

## POULSBO DISTRIBUTION SCHEDULE

**ORDINANCE NO. 2010-02**

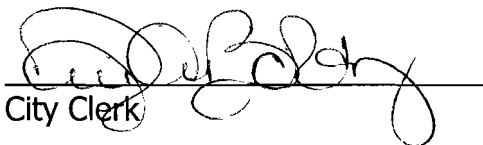
**SUBJECT: Stormwater Manual Adoption and Design Thresholds**

**CONFORM AS TO DATES & SIGNATURES**

- Filed with the City Clerk: 01/13/2010
- Passed by the City Council: 01/20/2010
- Signature of Mayor
- Signature of City Clerk
- Publication: 01/29/2010
- Effective: 02/03/2010
- Recorded: N/A

**DISTRIBUTED COPIES AS FOLLOWS:**

- NK Herald: Emailed by jb
- Ordinance Book (copy)
- Code Publishing - via email if in electronic format
- City Attorney
- Civil Service Commission and/or Sec/Chief Examiner
- Clerk's Department:
- City Council
- Finance:
- Posted to Library Drive

  
\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date January 21, 2010

**ORDINANCE NO. 2010-02**

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, PROVIDING FOR THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE CITIZENS OF POULSBO; THE PROTECTION AND ENHANCEMENT OF THE WATER QUALITY OF WATERCOURSES AND WATER BODIES OF THE CITY THROUGH THE REGULATION OF STORMWATER DISCHARGES FROM NEW DEVELOPMENT, REDEVELOPMENT, AND CONSTRUCTION SITE ACTIVITIES IN COMPLIANCE WITH THE REQUIREMENTS OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PHASE II MUNICIPAL STORMWATER PERMIT; ADDING NEW SECTIONS 12.02.030 AND 12.02.040 TO THE POULSBO MUNICIPAL CODE; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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**WHEREAS**, the regulation and management of stormwater runoff discharges from land development, redevelopment, and construction activities provides a method to control and minimize increased stormwater runoff rates and volumes, soil erosion, stream channel erosion, flooding, and nonpoint source pollution associated with stormwater runoff; and

**WHEREAS**, the regulation and management of stormwater runoff discharges from land development, redevelopment, and construction activities is in the public interest and will minimize threats to public health and safety, threats to public and private property, economic and beneficial use losses, maintenance costs of drainage systems, and habitat degradation for fish and other living aquatic resources; and

**WHEREAS**, the City of Poulsbo is subject to the requirements of the Western Washington Phase II Municipal Stormwater Permit issued by the Washington State Department of Ecology which requires the City to adopt regulations to address run-off from new development, redevelopment, and construction site activities; now therefore,

**THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1. Stormwater Design Manuals and Thresholds.** New sections to be known as "12.02.030 Stormwater Design Manual Adoption" and "12.02.040 Stormwater Design Manual Thresholds" are hereby added to the Poulsbo Municipal Code to read as follows:

**12.02.030 Stormwater Design Manual Adoption**

The City of Poulsbo hereby adopts the following stormwater design and guidance manuals for all New Development, Redevelopment and Construction projects within the City of Poulsbo subject to the minimum requirements, technical thresholds and definitions contained within the manuals as adopted in this section as well as Sections 12.02.040:

- A. The 2005 Washington State Department of Ecology Stormwater Management Manual for Western Washington, except Volume I Chapter 2, Sections 2.2 through 2.8 are superseded by the minimum requirements, technical thresholds and definitions

found in Appendix I of the 2007-2012 NPDES Phase II Municipal Stormwater Permit, except as follows: Erosivity Waivers described in Section 4 will not be allowed. Section 5 Adjustments is not adopted.

- B. The 1992 Department of Ecology Stormwater Management Manual for the Puget Sound Basin.
- C. The 2008 WSDOT Highway Runoff Manual M 31-16.

#### **12.02.040 Stormwater Design Manual Thresholds**

All New Development, Redevelopment and Construction projects meeting the following thresholds shall comply with the regulations and design manuals required by this Section.

A. Projects 1 acre or more. Projects disturbing 1 acre of land or more, or less than 1 acre that are part of a larger common plan of development or sale shall comply with the 2005 Washington State Department of Ecology Stormwater Management Manual for Western Washington as adopted in Section 12.02.030(A), including chapter/section replacements.

1. Alternate(s): Projects meeting this threshold requirement may be designed to comply with an alternate design manual which has been determined to be an approved equivalent to the 2005 Department of Ecology Stormwater Management Manual for Western Washington if approved by the City Engineer. The City Engineer shall maintain a list of approved alternate manuals and under what circumstances the approved alternate manual(s) will be allowed for projects. This documentation shall be filed in the office of the City Engineer. Projects intending to comply with alternate design manuals must have the approval of the City Engineer to do so prior to project submittal.

2. Approved Alternate Manuals: The following manual(s) have been approved for use by the City Engineer. Other manuals may be approved – consult the City Engineer for the current list of approved alternate manuals.

- a. The 2008 WSDOT Highway Runoff Manual M 31-16. This manual may be used for the design of public road projects.

3. Alternate BMPs, Low Impact Development: Low Impact Development (LID) design practices and BMPs (Best Management Practices) are encouraged and may be used to comply with the provisions and requirements of the required manual(s) where approved by the City Engineer. These practices may include the use of alternate BMPs (Best Management Practices) that are not included in the 2005 DOE Stormwater Management Manual for Western Washington but have been subsequently approved by the Department of Ecology. Guidance manuals in the design and use of these techniques and BMPs are available. Adopted guidance manuals are listed in Section 12.02.010. Low Impact Development is an emerging and rapidly changing field and not all BMPs are appropriate under all circumstances. Consult the City Engineer for guidance on currently allowed practices when LID techniques and BMPs will be proposed for projects.

B. Projects less than 1 acre: Projects disturbing less than 1 acre of land and creating 5,000sf of impervious surface or more shall at a minimum comply with the minimum requirements, technical thresholds and definitions of the 1992 DOE Stormwater Management Manual for the Puget Sound Basin. Site planning and BMP selection and design shall comply with the 1992 Ecology Stormwater Management Manual for the Puget Sound Basin.

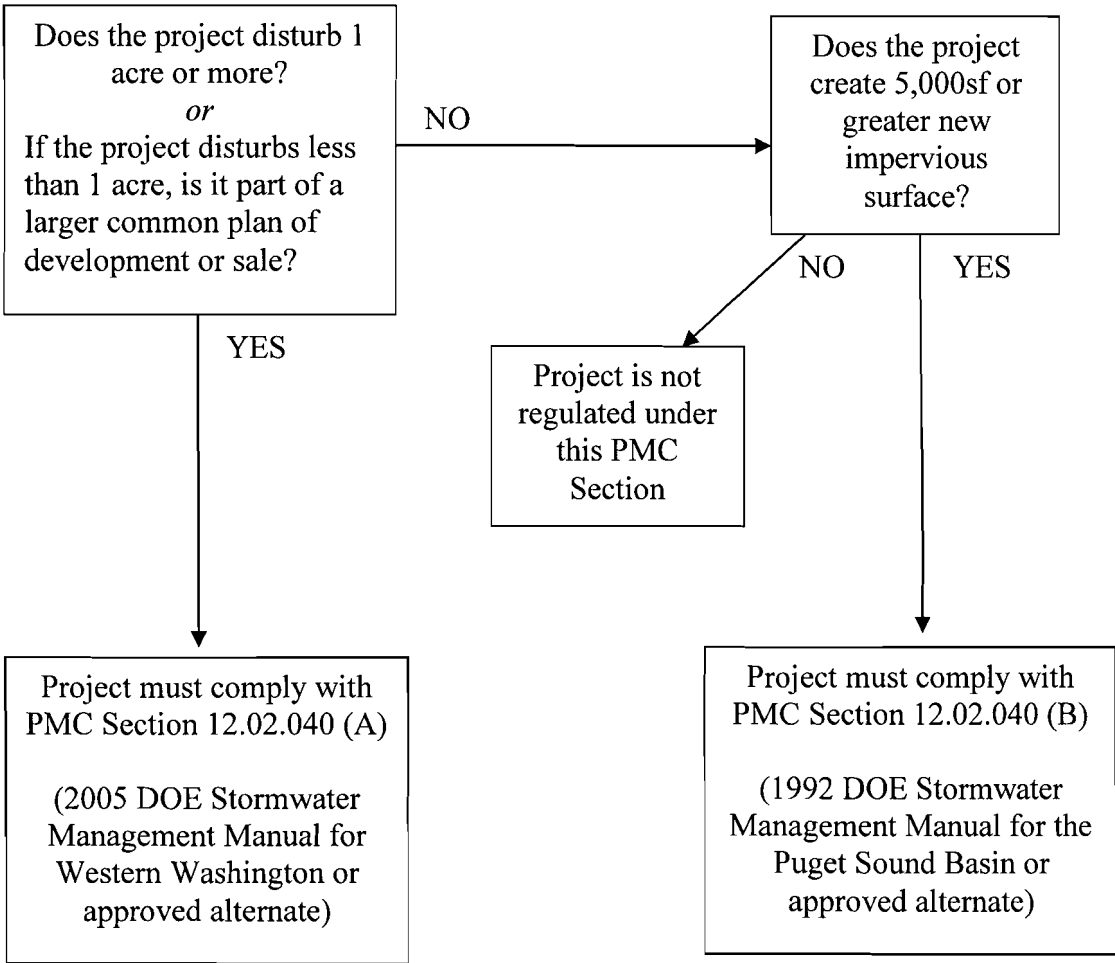
1. Alternate: Projects meeting this threshold requirement may be designed to comply with an alternate design manual which has been determined to be an approved equivalent to the 1992 DOE Stormwater Management Manual for the Puget Sound Basin if approved by the City Engineer. In addition, projects may be designed to comply with more restrictive manual(s) such as the 2005 DOE Stormwater Management Manual for Western Washington if desired. The City Engineer shall maintain a list of approved alternate manuals and under what circumstances the approved alternate manual(s) will be allowed for projects. This documentation shall be filed in the office of the City Engineer. Projects intending to comply with alternate design manuals must have the approval of the City Engineer to do so prior to project submittal.

2. Approved Alternate Manuals: The following manual(s) have been approved for use by the City Engineer. Other manuals may be approved – consult the City Engineer for the current list of approved alternate manuals.

a. 1997 Kitsap County Stormwater Design Manual

3. Alternate BMPs, Low Impact Development: Low Impact Development (LID) design practices and BMPs (Best Management Practices) are encouraged and may be used to comply with the provisions and requirements of the required manual(s) where approved by the City Engineer. These practices may include the use of alternate BMPs (Best Management Practices) that are not included in the required manual(s) but have been subsequently approved by the Department of Ecology. Guidance manuals in the design and use of these techniques and BMPs are available. Adopted guidance manuals are listed in Section 12.02.010. Low Impact Development is an emerging and rapidly changing field and not all BMPs are appropriate under all circumstances. Consult the City Engineer for guidance on currently allowed practices when LID techniques and BMPs will be proposed for projects.

**Figure 12.1 – Flow Chart to Determine Required Stormwater Design Manual**



**Section 2. Severability.** If any section, sentence, clause or phrase of this ordinance or any code section adopted or amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance or any code section adopted or amended hereby.

**Section 3. Effective Date.** This ordinance shall take effect and be in full force five (5) days after publication of the attached summary, which is hereby approved.

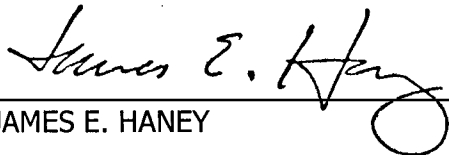
APPROVED:

  
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MAYOR, REBECCA ERICKSON

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
CITY CLERK, JILL A. BOLTZ

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY   
\_\_\_\_\_  
JAMES E. HANEY

FILED WITH THE CITY CLERK: 01/13/2010  
PASSED BY THE CITY COUNCIL: 01/20/2010  
PUBLISHED: 01/29/2010  
EFFECTIVE DATE: 02/03/2010  
ORDINANCE NO. 2010-02

**SUMMARY OF ORDINANCE NO. 2010-02**

of the City of Poulsbo, Washington

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On the 20th day of January, 2010, the City Council of the City of Poulsbo passed Ordinance No. 2010-02. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, PROVIDING FOR THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE CITIZENS OF POULSBO; THE PROTECTION AND ENHANCEMENT OF THE WATER QUALITY OF WATERCOURSES AND WATER BODIES OF THE CITY THROUGH THE REGULATION OF STORMWATER DISCHARGES FROM NEW DEVELOPMENT, REDEVELOPMENT, AND CONSTRUCTION SITE ACTIVITIES IN COMPLIANCE WITH THE REQUIREMENTS OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PHASE II MUNICIPAL STORMWATER PERMIT; ADDING NEW SECTIONS 12.02.030 AND 12.02.040 TO THE POULSBO MUNICIPAL CODE; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 21st day of January, 2010.

  
CITY CLERK, JILL A. BOLTZ