



October 28, 2022

Ms. Barbara Kincaid  
Public Services Director  
City of DuPont  
1700 Civic Drive  
DuPont, Washington 98327

**SUBJECT:    RESPONSE TO PRE-APPLICATION COMMENTS, BELL HILL  
              CARBON TREATMENT PLANT (PLNG2021-013)  
              CITY OF DUPONT, PIERCE COUNTY, WASHINGTON  
              G&O #21235.00**

Dear Ms. Kincaid:

Gray & Osborne, Inc. is in receipt of the following letters with review comments regarding the Hoffman Hill Carbon Treatment Plant Project:

- Bell Hill Pre-Application Meeting Comments Letter dated October 12, 2021; and
- Civil Engineering Comments Letter dated September 20, 2021.

Our responses to the individual comments are as follows:

## **PLANNING COMMENTS**

- 1a. Zoning Requirements: The property is located within the Manufacturing/Research Park zoning district (MRP) and is designated by the Comprehensive Plan as being within the Bell Hill Village planning area. Permitted Uses in the MRP zoning district are stated in DMC 25.45.020 and include "Utility Facility." Per DMC 25.10.065.135, "Public utility" means a private business organization such as a public service corporation performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either of which are paid for directly by the recipients thereof, including water supply, electrical power, gas and transportation, telephone, and other transmission services. The use is a permitted use.



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*Comment acknowledged.*

- 1b. Zoning Requirements: Per DMC 25.45.030(3)(a), the minimum front yard setback is 25 feet. Any building wall over 40-feet in height shall be set back at least one additional foot for each foot in height over 40-feet. The site plan indicates that the proposed utility facility is setback greater than 40 feet and is code compliant.

*Comment acknowledged.*

- 1c. Zoning Requirements: Per DMC 25.45.030(3)(b-c), the minimum side yard and rear yard setback is 15-feet. The side yard and rear yard setback distance appears compliant. Provide side yard and rear yard setback measurements on site plans.

*Setback lines are shown on the Land Use application Site Plan.*

- 1d. Zoning Requirements: Per DMC 25.45.030(4), maximum allowable building height is 65-feet within 100-feet of a public street and no taller than 70-feet when setback more than 100-feet from a public street. The proposal is located approximately 165 feet from the public street. The maximum height for the proposal is 70-feet. The proposal is compliant.

*Comment acknowledged.*

- 1e. Zoning Requirements: Per DMC 25.45.030(12), noise levels shall not exceed the maximum allowed in Chapter 9.09 DMC (Sound and Vibration) for Class B (commercial) environmental designations. Provide a water filtration system manufacturer's spec sheet that provides sufficient information to determine compliance with noise requirements.

*Since the water filtration systems do not create significant noise when running, the O&M manual from the manufacturer does not address noise. A memo regarding noise is included with the Land Use application.*

- 1f. Zoning Requirements: Per DMC 25.45.030(15), outdoor lighting shall be designed to minimize light escapement beyond the site. If exterior lighting is proposed provide a photometric that ensure compliance with this standard.



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*No new or revised exterior lighting is proposed.*

- 1g. Zoning Requirements: Per DMC 25.45.040, development projects on site of 15 acres or less and expansions of permitted projects involving 15 acres or less shall be processed as a Type II procedure. The subject property is 2.85 acres, therefore a Type II Site Plan approval is required.

*Comment acknowledged.*

- 2a. Landscaping Requirements: A conceptual landscape plan will be required with site plan review to replant disturbed areas that are not converted to asphalt. The landscape plan shall also depict all trees to be removed (including their type and diameter) and all trees to be retained. All trees to be retained shall also be depicted with their tree protection radius on the grading and landscape plans.

*Hydroseeding limits are shown on the on the Land Use application Site Plan.*

- 2b. Landscaping Requirements: A minimum of 20% of the site area must be landscaped per DMC 25.90.020. The property is largely grass/lawn with native vegetation along the perimeter and the site and the utility facility clearly exceed the 20% requirement. Provide an estimate of the landscape area calculation on the landscape plan.

*Landscaping area calculations are included on the Land Use application Site Plan.*

- 2c. Landscaping Requirements: Per DMC 25.90.030(3)(b), the City may require full, moderate, or light buffers to mitigate incompatibility between residential and nonresidential or other areas. It appears the only location that may require mitigation for view impacts to residential uses is to the properties located across Bell Hill Street. The proposal shall provide a moderate buffer that screens the adjacent residential property from the proposed public utility. It is not clear if providing a buffer could mitigate for the view impacts. Provide a rendering of the proposal as it will be viewed from across Bell Hill Street.

*The requested rendering is included with the Land Use application.*



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- 2d. Comment: Water conservation is required if any irrigation is needed. See DMC 25.90.040.

*No new irrigation is proposed. The existing irrigation system will be revised and reduced to accommodate the new water treatment facilities.*

- 3a. Off Street Parking Requirements: Not applicable.

*Comment acknowledged.*

- 4a. Recycling Requirements: Per DMC 25.100.020(3), the proposed unstaffed facility is exempt from DMC 25.100.

*Comment acknowledged.*

- 5a. Critical Areas Requirements: Per Figure 1 below, the proposed location of the water treatment system may be in slopes greater than 15 percent. If so, a geotechnical report is required to address the presence of landslide hazard areas per DMC 25.105.050(3)(a). If the project site contains a landslide hazard area, the geotechnical report shall review the project against landslide hazard standards and development requirements.

*A Geotechnical Report is included with the Land Use application.*

- 5b. Critical Areas Requirements: The subject property is in the breeding area for three bat species that are listed as Priority Species. If any trees are proposed to be removed, they shall be reviewed by a biologist for presence of the Priority Species nesting habitat. If the nesting habitat is found and will be impacted by tree removal, a Habitat Management Plan is required and shall be prepared in compliance with DMC 25.105.050.B.

*No tree removal is proposed.*

- 5c. Critical Areas Requirements: The work area is located less than 300 feet from Edmond Marsh. The wetland buffer does not extend onto the subject property due to a dirt road separating the subject property from Edmond Marsh. As such, the proposal will not need to be reviewed for wetland impacts under DMC 25.105.



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*Comment acknowledged.*

- 5d. Critical Areas Requirements: Per DMC 25.105.080, a Critical Area Permit will be required if there are unavoidable impacts to Critical Areas (impacts to Priority Habitat or steep slopes). Critical Area Permits are processed as a Type III procedure, which requires approval from the City's Hearing Examiner. A complete critical area development application shall contain the information contained in DMC 25.105.080 and the information required by DMC 25.175.020. Provide a narrative at the time of application that addresses the permit review criteria provided in DMC 25.105.080.D.1. This can be included within the Critical Areas Report.

*Comment acknowledged.*

- 6a. Tree Retention Requirements: It appears that the project will place the six carbon treatment vessels in an area that would not require tree removal. To ensure that the project does not include clearing, grading, trenching, cutting, impervious surface, or other construction within the drip line of any offsite tree, provide all tree driplines adjacent to the proposal's development footprint on the grading plans.

*Pertinent offsite tree drip lines are shown on the Land Use application Grading Plan.*

- 6b. Tree Retention Requirements: All landmark (See DMC 25.10.120 for definition) Oregon white oak trees shall be retained, along with native understory within a protection zone, unless they are proposed within street right-of-way which is integral to the neighborhood and cannot reasonably be moved, or unless overall neighborhood densities cannot be met. In such cases, up to 30 percent of the landmark oak trees may be removed, when consistent with the standards in DMC 25.120.040.

*No tree removal is proposed.*

- 6c. Tree Retention Requirements: At least half of all other (non-oak) landmark trees shall be retained. In the MRP district, landmark trees which are in the building footprint, parking lot or storm retention area may be removed; provided, that tree retention is achieved along street boundaries and when abutting a residential district. The property has numerous trees along the



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property lines. Provide an estimate of the tree retention calculation on the landscape plans.

*Comment acknowledged.*

- 6d. Tree Retention Requirements: If you are unable to meet the tree retention requirements, you may apply for a Type III Tree Modification. You will need to submit full documentation (arborist report and landscape plans) together with justification for the special circumstances pertaining to the land or the trees on it. Type III permits are approved by the City's Hearing Examiner.

*Comment acknowledged.*

- 7a. SEPA Environmental Review: Per WAC 197-11-800(23)(b) water facilities, lines, equipment, hookups or appurtenances including, utilizing or related to lines twelve inches or less in diameter are SEPA exempt. If the pipe size should be greater than 12 inches, provide a SEPA Checklist with the CUP application.

*A draft SEPA Checklist is included with the Land Use application.*

- 8a. Other Requirements, Colors: Please submit some renderings with a few color options, including white and green, for staff and public consideration.

*The requested renderings are included with the Land Use application.*

- 8b. Other Requirements, Public Notice or Public Meeting: The proposal will include the standard Notice of Application with a 14-day comment period. The City is considering conducting a public meeting to solicit additional neighborhood comments on the proposal. We will let you know when we have more information on the meeting, including potential dates and format.

*Comment acknowledged.*

- 9.1. Land Use Application Submittal Requirements.



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*The applicable stated requirements are included in the Land Use application.*

## **CIVIL ENGINEERING COMMENTS**

1. Applicant shall demonstrate that the driveway can accommodate all vehicles required for routine maintenance of both the existing water plant facilities and the proposed carbon filters.

*The existing access at the site has been shown to accommodate vehicles for maintenance. Proposed water plant facilities are adjacent to areas that have been routinely maintained in the past.*

2. Applicant shall meet all stormwater management codes in effect at the time of application for permits. This includes meeting all flow control, water quality, and erosion control requirements, as they apply to the project size and surface characteristics.

*A Stormwater Memo is included with the Land Use application.*

3. Applicant shall confirm that frontage sidewalks (including the portion crossed by the driveway) meet accessibility requirements, per the ADA and DuPont Municipal Code.

*No proposed modifications to sidewalks for this project.*

4. Any damage occurring to the City street, driveway, or sidewalk as a result of the project shall be repaired in full compliance with current City standards.

*Comment acknowledged.*

5. The project shall comply with any other related City requirements from other departments that apply to the project.

*Comment acknowledged.*



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Please contact me if you have any questions or concerns regarding these comments.

Sincerely,

GRAY & OSBORNE, INC.

Dominic J. Miller, P.E.

DJM/sp

cc: Ms. Lisa Klein, AHBL, Inc.  
Mr. Larry Clark, City of DuPont