



## **ADMINISTRATIVE ORDER 301002**

### **INTERPRETATION OF DEVELOPMENT CODE**

#### **CODE SECTIONS: 20.30.560 and 20.50.300**

Request for Clarification of exemption from SEPA and requirement of a separate clearing and grading permit. The project is a gatehouse and gardens located at the North Seattle Residence. The site contains critical landslide hazards. Geotechnical information has been submitted, indicating the classification of landslide hazard in the proposed work area (Class I and II), with a recommended buffer area from the Class IV landslide hazard area (approximately 50 feet).

1. The project proponents request that this project be exempt from SEPA, in that it falls within the list of Categorical exemptions as a residential project accompanied by "...grading, excavating,... and landscaping necessary for any building or facility exempted by subsections (1) and (2) of this section..." (WAC 197-11-800).
2. The project proponents also request that the project be exempt from having to obtain a separate clearing and grading permit for the project. They indicate that the amount of soil required to be excavated for construction of the Gatehouse is to be an approximate cut/fill balance with the soil retained by the site walls for the garden project. The entire project will be completed under one permit.

#### Director's Response:

1. The S.M.C. Section 20.30.560(A) exempts the construction or location of any residential structures of four dwelling units. The North Seattle Residence is located in a low-density residential zone. The project involves construction of a "gatehouse," which will contain a dwelling unit, a pool, and a hall for entertainment. The project also involves construction of a garden area, which will require grading of the site and construction of a retaining wall. This project, as a whole, may be considered a single-family building project with accompanying landscaping and grading, and may be exempted from SEPA.

2. The S.M.C. Section 20.50, Subchapter 5 regulates clearing and grading activities. S.M.C. Section 20.50.300(F) states that “*A clearing and grading permit shall be required if the regulated activity is not associated with another development application on the site that requires a permit.*” The proposed project will require a building permit. If all work is completed under the building permit, then no separate clearing and grading permit is required.

*original signed by Tim Stewart*

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Director's Signature

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Date 1/30/02