

8.310. Compliance with Local, State, and Federal Laws and Regulations.

(1) All users of the Public Stormwater System and any Person or entity whose actions may affect the system shall comply with all applicable local, State and Federal laws and regulations. Compliance with the requirements of this Chapter shall in no way substitute for or eliminate the necessity for compliance with applicable local, State and Federal laws and regulations.

(2) **Waivers to the Stormwater Standards. The City Engineer, or designee, may waive the requirements in the Wilsonville Code and/or Public Works Standards subject to substantial evidence being provided in the record to support an alternative design and demonstrating due to the technical infeasibility and site constraints, including one or more of the following, in a technical report prepared by a Professional Engineer. Pursuant to the City's stormwater permitting requirements, cost is not considered in granting waivers.**

(a) Conditions limiting LID facilities, as established in the Public Works Standards, including steep slopes, contaminated soils, and high groundwater exist.

(b) An innovative design better meets the purpose as established in Subsection A. above.

(c) The minimum unit count required by zoning cannot be met and other clear and objective relief is not available.

(3) **Appeals. Any appeal of a decision rendered on a waiver request under Section 8.310(2) must follow the procedures outlined in Section 8.336(12).**