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September 22, 2021

Barbara Kincaid, Director
Community Development
City of DuPont
1700 Civic Drive
DuPont, WA 98327

REQUEST FOR TREE MODIFICATION IN ACCORDANCE WITH CHAPTER 25.120 DMC

Dear Ms. Kincaid:

Applicant, NorthPoint Development, proposes a 101-acre light industrial/manufacturing project (known as Founder's Ridge) within opportunity areas E & F of the Old Fort Lake Subarea Plan. The proposal seeks to construct a total of 800,000 square feet of manufacturing and light industrial development spread across four 200,000 square foot buildings.

ANALYSIS OF COMPLIANCE WITH TREE RETENTION REQUIREMENTS

Chapter 25.120.030 of the Dupont Municipal Code (DMC) establishes tree retention requirements for the City. The following is an analysis of Applicant's compliance with these requirements:

(1) Tree retention shall constitute an integral design goal in all public and private site design processes. Retention is particularly desired for trees that are especially large, well-formed, historic, grouped, close to a sensitive area, visually prominent, part of a recognizable landmark, or valuable as wildlife habitat.

Applicant has spent considerable time putting together a site design that:

- Is consistent with the goals and objectives of the Old Fort Lake Subarea Plan, which focused on the retention of open space and trees in specific locations throughout the entire subarea
- Retains over 5,300[1] total trees within the 101-acre project site
- Planting 168 trees in the general landscaping and 267 street trees
- Minimizes the impact to ground water recharge by limiting lot coverage to 40% (code allows up to 100%) and having a 0.18 FAR (significantly less than the 0.30 FAR maximum allowed by code)
- Limits building size to 200,000 square feet versus seeking a conditional use permit to construct larger buildings
- Accomplishes retention of large, grouped trees (and their canopies) near parking lots, drive aisles, and buildings to provide shade and improve the appearance of the project and preserve as many trees as possible
- Proposes to voluntarily restore 5.59-acre of bat habitat that will improve the broader habitat function of trees abutting the northeast part of Old Fort Lake (i.e. a sensitive area)

(2) All landmark (see DMC 25.10.120, L definitions) Oregon white oak trees shall be retained, along with any native understory within a protection zone one and one-half times the radius of the oak's canopy, unless the landmark oaks are within a proposed 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 the table of DMC 25.120.040(1). At least half of all other (non-oak) landmark trees shall be retained. In the industrial district and manufacturing/research park 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.

Retain Landmark Oregon White Oak Trees: **CRITERIA MET**
⇨ *There are no Landmark Oregon White Oak Trees on the project site[2].*

[1] Arborist Report by Soundview Consultants
[2] Arborist Report, *Existing Tree* Characteristics, page 4

Retain at least 50% of Non-Oak Landmark Trees: **SEE REQUEST FOR MODIFICATION PER DMC 25.120.050**

- ⇨ *Of the nearly 6,000[3] trees on site, 139 are Non-Oak Landmark trees.*
- ⇨ *Applicant proposes to retain approximately 5300 of the total 6000 trees, 7 of which are the Non-Oak Landmark trees (representing 5% of the total number of non-oak landmark trees)*
- ⇨ *Of the Non-Oak Landmark trees to be removed, 24 are within proposed right-of-way and 108 within the building footprint, parking lots, etc.*

(3) The following minimum number of trees (other than street trees) per acre, expressed as an average over the entire neighborhood plan, site plan, subdivision, or short plat, shall be retained; provided, that nothing in the following shall require the retention of more than half of the existing trees, other than oak:

There are close to 6,000 total trees on the site, which count includes those trees less than 6" DBH, trees, those greater than 6" DBH, specimen trees, and landmark trees. Applicant will be retaining over 5,300 trees[4] and adding 168 non-street trees and 267 street trees

It is unclear whether the ratios below are based on zoning district or proposed uses. Regardless, Applicant **COMPLIES** with this requirement for retention of total trees.

(a) Business and technology, and manufacturing/research: one and one-half;

Applicant would be required to retain 152 trees.[5] Applicant **EXCEEDS** this standard.

(b) Commercial, office, mixed, civic, and schools: three;

Applicant would be required to retain 303 trees. Applicant **EXCEEDS** this standard.

(c) Single-family and mixed single-family and multifamily areas: four; provided, that for multifamily uses, half of the required four retained trees per acre may be satisfied by installing new trees; further provided, the cumulative diameter at breast height of the new trees equals that of the trees that would otherwise be retained but which are to be removed.

Not applicable. However, Applicant will be retaining more than 12 times the number of trees that would be required for single family or multi-family development.

(3) When the application before the city contains oak management mapping units, trees retained therein shall count toward meeting the above requirement.

Oak Management Mapping Units were established in conjunction with a study (aka the Jones & Stokes Study) the City commissioned years ago. Applicant's Building 2 (including parking lot and access drive) is proposed to be adjacent to mapping unit MO-8 and proposed Road #3 is abutting unit MO-12.[6]

None of the non-landmark Oregon White Oaks to be removed are located within these mapping units. Further, neither of these mapping units were identified in the Jones & Stokes Study as requiring preservation per DMC 25.120.040.

(4) No clearing, grading, trenching, cutting, impervious surfacing, or other construction shall be allowed within the drip line of any tree to be retained, or within one and one-half times the radius of the canopy in the case of oak trees to be retained, nor shall grades be lowered or raised so near as to jeopardize said trees; unless there is no other alternative and the intrusion is the minimum possible as determined by the administrator. Temporary barriers shall be installed around trees requiring protection during construction.

Noted. Applicant has included this within its tree retention plans and expects this to be a condition of approval and noted on the

[3] Arborist Report by Soundview Consultants
[4] See Arborist Report by Soundview Consultants, as well as the Tree Preservation Plan (Sheets 1 and 2)
[5] Rounded up from 151.5 (1.5 trees per acre x 101 acres)
[6] See Exhibit A - map of site location and proximity to mapping units identified by Jones and Stokes Study

face of approved construction plans.

(6) All landscape plans required by DMC 25.90.060 shall include:

(a) The location, size, and species of all landmark, historic, and specimen trees;
(b) Which trees are to be retained; and
(c) How retained trees will be protected during development.
Applicant has submitted plans showing the location of the trees identified above, including which are to be retained. Information has also been included addressing how the retained trees will be protected during development.

(7) All trees retained by means of this chapter, including those on single-family residential lots, shall remain protected for their life, except as noted in subsection (8) of this section. The plat or site plan on which the tree is located shall contain the following note: "This plat is also subject to an approved tree retention plan which requires that certain trees be preserved. That plan, which is binding on all owners, is on file with the City Planning Department." To further inform future lot owners, a copy of the approved tree retention plan shall be provided each owner at closing on each lot.

This note will be included on the approved site plan and recorded as necessary against the lots.

(8) Trees required to be retained by this chapter shall not be removed unless the administrator determines in writing that they have become hazardous or diseased or threaten to damage public or private property. Whoever removes a street tree or required tree shall replace it with a tree approved by the city.

Not applicable to Applicant's site or situation.

(9) Additional tree retention requirements for areas adjacent to the Puget Sound Bluff in Hoffman Hill Village may be found in Section II.B.2 of the Settlement Agreement for Lone Star Northwest DuPont Project dated December 25, 1994. Additional tree retention requirements for areas of the Puget Sound Bluff north of Sequalitchew Creek and along the north side of Sequalitchew Creek may be found in Exhibit A to Ordinance 95-521, page 36, section 9. (Ord. 07-834 § 1; Ord. 02-707 § 1)

Not applicable to Applicant's project location.

REQUEST FOR MODIFICATION TO TREE RETENTION REQUIREMENTS

In accordance with DMC 25.120.050, an Applicant may apply for a modification to the tree retention requirements for "special circumstances pertaining to that land or the trees on it," which request is reviewed based on whether the project is consistent with the purpose of the DMC 25.120.010 – Tree Retention. To provide the city with the *documentation and justification*[7] this section will address the following:

Outline:

- Modification Requested
- Applicant's Special Circumstances
- Evaluation of Modification According to DMC 25.120.010
- Consistency with the Old Fort Lake Subarea Plan

Modification Requested

Applicant is seeking the following modifications to the Tree Retention requirements:

A. Approval to retain less than 50% of all non-oak landmark trees. Specifically, Applicant seeks approval to retain 7 non-oak landmark trees, remove 24 non-oak landmark trees within the proposed roads, and remove 108 within the project area (where site grading is necessary to develop the buildings, parking lots, drive aisles, drainage facilities, etc.

Special Circumstances

In accordance with DMC 25.120.050, a modification to the Tree Retention requirements may be sought based on "*based on special circumstances pertaining to that land or the trees on it*." 'Applicant's request for modification is based on the following special

[7] See DMC 25.120.050 and its requirements

circumstances.

Special Circumstance #1: Old Fort Lake Plan is Equivalent to "Neighborhood Plan"
Background: Within 25.120.030(2) and (3), the code acknowledges that tree retention should be located at "*over the entire neighborhood plan, site plan, subdivision, or short plat*." Applicant contends that the Old Fort Lake Subarea Plan is equivalent to a neighborhood plan in this instant case because the subarea plan includes a vision for addressing tree retention and open space throughout the area's 600 acres.

For example, Section 3.5 of the Old Fort Lake Subarea Plan addresses the Project Master Plan[8] for the subarea and describes that intent of this subarea 'master plan' to establish long-range spatial arrangements of land use areas, open spaces, roadways, and other amenities to balance prosperity, environment, and lifestyle. And Policy CF 1 requires that individual development projects are constructed consistent with the Subarea Plan in terms of infrastructure, open space, and land usage.

The intent for a master plan is to identify and establish development focus areas (areas where development will occur) and open space focus areas for conservation, recreation, and cultural use[9] - a process the plan indicates was created through an expression of the community, evaluation of future housing, and selection amongst alternatives. Further, the subarea's 'master plan' delineates "*the intended alignment [of roads] and connections to existing street network*."

- ✓ Applicant contends that the subarea plan thoroughly contemplated the intended land uses and established open spaces and protections that ensure retention of open space and the landmark trees therein. The subarea designates 137 acres of open space and sensitive areas and an additional 216 acres as OFL-4. According to the Land Use Designation Descriptions in Table 4.2(b) on page 41 of the subarea plan:
    - OFL-4 is intended to guide future development and expansions of the golf course and selected open space-oriented properties within the subarea.
    - Open Space/Sensitive Areas is intended to recognize those lands not intended for development such as greenbelts and open space and tree preservation areas.

  Applicant requests that the modification to the requirement to retain at least 50% of all non-oak landmark trees be granted for removal of 132 total landmark trees on the basis that:

    - **the City already identified greenbelts and tree preservation areas as an integral part of the adopted Old Fort Lake Subarea Plan**
    - **the intent of the Tree Retention code is to retain trees without reducing development densities from those indicated in the comprehensive plan, which development densities (employees per acre) are part of the employment target the City of Dupont has responsibility to plan for under GMA**

- ✓ Applicant contends that the subarea plan road alignment was adopted after a site-level analysis[10], public engagement, evaluation of land use alternatives, and identification of open spaces[11]. Applicant's proposed project follows the subarea plan's road alignment. As shown in Applicant's landscape plan, the right of way improvements will result in the planting of 267 street trees (equal to over 11 trees to be adding in rights of way per 1 non-oak landmark tree removed from these rights-of-way).

  Applicant requests that the modification to the requirement to retain at least 50% of all non-oak landmark trees be granted for the 24 landmark trees proposed to be removed on the basis that they are within proposed rights-of-way or immediately adjacent areas affected by the grading required to construct these street improvements in accordance with alignments established by the Old Fort Lake Subarea Plan.

[8] Also see page 20 of the Old Fort Lake Subarea Plan
[9] Old Fort Lake Subarea Plan at page 27
[10] See bullet point #2 "Existing Conditions/Site Analysis on page 6 of the Old Fort Lake Subarea Plan
[11] See multiple references throughout the Old Fort Lake Subarea Plan highlighting the year-long process

Special Circumstance #2: Property Shape
Background: The shape of the area Applicant seeks to develop is irregular. These boundaries were not created by the Applicant, but result from being surrounded by other land uses (e.g. the golf course and lake) and divided by road alignments created through the subarea plan. Applicant is developing a permitted use in accordance with its development experience and in consideration of market factors including demand, available building spaces within the area, competitor projects, etc. Further, construction of Applicant's proposed development is demonstrably better than prior approved plans (see details of Special Circumstance #3) for the same site, which plans would have featured smaller buildings, but equal or greater impact to tree retention.

> **Applicant requests that a modification to the requirement to retain at least 50% of all non-oak landmark trees be granted for the 132 total landmark trees proposed to be removed on the basis that the shape of the property will not allow Applicant to develop a market viable project as is otherwise permitted by the land use code.**

Special Circumstance #3: Property History
Background: Applicant's proposal is not the first project proposed and approved for this site. At least one prior project, First Park Northwest Landing,[12] received preliminary subdivision approval (SUB 08-01, February 25, 2009). Although First Park Northwest Landing was not built (and its approval expired), it serves as a base case for how the site could otherwise be developed with smaller buildings and more lot coverage that what Applicant has proposed.

In fact, had this been constructed at the time many of the landmark trees would not be present today, nor would have so many additional trees grown within the project area such that 139 landmark trees now exist within Applicant's 101-acre site.

The Hearing Examiner decision on First Park Northwest Landing noted that 12 of the 76 landmark trees (across +200 acres) were to be removed within proposed right of ways, that additional landmark trees may be required to be removed during grading of the roads, and that "with specific development and parking" all trees may need to be removed[13].

> **Applicant requests that the modification to the requirement to retain at least 50% of all non-oak landmark trees be granted for the 132 total landmark trees proposed to be removed based on the precedent established by the decision in First Park Northwest Landing and the fact that alternative development options (smaller buildings, more streets, etc.) would have similar or greater impacts to retention of these landmark trees.**

Evaluation of Modification According to DMC 25.120.010

The code instructs that the administrator review a request for modification based on DMC 25.120.010, which is the section of the tree retention code establishing the purpose in subsection (1) and intent in subsection (2). Applicant has provided a narrative addressing its consistency with and furtherance this purpose and intent to demonstrate overall compliance.

(1) The purpose of this chapter is to:

(a) Protect natural habitats, air quality, and ground water recharge;

Applicant's plan protects natural habitats as follows:

- Retains over 5,300 total trees within the 101-acre project site
- Minimizes the impact to ground water recharge by limiting lot coverage to 40% (code allows up to 100%)
- Limits building size to 200,000 square feet and an FAR of 0.18 (code allows up to 0.30 for industrial)
- Retains several large, grouped landmark trees (and their canopies) near parking lots, drive aisles, and buildings to provide shade and improve the appearance of the project
- Proposes to voluntarily restore 5.59-acre of bat habitat that will improve the broader habitat function of trees abutting the northeast part of Old Fort Lake (i.e. a sensitive area)

(b) Improve the appearance of the community;

[12] Exhibit B First Park at Northwest Landing Stormwater Master Plan (attached) & Exhibit C Conceptual Site Plan Figure 2 (attached)
[13] Findings of Fact No. 84, page 17

Applicant's plan protects improves the appearance of the community as follows:

The Old Fort Lake Subarea Plan at page 23 envisions industry developed and arranged in a "park-like setting" along with buffering that safeguard the aesthetic of the community. To address this, Applicant's site plan:

- Breaks the project up into four medium sized light industrial buildings, featuring retained trees, and new landscaping consistent with the requirements of Chapter 25.90.
- Retains large tree canopies, especially those grouped around Buildings 1 and 2[14].
- Creates, through tree retention, landscaping, street trees and voluntary bat habitat mitigation, an office/industry park-like setting that includes landmark and other retained trees that will provide visual interest as other required landscaping matures.
- In total, Applicant's plan includes over 5,300 retained trees, 168 trees added within the landscaping, and another 267 street trees.

(b) Provide shade and wind protection;

Applicant's plan provides shade and wind protection:

- Groups of trees with larger canopies are retained near parking lots, drive aisles and buildings to provide shade.
- Retains over 5,300 trees in the 101-acre project site, which will provide wind protection.
- Adds 168 trees in the general landscaping and 267 street trees

(c) Reduce stormwater discharge; and

Applicant's plan reduces stormwater discharge as follows:

- Limits lot coverage to approximately 40% (code has no restriction other than buffer requirements).
- Complies with the City's stormwater regulations and BMPs.

(e) Conserve water supplies.

Applicant's plan furthers the conservation of water supplies as follows:

- Includes a voluntary 5.59-acre bat habitat mitigation area adjacent to Old Fort Lake, which will help provide additional buffering between the development and the lake's existing treed buffer.
- Applicant proposes minimal irrigation as needed to maintain landscaping in accordance with city code.

Chapter 25.90 DMC establishes the City's landscaping standards for all projects. The purpose of the landscaping standards is the same as the purpose of tree retention and its intent shares common elements with that of the tree retention chapter of code. The fact that both chapters have the same purpose and similar intents is an acknowledgement that both are mechanisms for achieving the end goal.

Applicant's proposed site plan, which includes the removal of 132 landmark trees, is consistent with and furthers the intent of the tree retention code.

Specifically, subsection (2) reads "This chapter is intended to help achieve these purposes by:

(a) Retaining trees, without reducing developmental densities from those indicated in the comprehensive plan."

Per the Dupont Zoning Code, Applicant's project is in Mixed Use Village (MUV) zones 5 and 6. MUV zones 1-8, which have the land use designations of OFL-1, OFL-2 and OFL-3 are areas privately owned. These areas total 300.7 acres which Pierce County's 2021 Draft Buildable Lands Report[15] indicates has capacity for 954 jobs. MUV zone 9, which is owned by the City and designated OFL-4, is noted as having capacity for 2,062 jobs in the same report. In total MUV 1-8 and MUV 9 are shown in the draft report as having capacity for 3,016 jobs.

[14] See Tree Preservation Plan Sheets 1 and 2 (completed by SitePoint) attached to the landscape plans

[15] Pierce County Draft 2021 Buildable Lands Report, portion featuring Dupont is attached hereto as Exhibit D

According to the 2015 Dupont Comprehensive Plan the City of Dupont had a deficiency of 1,688 jobs, which through reasonable measures it proposed said deficiency would be accounted for based on an expectation that future projects within the Business Technical Research, Manufacturing Research Park, and Industrial designations would have higher employment densities.

However, with the adoption of the Old Fort Lake Subarea Plan in 2017, Dupont changed the land use designations within what was the Old Fort Lake Business Tech Park. However, the new land use designation of OFL-4 is now intended to only guide future development of the golf course and selected open space properties within the subarea, which is also identified as the Open Space Focus Area[16] where the City indicates, "*these areas are envisioned to remain unimproved open spaces or recreational assets.*"

OFL-4 is divided into five blocks I.1 through I.5. Blocks I.1 and I.2 are the golf course. Blocks I.3, I.4 and I.5 comprise the area around Fort Nisqually, Fort Nisqually, and a small unimproved area to the NE of the green for Hole 1. Pierce County's Draft Buildable Lands Report and the 2015 Dupont Comprehensive Plan appear to be based on the golf course being redeveloped as industrial uses, but with adoption of the 2017 Old Fort Lake Subarea Plan, creating of the MUV zones, and permitted uses established for MUV 9, this area no longer is zoned for industrial uses and is now identified as an open space focus area[17].

As best as the Applicant can tell, land use and zoning changes to the golf course have limited development to approximately 10 acres. Therefore, it seems improbable that the City can expect to fulfill an employment capacity of 2,062 jobs in OFL-4. It could be anticipated that OFL-1, OFL-2 and OFL-3 comprising approximately 307 acres will need to accommodate more employment capacity to resolve a likely deficiency in employment.

In other words, the employment density anticipated under the Comprehensive Plan for the former Business Technology Park is already unable to be met because of the adoption of the Old Fort Lake Subarea Plan and MUV zoning. By enforcing the strict 50% retention requirement for all non-oak landmark trees, the Comprehensive Plan's employment densities for the area cannot be met.

The Applicant's proposal to develop 101 acres and a preliminary economic impact analysis dated April 13, 2021[18] performed by Toyer Strategic Advisors, Inc. conservatively estimates that the 800,000 square feet within this proposal is likely to create 474 jobs based on a likely mixed of tenants.

Lastly, Chapter 25.90 DMC establishes the City's landscaping standards for all projects. The purpose of the landscaping standards is the same as the purpose of tree retention and its intent shares common elements with that of the tree retention chapter of code. The fact that both chapters have the same purpose and similar intents is an acknowledgement that both are mechanisms for achieving the end goal.

Applicant's proposal to retain more than 5,300 overall trees while removing 132 non-oak landmark trees is necessary to achieve employment densities consistent with the Comprehensive Plan.

Consistency with Old Fort Lake Subarea Plan

Applicant's site is located within what is known as the Old Fort Lake Subarea Plan was formerly known as the Old Fort Lake Business and Technology Park District prior to adoption of the current Old Fort Lake Subarea Plan in November of 2017 after a year-long public engagement between the city, property owners, and residents. The goal of the subarea planning process was to establish a "final strategy to develop Old Fort Lake" and plan's objectives included addressing the natural environment, economic opportunity, urban design, connections, amenities, and housing opportunity[19]. The plan notes that the general characteristics of the plan include major tree canopies that are clustered along the [Sequalitchew] creek, lake, bluff, and southeast corner.

Specific to Amenities, the plan calls for protecting and integrating existing open space areas, cultural resources, and views by focusing "on creating dynamic streetscapes, landscaping, trails, gathering places, and living/commercial environments." The plan also seeks to "preserve and enhance sensitive areas and natural assets" that exist in the more than 600 acres[20].

There are ten guiding principles behind the subarea plan, which most relevant to Applicant's tree modification request are:

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[16] See page 33 of Old Fort Lake Subarea Plan

[17] Page 21 of the Old Fort Lake Subarea Plan indicated that zoning changes getting away from redevelopment of the golf course for industrial uses was like to change in the future for purposes of controlling land uses

[18] Exhibit E Preliminary Economic Impact Analysis, attached.

[19] Pages 4 and 5 of the Old Fort Lake Subarea Plan

[20] Page 5 of the Old Fort Lake Subarea Plan

- create opportunities for jobs and employment

Applicant's project is focused on providing jobs and employment opportunities in the light industrial and manufacturing fields.

- protect and enhance natural resources

Applicant's project protects landmark trees along the boundaries of the project area, retains over and proposes to voluntarily restore 5.59 areas of bat habitat abutting the northeast corner of Old Fort Lake – a designated open space area within the subarea plan.

- protect and buffer existing neighborhoods

Blocks F.3 and F.4, and the golf course are located between Applicant's project and surrounding residential areas. The Applicant has proposed in its landscaping plan Type A and B buffers along the boundaries of Buildings 2 and 3, which abut the golf course. This is intended to provide a visual buffer of the project for existing neighborhoods to the south, as well as the golf course. As Blocks F.3 and F.4 are developed in the future, their development, landscaping, etc. will serve as additional buffer between Applicant's site and the residential areas to the south and southeast.

To accomplish the plan's vision, it calls for dividing the subarea into four focus areas consisting of a mixed-use focus, a business/industry focus, a work/live focus, and an open space focus[21]. Applicant's site is located with the Business/Industry Focus Area as described in the Old Fort Lake Subarea Plan.[22] Applicant's project location in blocks E.1, E.2, F.1 and F.2 to be oriented more central to the subarea and away from residential neighborhoods.

Applicant's Tree Modification request is consistent with the following Land Use Goals and Policies within the Old Fort Lake Subarea Plan:

Goal LU-3 Provide family wage employment by promoting industrial facilities in the subarea.

Applicant's proposed tree modification would allow for development of industrial facilities in the subarea that will provide family wage employment.

LU 3.2 Provide flexibility in the administration of design standards to allow for innovative products and effective solutions to site challenges.

Applicant's proposed tree modification is consistent with providing flexibility to address site challenges such as location of planned roads, shape of the site, etc.

LU 3.4 Provide buffers, incorporating features such as existing vegetation, berms, fences, and landscaping between non-residential and neighboring residential areas.

Applicant's proposed project provides buffers and incorporates existing vegetation (including some non-oak landmark trees) into its design. Although the project will be separated from residential areas by future development, the combination of tree retention and landscaping provided will create a buffer between Applicant's site and residential areas.

OSR 1.3 Enhance natural habitat around the lake.

Applicant's proposal includes a voluntary 5.59-acre bat habitat restoration area abutting the lake and its surrounding treed track.

OSR 1.4 Manage native trees and vegetation around the lake.

This is achieved by Applicant's voluntary bat habitat restoration area.

T 2.3 Plan a transportation network that reflects the future land use goals.

Applicant incorporates the road alignments as identified in the subarea plan, which was established to further the city's future land

[21] Page 28 of the Old Fort Lake Subarea Plan
[22] Old Fort Lake Subarea Plan at page 31

use goals.

T 2.4 Construct streets with trees and vegetation; ensure roadways carry forward the streetscape themes found in other parts of the City.

Applicant will provide landscaping and street trees as required by code.

CF 1.2 Require that individual development projects are constructed consistent with the Subarea Plan in terms of infrastructure, open space, and land usage.

Applicant's proposal is consistent with constructing infrastructure as identified in the subarea plan. Additionally, the proposal's 0.18 FAR balances the need for open space along with the use of land.

Respectfully submitted,

David Toyer
President

Exhibit A

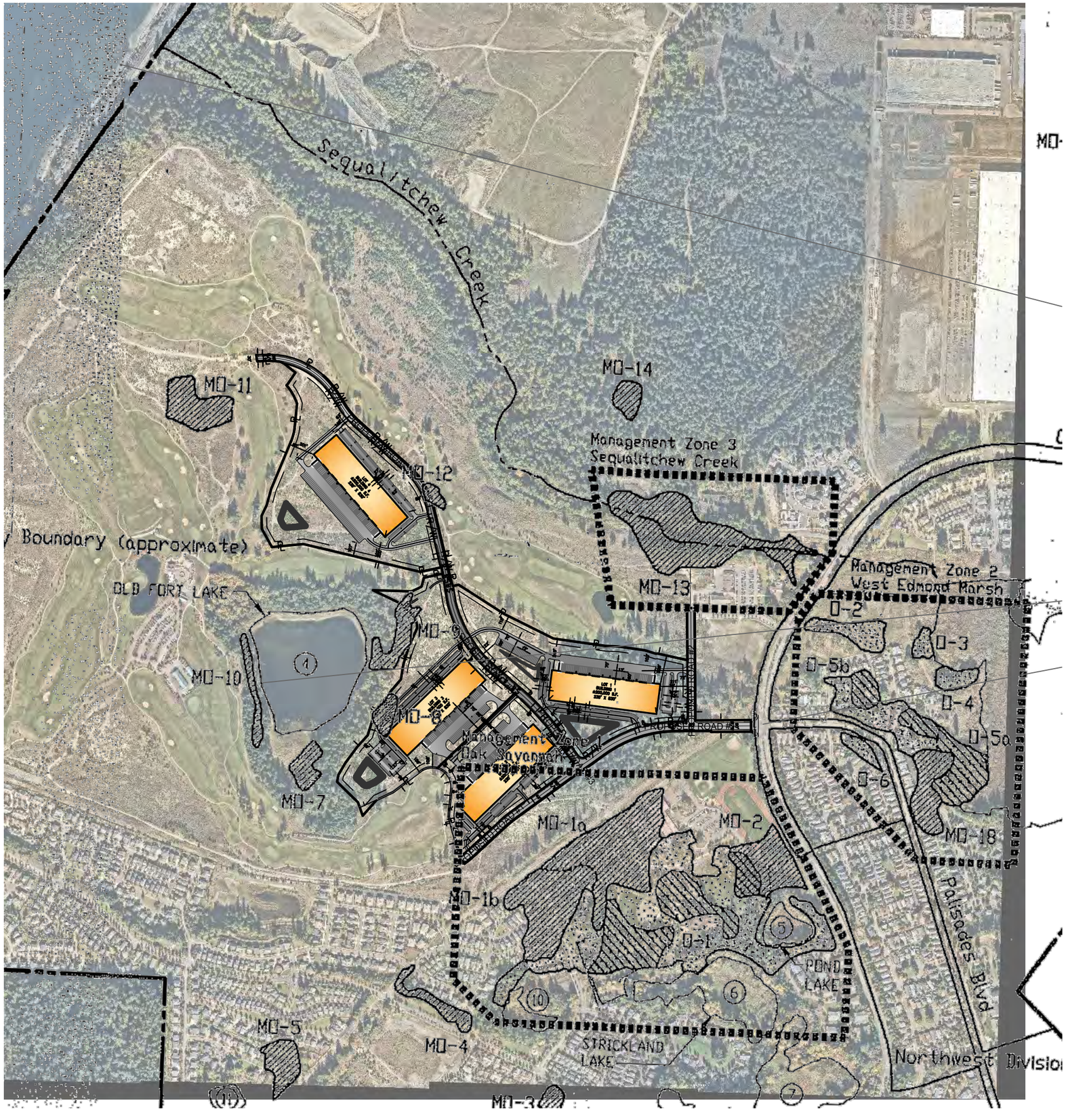
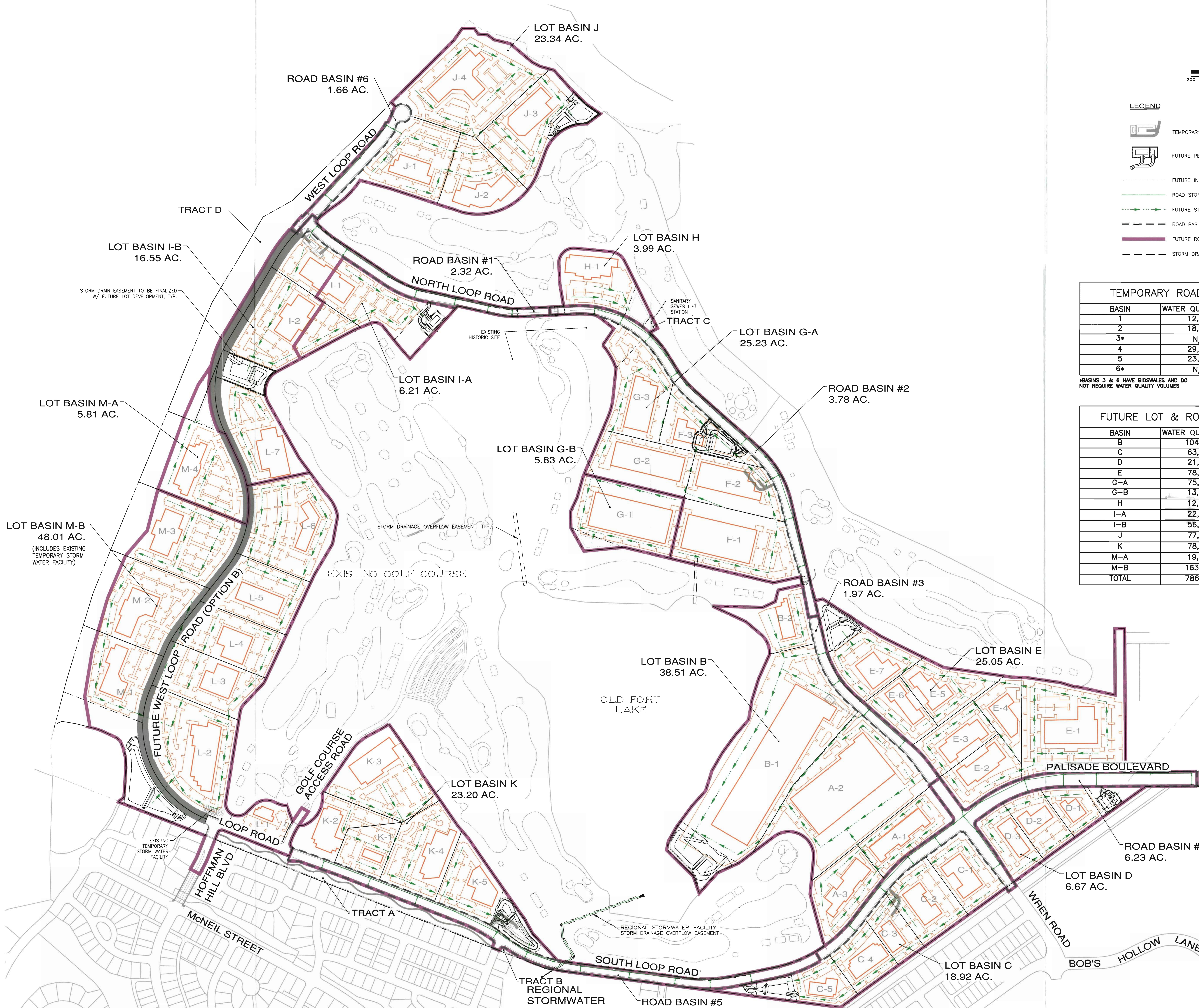

Sequalitchew Creek
MO-11
MO-12
MO-14
Management Zone 3
Sequalitchew Creek
Boundary (approximate)
OLD FORT LAKE
MO-9
MO-10
MO-8
MO-13
Management Zone 2
West Edmond Marsh
O-2
O-3
O-5b
O-4
O-5a
O-6
MO-18
Management Zone 1
Oak Savannah
MO-7
MO-1a
MO-2
MO-1b
O-1
POND
LAKE
Palisades Blvd
MO-5
MO-4
STRICKLAND
LAKE
Northwest Division

Exhibit B

A PORTION OF SECTIONS 22, 26, & 27, TWP. 19 N., RGE., 1 E., W.M.



LEGEND

- TEMPORARY ROADWAY STORM DRAINAGE FACILITIES
- FUTURE PERMANENT ROADWAY AND LOT STORM DRAINAGE FACILITIES
- FUTURE INDIVIDUAL LOT STORM DRAINAGE FACILITIES
- ROAD STORM DRAINAGE SYSTEM
- FUTURE STORM DRAINAGE SYSTEM
- ROAD BASIN
- FUTURE ROAD AND LOT BASIN
- STORM DRAINAGE EASEMENT

TEMPORARY ROAD POND VOLUMES

BASIN	WATER QUALITY (CF)	INFILTRATION (CF)
1	12,716	3,880
2	18,448	9,459
3*	N/A	3,164
4	29,104	12,341
5	23,760	10,540
6*	N/A	2,272

*BASINS 3 & 6 HAVE BIOSWALES AND DO NOT REQUIRE WATER QUALITY VOLUMES

FUTURE LOT & ROAD POND VOLUMES

BASIN	WATER QUALITY (CF)	INFILTRATION (CF)
B	104,300	48,000
C	63,800	27,700
D	21,600	8,500
E	78,200	35,400
G–A	75,000	35,900
G–B	13,700	4,900
H	12,500	4,000
I–A	22,500	8,900
I–B	56,400	25,600
J	77,000	36,900
K	78,200	37,400
M–A	19,900	7,800
M–B	163,500	78,900
TOTAL	786,600	359,900

REVISIONS
NO. | DESCRIPTION/DATE | BY

ESM CONSULTING ENGINEERS LLC
33915 1st Way South #200
Federal Way, WA 98003
www.esmcivil.com
Civil Engineering | Public Works | Land Surveying | Project Management | Land Planning | Landscape Architecture

FIRST INDUSTRIAL REALTY TRUST, INC.

FIRST PARK NORTHWEST LANDING

STORMWATER MASTER PLAN BASIN MAP

CITY OF DUPONT — WASHINGTON

JOB NO. 1449-001-007
DWG. NAME EN-51
DESIGNED BY: LGC
DRAWN BY: LCR
CHECKED BY:
DATE: 2008-10-09
PRINT DATE:

EXHIBIT 2
1 OF 1 SHEETS

Exhibit C

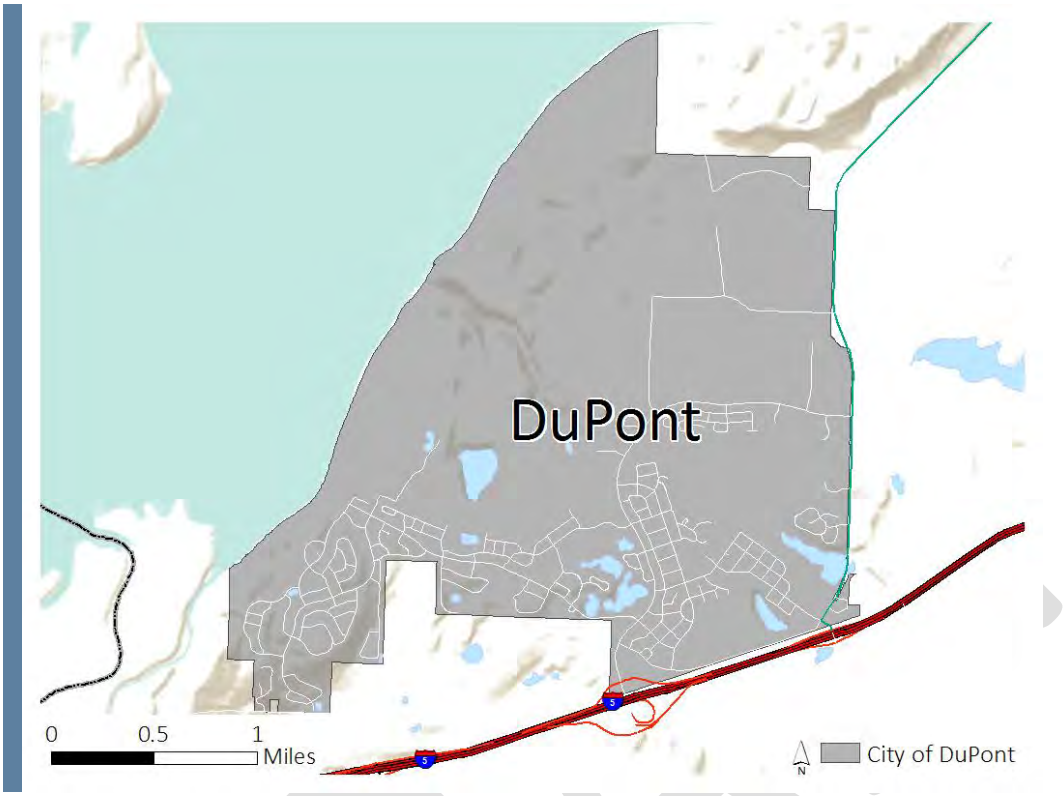
Figure 2
Conceptual Development Plan
First Park at Northwest Landing

M:\07\07208 First Industrial NW\...R&TR\Graphics\graphic02 <Fig 2> melindap 10/01/08 14:26

The Transpo Group

Exhibit D

6 CITY OF DUPONT



The City of DuPont's Comprehensive Plan and regulations implement densities using gross acreage.

Table 6-1: City of DuPont Zone Classifications

Zone Classification		Zone Type[1]	Total Acres[2]
CB		Commercial	58.1
COM	Commercial	Commercial	18.2
CP		N/A	59.1
IND	Industrial	Industrial	138.1
MRP	Manufacturing Research Park	Industrial	478.1
MUV	Mixed Use Village	Mixed Use	519.7
MXD	Mixed Use	Commercial	58.8
NP		N/A	26.1
OFF	Office	Commercial	52.1
OS	Open Space	N/A	705.7
R-12	Residential-12	Residential	72.2
R-3	Residential-3	Residential	54.5
R-4	Residential-4	Residential	463.6
R-5	Residential-5	Residential	284.8
RR	Residential Reserve	Residential	207.2

[1]For purposes of the Buildable Lands inventory and analysis; not a representation of the City zoning code.

[2]Represents parcel acreage, not zoning coverage.

Sources: City Zoning Code.

DEVELOPMENT TRENDS

This section summarizes building and plat data obtained through the Pierce County Assessor-Treasurer and Auditor Departments observed between January 1, 2013 and December 31, 2020 that is used to monitor observed densities and update the assumptions for future development. The summaries in this section are designed to show the average statistics used to inform the report. Only data pertinent to the Buildable Lands requirements are collected, and incomplete or not-applicable data is omitted; therefore, this Report does not provide a full summary of all development within the jurisdiction. For more detailed summaries by zone/year, see Appendix A: Full Data, Calculation Tables, and Maps.

Table 6-2 shows the average residential density per zone and jurisdiction-wide and is not intended to show the total units/lots created or overall acres consumed. The results reflect the density calculation used by the jurisdiction, and only include a summary of plats and multifamily (3+ attached units) projects. Table 6-3 shows the average floor-to-area ratio (FAR) by zone and the amount of non-residential building square footage developed. The non-residential projects summarized only include new development and omit additions to existing businesses and non-building type improvements.

Table 6-2: City of DuPont 2013-2020 Residential Trends by Zone[1]

Zone	Acres	Lots/Units	Density
R-12	10.04	240	11.95
R-5	7.18	2	0.28
Total/Avg.	**27.27**	**242**	**8.87**

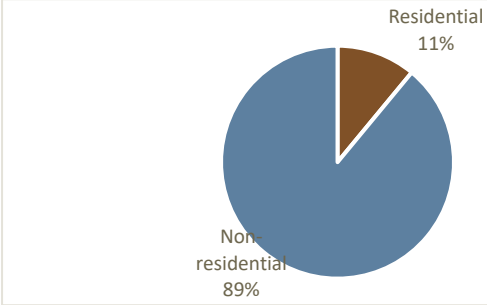
Table 6-3: City of DuPont 2013-2020 Non-residential Trends by Zone

Zone	Acres	Sq. Ft.	FAR
CB	40.91	735,839	0.41
COM	3.33	93,611	0.64
MRP	165.92	2,979,789	0.41
MXD	4.80	146,719	0.70
Total/Avg.	**214.96**	**3,955,958**	**0.42**

[1]Includes multifamily and plat data to represent the overall observed density by zone. Does not include single-family permits in order to accurately represent permitted densities; therefore, does not represent the total number of units developed in the timeframe.
Sources: City Permit Data, Pierce County Assessor-Treasurer Tax Parcels, Puget Sound Regional Council Housing Unit Permit Database.

While the non-residential development trends are informative to show the percent of land consumed for non-residential purposes (as shown in Figure 6-A), the employment densities used in the capacity assumptions are derived through employment density surveys, as documented in Appendix C: Employment Density Survey. Figure 6-A summarizes the split between residential and non-residential development between 2013-2020 by zone and the jurisdiction average. The percent split is based on the gross acres developed between 2013-2020 using the plat activity and multifamily permits for residential and non-residential permits for non-residential. The information is used to inform the percent split for mixed-use zones, as well as the percent of non-residential uses in residential-only zones.

Figure 6-A: City of DuPont Residential vs. Non-residential Development Split



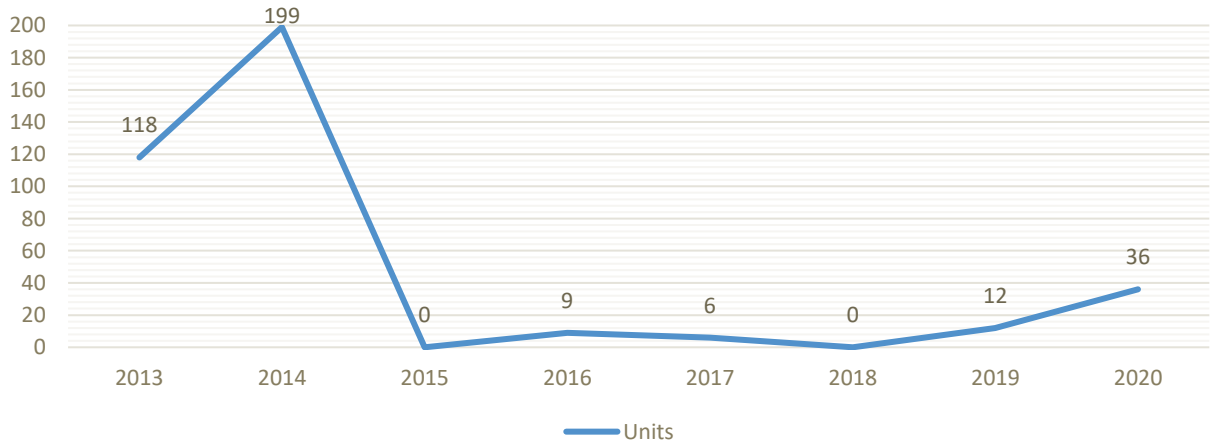
Zone	Use Type Split (Percent)[1] Residential	Non-residential
CB	0%	100%
COM	0%	100%
MRP	0%	100%
MXD	0%	100%
R-12	100%	0%
R-5	100%	0%
Average	**11%**	**89%**

[1]Does not include single-family permits in order to avoid double-counting acreage.
Sources: City Permit Data, Pierce County Assessor-Treasurer Tax Parcels, Puget Sound Regional Council Housing Unit Permit Database.

Housing Production Rate

The residential data collected for the Buildable Lands Program tracks the density and other assumptions related to the capacity analysis. The Buildable Lands requirements that were amended in 2017 now require the tracking of housing production to compare to the necessary growth rates to achieve the housing targets. Due to the limitations of the permit data and lack of demolition permit data, Pierce County relies upon the Washington State Office of Financial Management estimates to track the number of housing units built per year in each jurisdiction for the purposes of this Report. The comparison of housing production and housing needs is shown in Table 1-2 and Table 1-3 (Countywide).

Figure 6-B: City of DuPont Housing Production Rates (OFM)

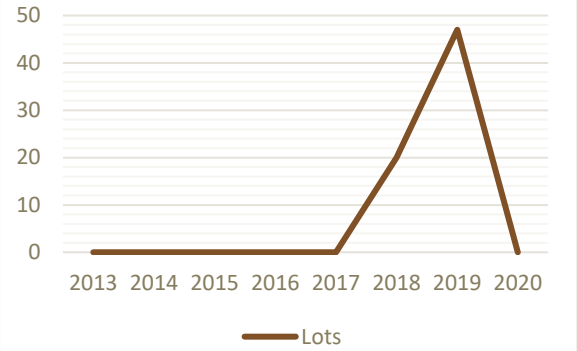


Source: Washington State Office of Financial Management Housing Unit Data (2020).

Platting Activity

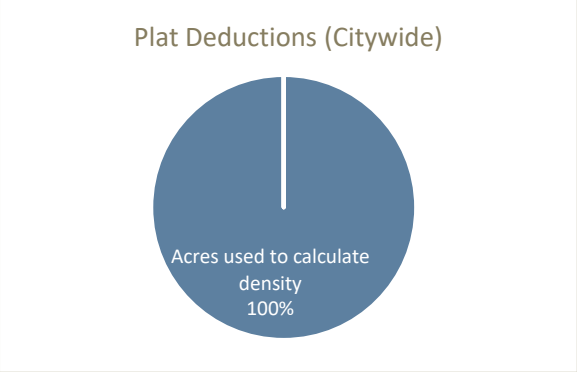
Platting activity is used to determine the achieved density for single-family residential zones and to identify the amount of land used for other purposes (whether netted out for density or applied by a regulation and affecting the achieved density). Plat data is used in conjunction with multifamily to determine the overall achieved density (as shown in Table 6-2).

Figure 6-C: City of DuPont Platting Trends



Plat Activity by Year

Year	Lots	Acres	Density
2013	-	-	-
2014	-	-	-
2015	-	-	-
2016	-	-	-
2017	-	-	-
2018	20	9.30	2.15
2019	47	5.68	8.28
2020	-	-	-
Total	**67**	**14.98**	**4.47**



Plat Deductions by Zone (Percent)

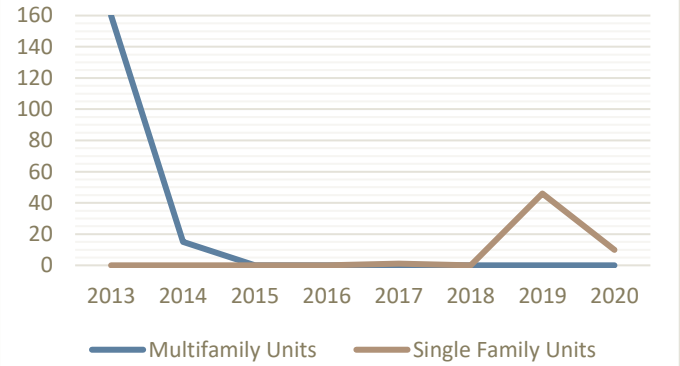
Zone	Roads	Critical Areas	Parks/Open Space	Storm -water
R-12	0.0%	0.0%	0.0%	0.0%
R-5	0.0%	0.0%	0.0%	0.0%
Average	**0.0%**	**0.0%**	**0.0%**	**0.0%**

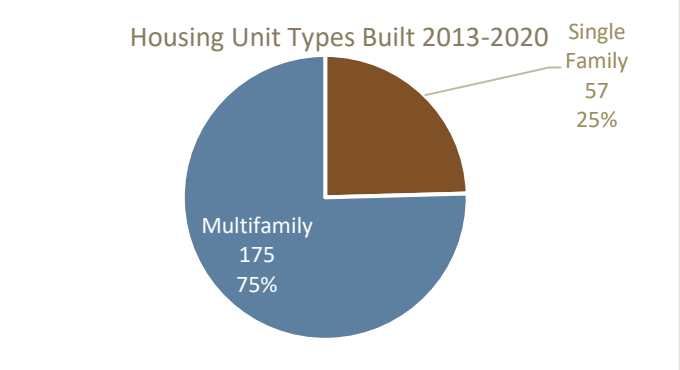
Sources: City Permit Data, Pierce County Auditor Recorded Plats.

Residential Building Trends

Both multifamily and single-family building permits are collected and summarized; however, single-family permit reporting is optional per the Pierce County Countywide Planning Policies and are limited in use for tracking factors affecting development. The single-family permit data is useful for identifying the total number of units built and the average lot size per zone and is provided as supplemental information. The multifamily permit data is used to identify the observed density and amount of land used for residential purposes. Please note that this data differs from the data provided in Figure 6-B due to collection limitations and should not be used to represent housing production in the jurisdiction.

Figure 6-D: City of DuPont Residential Building Permit Trends





Multifamily Permits by Year

Year	Units	Net Acres	Net Density
2013	160	10.95	14.61
2014	15	1.34	11.21
2015	-	-	-
2016	-	-	-
2017	-	-	-
2018	-	-	-
2019	-	-	-
2020	-	-	-
Total	**175**	**12.29**	**14.24**

Single Family Permits by Year (Optional)

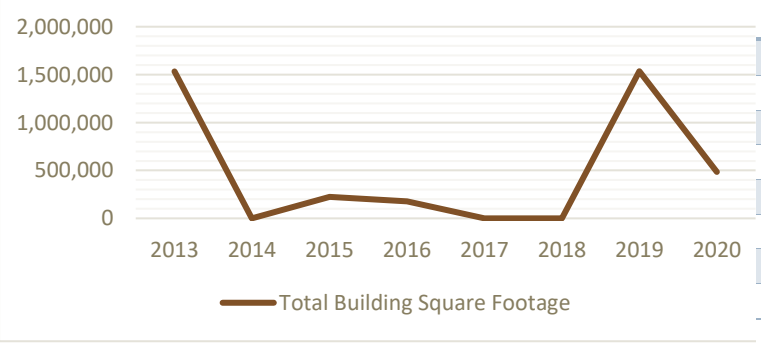
Year	Units	Acres	Avg. Lot Size
2013	-	-	-
2014	-	-	-
2015	-	-	-
2016	-	-	-
2017	1	0.10	0.10
2018	-	-	-
2019	46	3.62	0.08
2020	10	1.15	0.11
Total	**57**	**11.71**	**0.09**

Sources: City Permit Data, Pierce County Assessor-Treasurer Tax Parcels, Puget Sound Regional Council Housing Unit Permit Database.

Non-residential Building Trends

Non-residential building permits typically include commercial and industrial development; however, public use is often collected and summarized as well when the use type produces jobs. While the project acreage, building square footage, and floor-to-area ratio information is collected and summarized for the report in order to track non-residential development, the employment density is analyzed in a separate report using data other than building permits. The most recent employment density study to support the assumptions in this Report is provided in Appendix C: Employment Density Survey.

Figure 6-E: City of DuPont Non-residential Permit Trends



Year	Acres	Bldg. SF	FAR
2013	85.39	1,532,855	0.41
2014	-	-	-
2015	13.51	225,300	0.38
2016	7.79	176,210	0.52
2017	-	-	-
2018	-	-	-
2019	81.35	1,535,173	0.43
2020	26.91	486,420	0.41
Total	**214.96**	**3,955,958**	**0.42**

Sources: City Permit Data, Pierce County Assessor-Treasurer Tax Parcels, Puget Sound Regional Council Housing Unit Permit Database.

ASSUMPTIONS

Assumptions vary by jurisdiction and zone. Table 6-4 and Table 6-5 provide a snapshot of the densities, mixed-use split, and deductions used in the inventory development and capacity calculation tables. The assumptions for each zone are shown in the assumptions column of the capacity calculation tables shown in Appendix A: Full Data, Calculation Tables, and Maps.

Table 6-4: City of DuPont Assumptions Summary

Zone	Residential		Employment		Residential Market Factor		Non-Residential Market Factor		Land for Capital Facilities
	Percent	Density	Percent	Density	Vacant	Underutilized	Vacant	Underutilized	
CB	0%	0	100%	20	0%	0%	10%	20%	1%
COM	0%	0	100%	20	0%	0%	10%	20%	1%
IND	0%	0	100%	9	0%	0%	10%	20%	1%
MRP	0%	0	100%	9	0%	0%	10%	20%	1%
MUV 1-8	30%	14	70%	9	10%	25%	10%	50%	1%
MUV 9	0%	0	100%	20	10%	25%	10%	50%	1%
MXD	0%	0	100%	20	0%	0%	10%	20%	1%
OFF	0%	0	100%	20	0%	0%	10%	20%	1%
R-12	100%	12	0%	0	5%	15%	0%	0%	0%
R-3	100%	3	0%	0	5%	15%	0%	0%	0%
R-4	100%	4	0%	0	5%	15%	0%	0%	0%
R-5	100%	5	0%	0	5%	15%	0%	0%	0%
RR	100%	0.2	0%	0	10%	20%	0%	0%	0%

The Vacant Single Unit size threshold listed below represents the parcel size used to determine if a vacant property is subdividable or only able to accommodate one unit. Parcels smaller than the size listed are considered Vacant Single Units unless otherwise determined by the jurisdiction during the parcel-specific review.

Table 6-5: City of DuPont Plat Deductions for Single-Family Residential Zones

Zone	Roads	Critical Areas	Parks/Open Space	Stormwater	Non-residential	Vacant Single Unit
R-12	0%	0%	0%	0%	0%	<0.20 acres
R-3	0%	0%	0%	0%	0%	<0.56 acres
R-4	0%	0%	0%	0%	0%	<0.48 acres
R-5	0%	0%	0%	0%	0%	<0.45 acres
RR	0%	0%	0%	0%	0%	<10.50 acres

HOUSING AND EMPLOYMENT CAPACITY

Inventory and Capacity Calculation Characteristics

A portion of the inventory is deducted from the gross acreage based on the assumptions identified in the previous section. Table 6-6 shows the characteristics of the initial inventory and Table 6-7 shows the amount of land that was reduced from that initial inventory to be included in the capacity analysis, as documented in the tables and maps in Appendix A: Full Data, Calculation Tables, and Maps.

Table 6-6: City of DuPont Summary of Vacant and Underutilized Land Characteristics				
Characteristics/Category	**Vacant**	**Underutilized**	**Vacant Single Unit**	**Pipeline**
Total Acreage (Gross	81.05	532.94	3.15	28.92
Average Lot Size (Gross)	4.50	23.17	0.17	9.64
Total Acreage (Net)	75.97	509.77	2.79	28.79
Average Lot Size (Net)	4.22	22.16	0.15	9.60
Percent Critical Areas	6%	4%	11%	0%

The parcel inventory is used to categorize land and the capacity calculations are intended to represent the land available for development; thus, the inventory maps alone do not represent the "buildable land" per the Buildable Lands requirements. Table 6-7 shows the overall percentage of land assumed available as capacity in the 20-year planning period and the deductions made to account for constraints to the inventory and overall market conditions.

Table 6-7: City of DuPont Summary of Deductions		
Deductions/Category	**Vacant**	**Underutilized**
Critical Areas	5.08	23.17
Plat Deductions	0.00	0.00
Capital Facilities	0.80	5.33
Market Factor	6.65	238.94
Total Percent Reduction in Inventory Land	9%	46%
Percent of Vacant or Underutilized Land Available for Capacity	91%	54%

Capacity Results

The housing and employment capacity totals in Table 6-8 and Table 6-9 are derived from the calculations shown in Appendix A: Full Data, Calculation Tables, and Maps. A summary of the countywide capacity results compared to need is shown in Table 1-10 (2030 Housing Target), Table 1-11 (2030 Employment Target), and Table 1-12 (DRAFT 2044 Targets).

Table 6-8: City of DuPont 2020-2044 Housing Capacity					
Zone	**Vacant**	**Underutilized**	**Vacant Single Unit**	**Pipeline**	**Total**
CB	0	0	0	0	**0**
COM	0	0	0	0	**0**
IND	0	0	0	0	**0**
MRP	0	0	0	0	**0**
MUV 1-8	0	961	0	0	**961**
MUV 9	0	0	0	0	**0**
MXD	0	0	0	0	**0**
OFF	0	0	0	0	**0**
R-12	0	0	12	19	**31**
R-3	0	10	7	0	**17**
R-4	5	0	0	0	**5**
R-5	131	10	0	0	**141**
RR	0	0	0	0	**0**
Total	**136**	**981**	**19**	**19**	**1,155**

Table 6-9: City of DuPont 2020-2044 Employment Capacity

Zone	Vacant	Underutilized	Pipeline	Total
CB	95	0	0	95
COM	40	58	4	102
IND	0	0	0	0
MRP	308	0	538	846
MUV 1-8	0	954	0	954
MUV 9	0	2,062	0	2,062
MXD	0	8	0	8
OFF	0	8	0	8
R-12	0	0	0	0
R-3	0	0	0	0
R-4	1	0	0	1
R-5	28	0	0	28
RR	0	0	0	0
Total	472	3,090	542	4,104

Exhibit E

TOYER STRATEGIC ADVISORS, INC.
10519 20th ST SE, STE 3
LAKE STEVENS, WA 98258

April 13, 2021

Mr. Jeffrey Nelson
NorthPoint Development
4825 NW 41st Street, Suite 500,
Riverside, MO 64150

PRELIMINARY ECONOMIC IMPACT ANALYSIS

Mr. Nelson:

Based on our firm's experience in land use and economic development, you have asked us to preliminarily determine the predicted economic impact from the buildout of approximately 800,000 square feet of light industrial and manufacturing space in Dupont, WA. The following details our process for modeling impacts and summarizes it's results:

STEP ONE: *BASE EMPLOYMENT*

A. In determining the economic impact of any project, we typically rely on an employment figure provided by the project's end user (e.g. the likely tenant or purchaser). However, the proposed light industrial space does not have identified tenants at this time.

B. Absent specific end-user (tenant) data, we determine a project's base employment using local employment density data to determine the number of expected jobs per square feet. Sounds of this data can be local reports (e.g. buildable lands reports; economic development plans; etc.).

C. In developing our analysis, our primary sources of employment density data included:

<u>NorthPoint Tenant Data</u>
Data provided to our firm by NorthPoint indicates an overall average employment density of 1 employee per 1,500 square feet across more their more than 80 million square feet.

<u>King County Buildable Lands Report</u>
In analyzing employment and population trends, the 2014 King County Buildable Lands Report cites various employee per square feet figures from 2012. These range from 1 employee per 250 square feet in Kirkland up to 1 employee per 1,000 square feet for Burien with a total average of 1 employee per 637 square feet.

<u>Thurston County 2014 Buildable Lands Report</u>
As part of Table 4-4 on page 68, the Thurston Regional Planning Council determined that generalized employment ratios per square feet in Thurston County in 2010 indicated that industrial development generated 1.5 employees per 1,000 square feet (excluding large distribution centers). Additionally, Table 4-6 on page 70 highlights development trends from recent construction during 2000-2009 show industrial development having a generalized employment rate of 1.5 employees per 1,000 square feet (excluding large distribution centers) or approximately *1 employee per 667 square feet*.

To be conservative, we selected a ratio of 1 employee per 1,350 square feet for our model. This figure reflects a combination of the data available from NorthPoint, as well as more localized employment studies.

STEP TWO: *MULTIPLIERS*

A. The multiplier data used in the modeling comes from the Bureau of Economic Analysis (BEA) RIMS II Multipliers for the Tacoma-Lakewood Region within the Seattle-Tacoma MSA which comes from 2012 benchmark input-output (I/O) national table with 2018 regional data.

STEP THREE: *IMPACT MODELING*

A. Direct and indirect jobs are those related to/tied to the new activity. Induced jobs are those jobs that are created because of the overall increase in activity. This type of analysis does not distinguish between full and part time jobs.

B. Using the base job estimates we apply output, earnings and value-add multipliers for each industry segment to determine the projected final demand change in economic output, and projected earnings (wages, salaries and proprietor's income) as a result of the project. These figures are shown in 2018 dollars unless otherwise noted.

PREDICTED ECONOMIC IMPACT

As shown below, the project is predicted to have 474 employees, which will result in an additional 347 direct, indirect and induced jobs. This is anticipated to result in an additional $32.98 million per year in wages and earnings.

	Modeled
Employment	474
Related Jobs^	347
Direct Output *(in millions)*	$ 157
Local GDP *(in millions)*	$ 115
Earnings* *(in millions)*	$ 32.98

^*This includes direct, indirect, and induced jobs attributable to the estimated employment created by this project*

**Earnings as defined by the model include wages, salaries, and proprietor's net income, plus employer contributions to health insurance*

OTHER DIRECT ECONOMIC IMPACTS

Beyond the initial capital investment, job creation, and increase in local wages (earnings), a project of this type is responsible for several other direct economic impacts that the BEA RIMS II model does not address. These include:

- *permit revenues* generated from the project's application, review, and inspection fees which directly support the community development department and reduce the amount of general fund dollars which might be required for the community to provide these services
- *real estate excise taxes* (REET) that are generated on the sale of the undeveloped land to the developer, which taxes directly support local capital improvements and maintenance, as well as affordable housing and homelessness projects
- sales taxes on the construction and materials which local portion supports the City's general fund, the Regional Transit Authority, and criminal justice programs
- *property taxes* because of increased assessed valuation, which tax revenues are used across the board to support city services, capital improvements, community programs, etc.
- *utility taxes, business & occupations taxes, etc.* businesses involve in the construction of the project will pay some local taxes. Additionally, the completed project will generate these other local taxes as a result of the new businesses

It can be difficult and subjective to fully forecast these economic benefits at this early stage. However, in our experience, there are conservative and reasonable assumptions that can be made to allow for an estimate of local sales taxes likely from construction, as well as estimates annual local property tax contributions.

Sales Tax Projections (Local)

Our firm conservatively estimates that the construction of the proposed 800,000 square feet of industrial space will result in over $6 million in state and local sales taxes.

Square feet	800,000	State of Washington	6.50%	$ 4,784,000
Cost per SF	$ 92.00	Additional Local Tax- Regular	0.50%	$ 368,000
Construction Cost Estimate	$ 73,600,000	Additional Local Tax- Optional	0.50%	$ 368,000
		Criminal Justice	0.10%	$ 73,600
		Juvenile Detention Facilities	0.10%	$ 73,600
		Regional Transit Authority (RTA)	1.40%	$ 1,030,400
		Zoo & Aquarium	0.10%	$ 73,600
		Communication	0.10%	$ 73,600
			9.30%	$ 6,844,800

Disclaimer: estimated construction value is for the shell building only and does not include the cost of tenant improvements, equipment, and interior finishes. The sales tax rate used is the Q2 2021 rate as sourced from the Department of Revenue (WA) and the City of Dupont.

Property Tax Projections by Taxing Entity

Our firm conservatively uses $119/square foot as the likely taxable valuation of the buildings once constructed.

Est. Assessed Value	95,200,000	
Tax Code Area 55	2020 Levy Rates	Est. Taxes
State	3.01102652	$ 286,649.72
County	1.05094718	$ 100,050.17
Port	0.18403195	$ 17,519.84
Flood Control	0.10180390	$ 9,691.73
RTA	0.19937000	$ 18,980.02
City/County Road	1.10885532	$ 105,563.03
EMS	0.48196439	$ 45,883.01
School	3.89927848	$ 371,211.31
Rural Library	0.47150000	$ 44,886.80
		$1,000,435.64

We trust this analysis addresses the economic impacts you have asked us to analyze. Should you have any questions or require additional information, please do not hesitate to contact us.

TOYER STRATEGIC ADVISORS, INC.

DAVID K. TOYER
PRESIDENT