

Existing Regulation(s)	Proposed Amendment & Description
<p>Currently the City of Sammamish does not employ a fee-in-lieu regulation except where a Reasonable Use Exception or Public Agency/Utility Exception is approved.</p>	<p>Provide for a fee-in-lieu mitigation program for stream impacts, if such a program is adopted as part of the wetland mitigation approach.</p>
<p><b>Desired Result of Amendment:</b>                      This amendment, if adopted, would allow for a certain flexibility in the code, allowing for slightly more intense development in one area while enhancing the environmental quality and function of another.</p>	

**Amendment Source:**

Best Available Science

**Best Available Science Support: Supported**

- Best Available Science Report “Streams and Fish and Wildlife Habitat Conservation Areas” by AMEC Environment & Infrastructure, Inc.

**Affected Code Section(s) (includes duplicative and overlapping sections):**

- 21A.50.350 – Streams – Mitigation requirements

**Public Comment Reference(s):**

111, 113, 170, 178

**Notes:**

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Ratings are either: large positive (P), small positive (p), neutral, large negative (N), small negative (n)			
<b>Environmental</b>	<b>Neutral</b>	<b>Implementation</b>	<b>Neutral</b>
<ul style="list-style-type: none"> <li>• Decreased on-site protection of streams</li> <li>• Neutral protection of public assets and resources (e.g. streets, water quality)</li> <li>• Neutral effect on cumulative impacts to streams within program area</li> <li>• Increased potential to restore damaged stream channels or buffers within program area</li> <li>• Neutral effect on chance of damage to streams within program area</li> <li>• Neutral effect on the potential to damage high quality, unique streams within program area</li> <li>• Neutral effect on net loss of stream functions and values</li> </ul> <p>The proposed amendment will create a case by case and site specific evaluation where the functions and values of the stream will be evaluated to determine appropriateness for fee-in-lieu mitigation. The regulation would allow for an increased on-site impact which will create a net loss of stream values and functions in Sammamish and decreased protections on site and cumulatively. The amendment may also create a patchwork of open and closed stream segments.</p>		<ul style="list-style-type: none"> <li>• Neutrally clear regulations, neutral chance for unintended consequences</li> <li>• Neutral ability for consistent, efficient implementation by the staff</li> <li>• Neutral effect on likelihood of support/approval by other agencies</li> <li>• Neutral effective mitigation, increased monitoring required</li> </ul> <p>Due to the increased variability of a fee-in-lieu regulation, it will be more difficult for city staff to track decisions over time and maintain a high level of consistency. The proposed regulation may also take more time as it will require inter-agency coordination.</p>	
<b>Property</b>	<b>p</b>	<b>Overall Effect</b>	
<ul style="list-style-type: none"> <li>• Increased flexibility and options for property owner's use of property</li> <li>• Decreased predictability for permit applicants and neighbors</li> <li>• Increased recognition of site improvements and existing uses in standards</li> <li>• More expensive / more time</li> </ul> <p>The proposed regulation will offer flexibility for the applicant, but not necessarily predictability or a less expensive or efficient mitigation alternative. The regulation will require more study, increasing the level of review thereby impacting the amount of time it may take to reach a decision. Some difference in stream channel protections will reduce predictability in the permit process and may decrease perceived equity.</p>		<b>Positive</b>	