

Existing Flexibilities in the ECA

- **21A.50.050 Complete exemptions.**
 - Subsection (1) “Alterations in response to emergencies that threaten the public health, safety, and welfare or that pose an imminent risk of damage to private property... mitigation [may]...be required...”
 - Subsection (2) “Public water, electric, and natural gas distribution, public sewer collection, cable communications, telephone utility... routine maintenance or repair... relocation... replacement... installation in existing utility corridors...”
 - Subsection (3) “Maintenance, operation, repair, modification, or replacement of publicly improved streets as long as... does not involve expansion...”
 - Subsection (4) “Maintenance, operation, or repair of parks, trails and publicly improved recreation areas as long as...does not involve expansion...”
 - Subsection (5) “All clearing and grading activities that are exempt from... a clearing and grading permit as specified in SMC 16.15.050, unless... specified in SMC 21A.50.020.”
- **21A.50.060 Partial exemptions – Critical areas.**
 - Subsection (1)(a) “Structural modification of, addition to or replacement of existing legally created structures, except single detached residences in existence before November 27, 1990,... if ... does not increase the existing footprint... within.. critical area or buffer”
 - Subsection (1)(b) “Structural modification of, addition to or replacement of legally created single detached residences and improvements constructed on existing associated legally crated impervious surfaces in existence before November 27, 1990...if ...does not the existing total footprint... by more than 1,000 square feet... and no portion ... is located closer to the critical area...”
 - Subsection (1)(c) “Maintenance or repair of structures [in] landslide or seismic hazard areas if the maintenance or repair does not increase the footprint...and there is no increased risk to life or property...”
 - Subsection (1)(d) “The removal of ...invasive vegetation is allowed with hand labor and/or light equipment provided... appropriate erosion-control measures are used and the area is replanted with native vegetation...”
 - Subsection (1)(e) “Conservation, Preservation, Restoration and/or Enhancement.”
 - Subsection (2) “Existing and ongoing agriculture and grazing of livestock...”
 - Subsection (3) “...a development proposal where previous critical areas review has been completed... and (a) The City previously review all critical areas on the site; (b) There is no material change in the development proposal since the prior review that would affect a critical area; (d) No more than five years have lapsed...; and (e) The prior permit or approval, including any conditions, has been complied with.”

- **21A.50.070 Exceptions.**
 - Subsection (1) Public Agency and Utility Exception. “If the application of this [environmentally critical areas] chapter would prohibit an activity or a development proposal by a public agency or utility, the agency or utility may apply for an exception pursuant to this section...”
 - Subsection (2) Reasonable Use Exception. “If the application of this [environmentally critical areas] chapter would deny all reasonable use of the property, the applicant may apply for an exception...”
- **21A.50.120 Critical areas study requirement:**
 - Subsection (2) “The director may waive or modify the requirement for a critical areas study...”
 - Subsection (3) “If the development proposal will affect only a part of the development proposal site, the department may limit the scope of the required critical areas study...”
 - Subsection (5) “A development proposal may be allowed to utilize past studies from neighboring properties, if confirmed that the study findings remain accurate and applicable...”
- **21A.50.130 Contents of critical areas study.**
 - Subsection (2) “A critical areas study may be combined with any studies required...”
 - Subsection (3) “If the development proposal will affect only a part of the development proposal site, the director may limit the scope of the required critical areas study...”
- **21A.50.145 Mitigation plan requirements.**
 - Subsection (7) Monitoring Program. ...”the director may approve a greater period when needed to ensure mitigation success or lesser period for minor mitigation...”
- **21A.50.225 Erosion hazards near sensitive water bodies – Special district overlay.**
 - Subsection (3)(c) “All runoff from newly constructed impervious surfaces shall be retained on site unless this requirement precludes a proposed subdivision or short subdivision from achieving 75 percent of the maximum net density ... When 75 percent of the maximum net density cannot be met, the applicant shall retain runoff on site and a perforated tightline...”
 - Subsection (3)(c)(iii) “When infiltration of downspouts is not feasible, the applicant shall design a drainage system that will detain flows on site ... using the best available science techniques to limit the risk of landslide or erosion to the no-disturbance area...”
 - Subsection (3)(d)(ii) “For development proposals that cannot infiltrate all site runoff, impervious surfaces shall be infiltrated to the maximum extent technically feasible...”
 - Subsection (3)(d)(iii) “For development proposals that cannot infiltrate all site runoff, the applicant shall design a drainage system that provides a drainage outlet designed using the best available science techniques...”
 - Subsection (3)(d) (iv) “Structural modification of, addition to or replacement of legally created single detached residences and improvements... that do not increase the existing total footprint of the residence and associated impervious surface by more than 200 square feet ... shall be exempt from the provisions of this section.”

- Subsection (3)(g) “If the application of this section would deny all reasonable use of property, the applicant may apply for a reasonable use exception pursuant to SMC [21A.50.070\(2\)](#).”
- Subsection (3)(h) The director may modify the property-specific development standards required by this section when a critical areas study ...demonstrates that the proposed development substantially increases water quality...”
- **21A.50.260 Landslide hazard areas – Development standards and permitted alterations.**
 - Subsection(2) “The buffer may be reduced to a minimum of 15 feet if, based on a critical areas study...”
 - Subsection(2) (a) “For single-family residential building permits only, the City may waive the critical areas study requirement if other development in the area has already provided sufficient information...”
 - Subsection (7) “The following are exempt from the provisions of this section: (a) Slopes that are 40 percent or steeper with a vertical elevation change of up to 20 feet if no adverse impact will result...”
- **21A.50.280 Critical aquifer recharge areas – Development standards.**
 - Subsection (1)(a) “a lesser standard may apply or on-site infiltration may be waived when...”
 - Subsection (1)(b) “If infiltration is not feasible or required, then storm water facilities shall be constructed in accordance with City standards.”
- **21A.50.290 Wetlands – Development standards.**
 - Subsection (1)(a) “Where a legally established and constructed street transects a wetland buffer, the department may approve a modification of the standard buffer width to the edge of the street...”
 - Subsection (1)(b) “Where a buffer has been previously established through City or county development review... the buffer shall be as previously established”
 - Subsection (6) Buffer Averaging. “Buffer width averaging may be allowed...”
 - Subsection(8) Buffer Reduction. “Buffers may be reduced when...”
- **21A.50.300 Wetlands – Permitted alterations. Subsections (4) through (13)**
- **21A.50.310 Wetlands – Mitigation requirements.**
 - Subsection (6)(c) Decreased Replacement Ratio. “The director may decrease these ratios under the following circumstances...”
- **21A.50.320 Wetlands – Limited exemption.** “Isolated wetlands less than 1,000 square feet may be exempted from the provisions of SMC [21A.50.290](#) and may be altered by filling or dredging...”
- **21A.50.322 Wetland management area – Special district overlay.**
 - Subsection (3)(d)(v) “The provisions of this section shall not apply to the Sammamish Town Center Study Area...”
 - Subsection (3)(e) The director may...modify the provisions of this chapter to allow for: (i) The installation of site access...”

21A.50.327 Wildlife habitat corridors.

- Subsection (11) “At the discretion of the director, these standards may be waived or reduced for public facilities such as schools, fire stations, parks, and public road projects.”
- **21A.50.330 Streams – Development standards.**
 - Subsection (1)(a) “Where a legally established and constructed street transects a stream buffer, the department may approve a modification of the standard buffer width to the edge of the street...”
 - Subsection (1) (b) “Where a buffer has been previously established through City or county development review... the buffer shall be as previously established...”
 - Subsection (4) Buffer Averaging. “Buffer width averaging may be allowed...”
 - Subsection (6) Buffer Reduction. “Buffers may be reduced when...”
- **21A.50.340 Streams – Permitted alterations. Subsections (4) through (8) and (10 through (14)**
- **21A.50.355 Lake management areas – Special district overlay.**
 - Subsection (7) “Development proposals within the Beaver Lake or Pine Lake watersheds may be exempt from management plan requirements if they demonstrate...”
 - Subsection (8)(b)(iii) “Where soils are suitable, on-site infiltration of storm water runoff can be pursued through the variance process as an AKART alternative.”