


Subdivision Code and Mobile Home Parks


City Attorney Combs advised the City's Subdivision Code currently does not comply with State Law.

See attached letter from City Attorney Combs, dated March 29, 2007, which summarizes the action the City Council agreed upon regarding Subdivision Code and Mobile Home Parks.

Meeting adjourned at 9:00 p.m.

Next Meeting is scheduled for April 3, 2007 at 7:00 p.m.


Michelle Merlino, City Clerk


Kim E. Abel, Mayor

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March 29, 2007

**Original Sent Electronically and U.S.P.S. Mail
to Michelle Merlino for Copying and Distribution**

Mayor Kim Abel
Council Members
City of Port Orchard
216 Prospect St
Port Orchard, WA 98366

RE: Our File No.: 27573
Project: Development Regulations Project
Subject: Agreed Changes from March 20, 2007 Meeting

Dear Mayor and Council:

Congratulations to all of you. You beat your previous record of successfully making it through all agenda items, and adjourning early. By my count the old record was 4 minutes early and this time we were 7 minutes early. Set forth below is the summation of the items on which no less than 4 council members agreed.

CONFIRMING MODIFIED MEETING SCHEDULE AND TOPICS

The Council approved as presented the Meeting Schedule and Topics document provided for the March 20, 2007 meeting.

CONFIRMING MARCH 6 MEETING DECISIONS

The Council confirmed that my letter presented for the March 20 meeting accurately reflected the decisions that were made at the March 6 meeting.

AGREED ISSUES

Concurrency Management System

Issue 1. Agreed that the "Non-binding determination" would be eliminated and there would just be a single process that is better defined.

Issue 2. There would be no exemption for water and sewer concurrency, and the 12 trip per day exemption threshold would remain for traffic.

Issue 3. The ordinance will be modified to allow the issuance of a sewer, water and traffic availability certificate that will reserve capacity for a set period of time (6 months) for a fee, in an amount to be determined in the fee ordinance, and it would require that an application to develop the specific piece of property would be submitted to use the reserved capacity. If the application was not submitted within the 6 months, then the certificate would expire and the "reserved capacity" would be released.

Issue 4. It was agreed that there will be the requirements specified, in writing, as to what is required for an application to be complete. Note that Joanne and Maher are already working on providing such a document for all applications.

SUBDIVISION CODE

Issue 1. The current exemption, exempting the subdivision of lots into parcels of at least 5 acres in size from the requirements of the subdivision code will remain in effect.

Issue 2. The maximum number of lots that can be created by a short plat will remain at 4.

Issue 3. There will be no exemption of subdivision applications from the public hearing process.

Issue 4. An applicant will be allowed to apply for an extension of up to two years in length in order to submit for final plat approval. The Council will be allowed to add additional conditions and charge a fee, the fee amount to be determined when the fee ordinance is discussed.

Issue 5. It was agreed that there will be a separate section in each code chapter that spells out the requirements for a complete application.

MOBILE HOME PARKS

Issue 1. There will no longer be a mobile home park code. New Mobile Home parks will not be allowed.

Issue 2. The temporary living facility (mobile home, motor home, etc) will be placed in a different section of the code. A permit will be required to assure that the vehicle is

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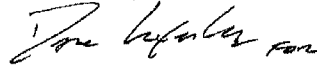
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properly placed and meets the requirements of this section. The applicant must be the property owner, the permit is only good for 180 days maximum, it must have a hookup to an approved water and sanitary sewer source, and a violation of the permit will be a civil infraction.

That concludes the March 20, 2007 agenda items, and the resolution of the outstanding issues.

Sincerely,



Loren D. Combs

LDC:kmt