



# Administrator's Friday Letter

**November 20, 2010**

## **1. Flood Insurance Program Investigated**

City and Ecology staff met to discuss DuPont participating in the National Flood Insurance Program. Although DuPont does not allow development in areas that flood, there are mortgage companies that will not issue loans without flood insurance. Valid Flood Plain maps exist for DuPont and current development code regulations forbid building in the Flood Plain. The City will have to adopt a much abbreviated Flood Plain Ordinance. The City is working with representatives of the Department of Ecology on this issue.

## **2. Tree Board Prepares Tree City USA Application**

The Tree Board met on November 17<sup>th</sup> to discuss the application for Tree City USA designation. An application has been assembled and is waiting for one final piece which identifies tree related expenditures in the City Budget. There is a \$2 per capita requirement established for the designation. The qualifying costs are broad and the City will easily meet the target. The application deadline is December 4<sup>th</sup>.

## **3. Planning Commission to Act on First Industrial Development Agreement**

The Planning Agency will meet at 7PM on November 23<sup>rd</sup> to make a formal recommendation back to the City Council on the Development Agreement for the First Park NW Industrial Park.

## **4. Rainier Communications Commission Reviews FCC Rulings**

The RCC Board received legal opinions on two petitions before the Federal Communications Commission. Both petitions by the wireless communications industry sought to limit or circumvent local land use authority for siting of cellular infrastructure. At the core was a request to establish a 90 day shot clock for a City to act on applications for collocation of cell antennas or cell towers. If a City did not make a decision within 90 days the application would be deemed granted. The FCC rejected the automatic granting provision and modified the shot clock provision to provide for a 90 day clock for collocation and 150 day clock for new towers. The relief granted would be to provide for filing an action in a local court of competent jurisdiction.

## **5. Development Activity**

The City Building Division issued building and civil construction permits for McDonald's Restaurant on November 13<sup>th</sup>. Construction should commence soon. (McDonald's corporate is doing a final review of legal documents). In a second item, the City received communication from Mike Rabsdoff of DuPont Station Partners regarding the imminent sale of their mixed use project by Liberty Inn to a development group from Portland. It is expected the sale will close with 30 to 60 days. This may signal an early 2010 start to this project.