

BCC 22.02.032 Determination of categorical exemption.

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B. Pursuant to the authority provided by WAC 197-11-800(1)(c), the following categorical exemption thresholds apply to exemptions determined under WAC 197-11-800(1) for minor new construction in Bellevue, replacing those provided under WAC 197-11-800(1)(b)(i), (ii), (iii), (iv) and (v), as now or hereafter amended:

1. The construction or location of single-family residential structure(s) containing ~~10-30~~ or less dwelling units;
2. The construction or location of multifamily residential structure(s) containing 200 or less dwelling units;
- ~~23.~~ The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering ~~30,000~~40,000 square feet of gross floor area, and to be used by the property owner or his or her agent in the conduct of farming the property. This exemption shall not apply to feed lots;
4. The construction of an office, school, commercial, recreational, service or storage building with 30,000 square feet of gross floor area, and with associated parking facilities designed for 90 automobiles. This exemption includes parking lots for 90 or fewer automobiles not associated with a structure;
- ~~35.~~ Any landfill or excavation of ~~500~~1,000 cubic yards throughout the total lifetime of the fill or excavation; and any fill or excavation classified as a Class I, II, or III forest practice under RCW 76.09.050 or regulations thereunder.

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D. The following categorical exemptions in WAC 197-11-800, as now or hereafter amended, do not apply within any critical area described in subsection C of this section:

1. WAC 197-11-800(1), except that the construction or location of a single-family residence within a critical area, if otherwise allowed by applicable development regulations, is exempt;
2. WAC 197-11-800(2)(e), except when necessary for construction or location of a single-family residence exempt under WAC 197-11-800(1) and subsection (D)(1) of this section;
3. WAC 197-11-800(2)(g), except for single-family residences, the construction of which would be categorically exempt under WAC 197-11-800(1) and subsection (D)(1) of this section;
4. WAC 197-11-800(2)(h);
- ~~5. WAC 197-11-800(6)(d);~~
- ~~65.~~ WAC 197-11-800(13)(c);
- ~~76.~~ WAC 197-11-800(23)(c); and

**Environmental Procedures Code BCCA
June 15, 2023**

Attachment A

87. WAC 197-11-800(23)(e).

An exemption from the requirements of this chapter does not limit the requirements of or the application of the Land Use Code critical areas regulations (Part 20.25H LUC, as now or hereafter amended) or any other development regulation.

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