



CITY OF DUPONT

Department of Community Development
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PLANNING DIVISION REPORT AND RECOMMENDATION TO THE DIRECTOR

Project: Bridge Industrial DuPont Boundary Line Adjustment
File Number: PLNG 2021-023
Date of Report: July 19, 2022
From: Lisa Klein, AHBL (Planning Consultant to the City)

SUMMARY OF REQUEST: City approval for Type I Boundary Line Adjustment (PLNG 2021-023).

PROJECT DESCRIPTION: The proposal is adjusting the common boundary line for tax parcels 300100010, 300100020, 300100040, and 300100050. Tax parcel 300100010 area would be reduced from 2.11 acres to 0.54 acres. Tax parcel 300100050 area would be increased from 3.63 acres to 5.26 acres. Tax parcel 300100020 area would increase from 2.02 acres to 3.59 acres. Tax parcel 300100040 area would decrease from 2.37 acres to 0.74 acres.

LOCATION: 2500 to 2800 Manchester Pl, DuPont located in Section 25, Township 19, Range 01.

APPLICANT: Angie Kim
Bridge Industrial
10655 NE 4th Street
Bellevue, WA 98004

CITY CONTACT: Barb Kincaid
Public Services Director
City of DuPont
1700 Civic Drive
DuPont, WA 98327-9603
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SUMMARY OF RECOMMENDATION: Staff recommends **Approval** of the Type I Boundary Line Adjustment (PLNG 2021-023) application, subject to conditions listed in Section F.

A. SUMMARY OF RECORD

See the list of attachments provided in Section H, which includes the submittal plans and documents received for processing the application, comments received on the application during the City review process and historical background information (Attachments H.1 through H.9).

B. FINDINGS OF FACT

1. Proposal and Property Details

- a. The subject properties are located in the Manufacturing and Research (MRP) zoning district. The City’s Comprehensive Plan Land Use Map designates the property’s future land use as Manufacturing/Research and Industrial.
- b. The four original tax parcels were created through the Williamson Plat that was recorded in December 5, 2005 (recording number 200512055001).
- c. The project proposes adjusting the east-west common property boundary between tax parcels 3001000010 and 3001000020 and between tax parcels 3001000040 and 3001000050. Table 1 provides a comparison of the existing and proposed parcels.

Table 1 – Proposed Lot Changes				
Tax Parcel	Lot Name	Current Lot Areas (acres)	Proposed Lot Areas	Changes in Area
3001000010	Parcel A	2.1121	0.5446	-1.5675
3001000020	Parcel B/Lot 2	2.0281	3.5956	+1.5675
3001000040	Parcel C/Lot 4	2.3780	0.7447	-1.6333
3001000050	Parcel D/Lot 5	3.6341	5.2674	+1.6333
Total		10.1523 acres	10.1523 acres	0

- d. Adjacent uses include:
 - North: Industrial Properties
 - East: Commercial Properties
 - South: Vacant or Open Space
 - West: Residential Properties

2. Procedural Requirements

- a. The application materials were received on October 29, 2021 (Attachments H.1 through H.6).
- b. A Notice of Complete Application was issued on November 19, 2021 (Attachment H.7).
- c. Per WAC 197-11-800(6)(f), boundary line adjustments are exempt from SEPA environmental review.
- d. Per DMC 20.130, boundary line adjustments are reviewed as a Type I process. To obtain boundary line adjustment approval, consistency with the Comprehensive Plan (see Section C), and with DMC 24.07 and DMC 25.20 is required (see Section D.1)
- e. Per DMC 25.175.020(4)(a) and (e), this Type I proposal is exempt from the Notice of Application procedural requirements.

C. CONSISTENCY WITH CITY OF DUPONT COMPREHENSIVE PLAN

Chapter 25.175.040, Consistency with Development Regulations, requires evaluation of consistency with the Comprehensive Plan *in the absence of development regulations* [emphasis added]. The subject property is within the Manufacturing/Research and Industrial area. This area has two primary zoning designations: Manufacturing/Research Park (MRP) and Industrial. The MRP zoning district purpose is described as follows:

“This district allows for light manufacturing and high technology industries such as biotechnology, computer technology and communications equipment uses. Land uses with any significant adverse impacts, such as excessive noise or emission of significant quantities of dirt, dust, odor, radiation, glare or other pollutants, are prohibited. This district provides opportunities for employment in modern, attractive buildings on well-landscaped sites that are close to residential areas, thereby potentially reducing travel time to and from work.”

Staff Analysis and Conclusion: *The proposed boundary line adjustment is to adjust the boundary lines shared between parcels of vacant land. There are no development proposals for these properties at this time. Any future development will be further reviewed for consistency with the city’s Comprehensive Plan.*

D. ANALYSIS AND CONCLUSIONS OF CONSISTENCY WITH DEVELOPMENT REGULATIONS

DMC 24.07.050(b), Boundary Line Adjustments (BLAs) are to be assessed for compliance with all applicable plans, policies and regulations. The following sections present staff analyses for consistency with DMC Chapter 24.07 and the associated land use district chapter, DMC 25.20:

1. PLANNING DEPARTMENT REVIEW – BOUNDARY LINE ADJUSTMENT REVIEW AND FINDINGS

- a. Chapter 24.07 Boundary Line Adjustment (BLA) provides the purpose, scope and review procedures for boundary line adjustments. DMC 24.07.010 provides the purpose for BLAs, that they are intended to accommodate minor adjustments to lot lines and shall not result in increased development or density otherwise regulated by applicable City land use codes and regulations, or to actions requiring replat, amendment, alterations, or vacation of a plat or short subdivision.

Staff Analysis and Conclusion: *The four existing lots are currently vacant undeveloped land. The four parcels were original created through the Williamson Plat that was recorded in December 5, 2005 (recording number 200512055001). The proposed BLA does not propose an increase in development or density and does not require a replat, amendment, alteration of vacation of the original plat. Any future development or modifications to approved permits, will be subject to all applicable city land use codes and regulations. The proposal is compliant with the purpose of Chapter 24.07.*

- b. DMC 24.07.020(a)-(c) describes that only boundaries line separating four or fewer lots of record may be adjusted. The BLA proposal shall not create an additional lot, tract or parcel or result in a diminished drainage system, water supply or sanitary sewage disposal and access or easement for vehicles, utilities and fire protection for any lot.

Staff Analysis and Conclusion: *The proposed BLA does not create additional lots, tracts or parcels; it merely adjusts a common lot line shared between four lots. The City Engineer has evaluated the proposal and determined that the proposed BLA does not result in a diminished drainage system, water supply or sanitary sewage disposal (see Attachment H.8).*

The BLA does not create an access easement, however one is required in order to ensure access to Parcel’s A and C. A draft of the easement was provided and reviewed (see Attachment H.9) and is to be recorded prior to finalizing the BLA. Parcel A vehicle access will be provided via an

access easement across portions of Parcel B. Parcel C vehicle access will be provided via an access easement across portions of Parcel D. Parcels B and D will continue to have access off Manchester Place. Prior to submitting boundary line adjustment drawings for city signatures, the vehicle access easements for Parcel A and Parcel C shall be recorded and the Pierce County Auditor's File Number listed on the record of survey (Condition 1).

As conditioned, the proposal is compliant with DMC 24.07.020(a) – (c).

- c. DMC 24.07.020(d) – (g) states that BLAs shall not create or diminish any easement or deprive any parcel of access or utilities; shall not increase a nonconforming aspect of an existing nonconforming lot; seek to replat or vacate a plat or short subdivision; or amend the conditions of previously platted property.

Staff Analysis and Conclusion: The boundary line adjustment does not create or diminish any easement or deprive either parcel of access or utilities, as conditioned. Several easements are located on the parcels and while their physical locations remain the same, their respective lot locations will modify to match the new lot lines.

The Williamson Plat states that all lots are subject to a storm water easement that is 2.50 feet in width parallel with and abutting all interior lot lines and 5 feet in width parallel with and abutting rear lot lines. Since the common lot lines between parcels A and B and between parcels C and D are being relocated, this storm water easements are being relocated with the new common property line locations. The BLA does not amend the conditions of the Williamson Plat and the easement is not being diminished.

The lots conform and will remain conforming with the Williamson Plat upon recording of the proposed BLA. The proposed BLA does not amend the conditions of the previous subdivision. See Notes 1, 6, 7, and 8 on Page 1 of the BLA. The proposal is compliant with DMC 24.07.020(d) – (g).

- d. DMC 24.07.030 and 040 require that BLAs be processed as a Type I procedure and all fees and stipulated filing materials be provided.

Staff Analysis and Conclusion: All required application materials and fees were provided to constitute a complete application and review of the proposal.

- e. DMC 24.07.050 provides the departmental review criteria. The application is to be forwarded to the City Engineer, Fire Department, Pierce County, or to any other department or division. The departments are to review the BLA for compliance with applicable adopted plans, policies and regulations and forward comments to the Director who shall approve or deny the proposal. Following approval, the applicant has 30 days to record the BLA with the Pierce County Assessor. If not the BLA shall be null and void.

Staff Analysis and Conclusion: The application was forwarded to the City Engineer, Building Department and Fire Marshal for review for compliance with applicable adopted plans, policies and regulations. The Pierce County Auditor and Assessor will be reviewing and signing the BLA prior to recording.

New City procedures require the City to record the signed BLA (versus the applicant) in the form acceptable to Pierce County. Accordingly, the City will require the applicant provide the final signed BLA to the City within 30 days of approval. If not the BLA shall be null and void. (Condition 2)

- f. DMC 25.20 - The property is located in the Manufacturing and Research (MRP) zoning district. There is no minimum lot area for this district. The maximum density and lot coverage, minimum setbacks, and landscaping requirements is dependent on the type of development proposed.

Staff Analysis and Conclusion: The proposed lots are currently vacant land. Future development proposals will be reviewed for compliance with DMC 25.45, and other DuPont Zoning Code requirements, concurrent with any future development proposals for parcels A-D.

2. ENGINEERING DEPARTMENT REVIEW

The City Engineer submitted comments on the application in their email dated May 9, 2022. See Attachment H.8.

3. FIRE DEPARTMENT REVIEW

The City Fire Department provided no comments on the application.

4. BUILDING DEPARTMENT REVIEW

The City Building Department provided no comments on the application.

E. CONCLUSIONS

In accordance with the criteria in DMC 25.175.040 and DMC 24.07.050, staff has evaluated the project and finds that, subject to the recommended conditions provided in Section F, below, the proposal is consistent with the DMC and meets the approval criteria.

F. RECOMMENDATION

Based on the findings, analysis and conclusions in this report, DuPont staff recommends approval of the Bridge Industrial BLA proposal (City File No. PLNG 2021-023), subject to the following conditions.

1. Prior to submitting boundary line adjustment drawings for city signatures, the vehicle access easements for Parcel A and Parcel C shall be recorded and the Pierce County Auditor's File Number listed on the record of survey.
2. The applicant shall submit the approved boundary line adjustment drawings to City Hall with owner and surveyor signatures within 30 days of approval for the City to process recording. If not, the boundary line adjustment is null and void.
3. The approval of a boundary line adjustment shall not be a guarantee that future permits will be granted for any structure or development within a lot affected by the boundary line adjustment.
4. An amended survey reflecting the Manchester Place road vacation shall be a submittal requirement for all future development permits.

G. DECISION

Based on the Findings and Analysis summarized above, the City finds that the proposal, as conditioned, is consistent with DMC Title 24.07. The City has determined that the proposal meets the standards and criteria necessary to obtain approval by the City. All conditions included in the Recommendation are incorporated herein with this Approval.

Barb Kincaid

Date: July 19, 2022

Barb Kincaid
Director of Public Services, City of DuPont

APPEALS

Consistent with DMC 25.175.060(4), this decision by the director may be appealed to the City hearing examiner. Only parties of record may file an administrative appeal. **An appeal must be filed within 14 days after issuance of this decision (by 5:00 p.m. on August 3, 2022).** The instructions for filing an appeal are found in DMC 25.175.060(4). Appeals shall be in writing, be accompanied by the required appeal fee (\$1,000), and contain the information detailed in DMC 25.175.060(4)(d).

H. ATTACHMENTS (SUMMARY OF RECORD)

The following attachments to the Staff Report constitute the administrative record for the application:

1. Land Use Application Form signed October 28, 201
 2. Authorization Affidavit signed August 3, 2021
 3. Boundary Line Adjustment Survey dated May 12, 2022
 4. Lot Closure Calculations undated
 5. Letter of Financial Responsibility signed November 3, 2021
 6. Title Report dated October 18, 2021
 7. Notice of Complete issued November 19, 2021
 8. City Engineer comments on the application dated May 9, 2022.
 9. Draft Access Easement received June 6, 2022
 10. Ordinance No. 22-1108 Manchester Place road vacation
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I. PARTIES OF RECORD

- Angie Kim, Bridge Industrial
 - Dominic Miller, Gray & Osborne, Inc (as City Engineer)
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cc: File No: PLNG 2021-023
Sherri Ingles, Building Department
Fred Foreman, City of DuPont Public Works
Scott Hein, City of DuPont Public Works

Mike Turner, City of DuPont Fire Marshal
Lisa Klein, AHBL, Inc. (as City Contract Planner)