



# Phased Permitting for Clearing and Grading Excavations

## *Development Services Policy*

### **Background**

The permitting process for a major construction project in Bellevue requires several different permits with each permit having requirements relating to submittal, review, and approval. These permits also have dependencies on one another and the submittal, review, issuance, and expiration of one permit may be linked to the status of another permit.

On a clearing and grading permit, the scope often encompasses all aspects of the project site work from mass excavation to construction of the infrastructure elements including sidewalks, traffic control, landscaping, among other elements. In many cases, the engineering design and subsequent city review of infrastructure elements can delay the issuance of a clearing and grading permit for several months after the land use entitlement is approved.

For many projects, the first order of work involves the mass excavation and shoring for the site which can take up to 3-6 months to complete. The detailed infrastructure design for the sidewalks and other elements, which are constructed much later in the process, are not affected by the excavation and shoring. However, due to the permit dependencies, there is a risk that the mass excavation and shoring work could be completed before the next construction permits are issued. To prevent a delay in work once the construction has mobilized, it is important for applicants and city staff to coordinate permit phasing, design changes, and timelines.

The purpose of this policy is to allow for the phasing of the clearing and grading work into two separate permits under certain conditions. The policy allows mass excavation to begin under one permit, as the first phase, while city review of the infrastructure work continues under a separate permit. No building permit for above-grade work can be issued ahead of the approval of both clearing and grading permits. Issuance of a building permit for first phase below-grade work may be permitted prior to the approval of the permit for the complete infrastructure work, subject to compliance with this policy and provided that the scope of the below-grade building permit does not affect the infrastructure design.

### **Policy**

Separate clearing and grading and shoring permits, when the permits are limited to excavation and shoring, may be issued for projects based on the conditions below. The city will make the final determination if a project qualifies for this phased permitting approach. For major excavations that are four or more levels below grade, there is often sufficient time to complete the review of subsequent permits before the excavation and shoring is complete. On mid-sized projects that have a shallower excavation depth, there is a risk that the review process will take longer than the excavation process. Where a project with a shallower excavation depth utilizes a phased clearing and grading permit approach, the city may require an

acknowledgement and assumption of risk should the excavation and shoring work be completed prior to the issuance of subsequent permits.

**The following parameters and conditions apply to phased clearing and grading projects.**

1. No construction permits (including mass excavation and shoring) may be issued until the underlying land use entitlements are approved (i.e.: Design Review, CUP, PUD, etc.).
2. No work is proposed in the right of way (ROW), existing sidewalk easements, and future sidewalk easements other than excavation and/or shoring. Any additional work in the ROW/easements must be reviewed for suitability and must be limited to utility or ROW work that is necessary to support the excavation and shoring.
3. All easements and/or Hold Harmless/Indemnification agreements for soil nails or other objects permanently placed in the ROW or on adjacent properties have been submitted, approved, and executed prior to shoring permit issuance.
4. A clearing and grading permit application for the complete infrastructure construction must be submitted prior to issuance of the mass excavation clearing and grading permit.
5. A building permit application (other than the shoring permit) has been submitted. The building permit must include the entire below-grade structure unless otherwise approved by the Building Official.
6. A ROW use permit for hauling has been issued.
7. The mass excavation clearing and grading permit may include limits of work associated with the utilities permit if the utilities permit application is approved or if the utilities scope of work has been separated to match the mass excavation clearing and grading permit.
8. The mass excavation clearing and grading permit application must show location of shoring and all future work in the ROW on the site plan and clearly note the future ROW work is not part of approved work. Show all existing sidewalk easements, and likely future sidewalk easements. Include necessary dimensions and elevations and show the relationship of the permitted mass excavation work to the ROW line, curb line, and future back of sidewalk location.
9. Conditions of approval from the land use entitlement that apply to the clearing and grading permit shall be applied to the issuance of the mass excavation clearing and grading permit and the infrastructure clearing and grading permit.
10. Other project specific requirements unique to the site or the structure have been met as determined by review staff.

Signature Gregg Schrader  
Gregory H. Schrader, PE, SE, Building Official

Date: 10/11/2023

Signature Rebecca Horner  
Rebecca D. Horner, Director of Development Services

Date: 10/11/2023