

ORDINANCE NO. 597

AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING WILSONVILLE CODE SECTION 4.125 (.18) D. 5. c. CONCERNING TECHNICAL REQUIREMENTS FOR THE MANAGEMENT OF RAINWATER AT VILLEBOIS.

WHEREAS, Wilsonville code section 4.125 (.18) D. 5. details the requirements for a Rainwater Management Program, an element of the Specific Area Plans for areas in the Villebois Urban Village; and,

WHEREAS, in reviewing proposed amendments to modify the amount of impervious area to be mitigated on public and private areas, the Wilsonville Planning Commission recommended all the staff-proposed amendments, save for one that would allow less than 100 percent mitigation of rainwater runoff based upon soil and /or topographic conditions; and,

WHEREAS, the City Council adopted Ordinance No. 579 in the form recommended by the Commission; and,

WHEREAS, since passage of that ordinance, the City Council has developed a greater appreciation of the technical constraints associated with the 100 percent mitigation requirement, and wishes to reconsider the proposal that the City Engineer have authority to waive rainwater mitigation requirements when compliance is technically infeasible; and,

WHEREAS, while the DRB would possess the expertise to waive rainwater mitigation requirements based upon soil and topographic conditions generally apparent at the time SAPs, PDPs and FDPs are approved, it would be less suited to evaluate the technical practicalities and engineering feasibility of various rainwater management techniques in the context of site conditions encountered "on the ground," after such approvals; and,

WHEREAS, it is in the public interest to enable engineering staff to evaluate and modify rainwater management requirements when a return to a hearing is not warranted, provided the basis for the engineer's action is technical in nature and does not involve considerations that are more appropriately reserved to the council and DRB; and,

WHEREAS, the Rainwater Management Program, as required by W. C. 4.125 (.18) D. 5. b., must manage "the 90% percentile of all rain events," and,

WHEREAS, the council understands that the technical analysis of rainfall data used to quantify this event was in error, such that the "¼ inch of rain over a 24-hour period" language used in the code should properly read "1/2 inch of rain over a 24-hour period,"

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts as findings of fact the foregoing recitals and that staff report in this matter dated _____.

Section 2. Order. Wilsonville Code section 4.125 (.18) D. 5. c. is hereby amended as follows:

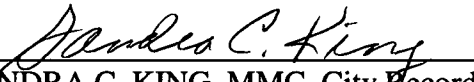
- c. Identification of guidelines and standards for the design of all Rainwater Management Systems within the SAP, that
 - i. Manage the ¼ ½ inch, 24-hour rainfall event at pre-development levels;
 - ii. Mitigate 100% of impervious area from private areas within public areas and/or private areas (i.e., parks and open space areas, public street rights-of-way). **Following approval of a Rainwater Management System, the City Engineer is authorized to approve reductions in rainwater mitigation requirements when, from an engineering point of view, mitigation of 100 percent of the 1/2 inch, 24-hour rainfall event is not technically feasible. Such reductions shall not exceed that necessary to achieve minimal technical feasibility.**
 - iii. Mitigate 100% of impervious area from all public areas within public areas (i.e., parks and open space areas, public street rights-of-way).
 - iv. Remove 70% of total Suspended Solids (TSS) for ¼ ½ inch, 24-hour storm event for all development areas.
 - v. Remove 65% of Phosphorus for ¼ ½ inch, 24-hour storm event for all development areas.
 - vi. Integrate compost-amended topsoil in all areas to be landscaped to help detain runoff, reduce irrigation and fertilizer needs, and create a sustainable, low-maintenance landscape.
 - vii. Treatment associated with stormwater runoff will be considered in meeting Total Suspended Solids (TSS) and Phosphorus removal requirements.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 19th day of September 2005, and scheduled for a second reading at a regular meeting of the Council on the 3rd day of October, 2005, commencing at the hour of 7:00 P.M. at the Wilsonville Community Center.


SANDRA C. KING, MMC, City Recorder

Enacted by the City Council on the 3rd day of October 2005, by the following votes:

YEAS: -5- NAYS: -0-


SANDRA C. KING, MMC, City Recorder

DATED and signed by the Mayor this 5th day of October 2005.


CHARLOTTE LEHAN, Mayor

SUMMARY OF VOTES:

Mayor Lehan	<u>Yes</u>
Councilor Kirk	<u>Yes</u>
Councilor Holt	<u>Yes</u>
Councilor Knapp	<u>Yes</u>
Councilor Scott-Tabb	<u>Yes</u>