5. **MAJOR STREET CONSTRUCTION – The B-Permit**

5.1. **B-Permit Description and Purpose**

The B-Permit is required for major street construction in the public right-of-way. This includes the widening of streets, the changing of existing street grade, and the installation of sewers, storm drains, street lights, and traffic control signals. Street widening generally includes construction of new street pavement, gutter, curb and sidewalk, and the relocation of obstructing structures. B-Permit construction plans are often complex and prepared by an Engineer hired by the B-Permit Applicant.

The B-Permit is issued for both the design and the construction of major street improvements. The primary purpose of a “design” B-Permit (BD-Permit) is to manage the City’s engineering plan-check of construction plans prepared by the Applicant’s Engineer. In addition to engineering plan-check, the BD-Permit process includes estimation of construction costs, preparation of a bond estimate, and under certain conditions, clearance of City Planning conditions. At the end of the BD-Permit process, construction plans for major street improvements are approved by the City and ready for construction.

The “construction” B-Permit (BC-Permit) process normally follows the completion of the design B-Permit process. The primary purpose of a BC-Permit is to manage the City’s inspection of major street construction work. In addition to the City’s construction inspection, work change orders, construction plan revisions, and field testing work are all managed by the BC-Permit process.

The B-Permit, both design and construction, is the City’s process of ensuring that major street construction meets the City’s design, materials, bonding, liability, construction, and inspection specifications. The B-Permit ensures that the Applicant is receiving a quality construction product.

The B-Permit is most frequently issued for major street improvements adjacent to land under private development. In these instances, the extent and type of major street improvements is contained in conditions determined by the City Council, Department of City Planning, the BOE (the City Engineer), or some other jurisdictional body in accordance with the Los Angeles Municipal Code, City Charter, State Law, or City Ordinance.

**City’s Authority for B-Permit**

Los Angeles Municipal Code (LAMC), Section 62.105, requires a permit be obtained for construction in the public right-of-way.
LAMC, Section 62.106 determines the class of construction permit based on the scope of construction work. There are two classes of construction permits: the A-Permit and the B-Permit. The City’s authority for the B-Permit is based on LAMC, Section 62.106(a) and (b) as follows:

(a) Class “A” shall include only the repair, construction or reconstruction of curbs, sidewalks, driveway approaches, or gutters and work appurtenant to the foregoing, or work within a public easement, where, in the opinion of the City Engineer, the work contemplated is so limited in extent and such simplicity of design that the deposit of those fees provided herein for Class “A” permits will with reasonable certainty compensate and reimburse the City for the costs of inspection and supervision entailed.

(b) Class “B” shall include all permits for work not included in Class “A” except for work for which a revocable permit is issued pursuant to Section 62.118.2 of this Code.

(Please note: LAMC, Section 62.118.2 refers to the issuance of a revocable permit for private use of the public right-of-way. Please go to Chapter 8, Private Use of the Public Right-of-Way – The Revocable Permit, for more information.)

**How long does it take to start the BD-Permit process?**

The BD-Permit for engineering plan-check of construction plans will be opened when a completed application package is submitted and the fee deposit paid. This transaction usually takes about 20 minutes at our Public Counters.

**How long does it take to complete the BD-Permit process?**

The time length depends on the complexity of the construction improvements, the size of the construction improvements, the quality of the Applicant’s plans, the ability of the Applicant to satisfy the City’s design standards, and the work-load of City staff. The plan-check process is interactive and therefore, somewhat difficult to predict. In general, simple design BD-Permits are completed in about 2 months.

**How long does it take to start the BC-Permit process?**

The BC-Permit may be started as soon as the BD-Permit process is completed and the Applicant has secured the required bond and liability insurance requirements. This process in generally initiated by the Applicant’s Engineer and can be started as soon as requested by the Applicant.
How long does it take to complete the BC-Permit?

The BC-Permit process occurs at the same time as the major street construction work. In general, the length of the BC-Permit process is as long as it takes the Applicant’s contractor to complete the major street construction and to complete the As-Builts of the drawings.

How long is a B-Permit valid?

The BD-Permit and BC-Permit is valid for six months after the date of payment and issuance of the permit, but may be extended at the request of the applicant. The applicant must have a valid reason to extend the permit or show that there is work activity on the permit.

When does a B-Permit expire?

According to the LAMC, the BD-Permit and BC-Permit technically expire six months after date of issuance. But, the LAMC allows for permit extensions if the Permittee has a good reason. In practice, if no work activity occurs, and no extension is requested, the BD-Permit expires one year after issuance. The BC-Permit expires two years after issuance, if no work activity occurs.

B-Permit Extension

If you are proceeding in a positive manner toward completion of your design or construction, the appropriate District Office may grant you an extension.

5.2. General Conditions or Requirements for a B-Permit

Permittee’s Obligations

The Applicant for a BC-Permit must be the owner of the affected property. There are exceptions, such as when another governmental agency has a contract requiring a permit, in which case the Contractor may be the Applicant. If the property is owned by a corporation, the application must be signed by an officer(s) of the corporation and have the corporate seal affixed.

Permittee’s Purpose

Listed here are some common cases where an Applicant may be required to obtain a B-Permit:

1) Tract and Parcel Map Approvals.
Full or partial street improvements to existing streets and alleys, or construction of a new street, are conditions required of Tract and Parcel Map Applicants, unless the public right-of-way is fully improved.

2) Zone Changes, Conditional Use Permits, Zone Variances, and Hillside Ordinance clearance.

Determinations by the Department of City Planning in these cases may require street improvements, including those subject to the Hillside Ordinance.

3) R-3 Ordinance Highway Dedication (LAMC, Section 12.37) clearance for a Department of Building and Safety building permit.

A customer applying for a building permit to erect or enlarge a building located on property zoned R-3 (or less restrictive zone), must dedicate the necessary right-of-way and construct street improvements if the improvements do not exist, or file a bond to guarantee the required street improvements. This requirement is applicable on major and secondary highways, on collector streets, and on local streets within 300 feet of their intersection with the major or secondary highway, provided the property has frontage on a major or secondary highway.

4) Removal of Access Restrictions

To provide legal street access to a lot where a future street easement with access restriction separates the lot frontage from the dedicated street, an owner may be required to dedicate and improve any incomplete street dedication along the frontage.

5) Voluntary Improvements

A property owner may volunteer to improve the street in front of his or her property when related to dust control, access, drainage, or similar circumstances, and have those street improvements accepted and maintained by the City.

6) Private Streets

A property owner desiring to improve a private street must obtain a permit so as to receive both the City Engineer’s approval of the plans and specifications and the City’s inspection of the work, which assures that City standards are met. Private streets determined to be hazardous and ordered to be repaired shall be repaired under a permit. Certain minor repairs may be done under an A-Permit.
7) New Sewers

Construction of a mainline (8 inches or larger) sanitary sewer may be required to get clearance on “sewer availability” in connection with the application for a building permit where private sewage disposal facilities are not permitted and there are no sewers, or existing sewers lack the capacity to serve the proposed development. Such a mainline sewers are generally constructed as part of a “Voluntary Improvement” by the private property owner.

8) Watercourses

When work is to be done in a natural watercourse or channel, even where no City easement exists, the construction may require a permit. The determination as to whether a permit is required will be made at the time the application is filed. The B-Permit is in addition to the Watercourse Permit.

9) Landscape Improvements

A B-Permit is usually required for landscape improvements within a City right-of-way. Such work may include erosion control, vegetative fire prevention zones, street trees, parkway improvements, or landscape irrigation systems. This may be in connection with any of the previously mentioned improvements or as an independent improvement. In certain cases, where improvements consist of limited landscape improvements extending from private property onto the public right-of-way, a Revocable Permit is required in addition to an A-Permit or a B-Permit.

Information Required Before a B-Permit Can be Issued

The Applicant shall provide a copy of the tract/parcel map action, zoning determination, City Planning Case, Council action, an engineered set of plans of the proposed improvements, proof of ownership, and any communication or document that would identify the property and describe the conditions of approval. In cases of voluntary improvements, an address or legal description of the property is sufficient.

Public Notification

Public notification for street improvement conditions, determined through City Planning actions, occurs through the City Planning process. Therefore, no additional public notification is required. However, there are notice and sign requirements related to public safety that may be required by the B-Permit process on a case-by-case basis.

As a courtesy, the Applicant and Permittee are encouraged to notify neighbors of B-Permit construction work prior to the start of construction.
Safety Requirements

In general, safety measures in accordance with the current edition of the Work Area Traffic Control Handbook are required for construction work. Specific safety requirements will be listed as conditions of B-Permit approval and must be maintained by the Permittee.

5.3. Standard Fees and the Pre-Design

What will it cost to get a bond estimate and start the pre-design phase of a project?

You are required to make a $1,000 per pre-design deposit to cover the costs associated with the bond estimate, the preliminary meeting, and the investigations. After payment, a BD-Permit for pre-design will be issued and you will be given more detailed information on the engineering requirements.

What will the District Office tell me about my project under Pre-Design?

The District office will review the extent of the improvements and will prepare permit application forms, bond forms; etc. which will be required before the BD-Permit and/or BC-Permit is issued.

How long will it take the City (Bureau of Engineering) to determine the bond estimate and fees?

Except for very simple improvements, five to ten (5-10) working days are needed to complete the estimate and determine the necessary fees. In cases of extensive development, an estimate cannot be provided until preliminary plans prepared by a licensed civil engineer, architect, landscape architect, electrical engineer, or traffic engineer have been submitted. Backlogs may extend the time needed to determine fees.

How much will B-Permit fees cost?

B-Permit fees are actually a deposit against the cost of actual time charges for engineering plan-check, inspection, and field-testing. The deposit amount is based on an estimate of the construction costs of the street improvements. You will receive a refund for any excess money deposited or will be requested to pay additional money to cover any deficit.

5.4. Fee Calculation and Charges

The Board of Public Works has established a schedule of permit fees, charges, and deposits that relate to the type and scope of work involved.
The schedule of B-Permit fee deposits corresponds to specific estimated street improvement construction costs. From the cost estimate, the permit deposit is established from the Table of Class B Application/Permit Fee Deposits schedule. Street improvements that are unusual or include Hillside Construction should be estimated with an additional 25% contingency. These are minimum fee deposits and may be increased if the work is complex. Upon completion of the work, and after final accounting, any excess monies will be refunded. If accrued charges exceed the deposit, the Permittee will be billed for the deficit.

Occasionally, charges against the BD-Permit plan checking permit account exceed the deposit before completion of checking. Monthly B-Permit Financial Status Reports are sent to the permittees notifying them of the current balance in their accounts. In such cases where there is a deficit, the City Engineer will request the deposit of additional fees. The additional deposit must be paid within 30 days, or processing of the plan by the BOE staff will be discontinued. In addition, future B-Permits will not be issued to delinquent permittees until all deficits are paid.

Charges against a BC-Permit may also be exceeded before completion of the work. Suspension of inspection despite a fee deficit will rarely occur, since completion of the work without undue delay is generally in the public interest. However, if a substantial deficit occurs, a request will be made for an additional deposit. In any event, the closing of the permit and the release of the bond will be deferred until all deficits are paid.

Charges against BD-Permit and BC-Permit accounts are as follows:

1) Charges will be made against the BD-Permit deposit for the number of hours actually expended in checking the plans at direct labor costs plus indirect costs.

2) A BD-Permit deposit is also subject to charges for prints, soil testing, and other items related to the preparation of plans. These charges are made at a fixed rate for each test, print, investigation, and action.

3) A fee deposit for a BC-Permit is subject to charges for inspection, surveying, material testing, emergency light and barricade service, street tree planting, street light energy, street name signs, traffic warning and regulatory signs, processing of change order requests, etc. These charges are based on the work involved. Each appropriate agency reports these charges to the Bureau of Engineering. These fees are included in the BC-Permit. Charges for inspection are made on an hourly basis of direct labor costs plus indirect costs. You should ensure that the contractor expedites work efficiently and diligently to minimize problems.
Street Damage Restoration fees may be required for B-Permit work related to street pavement work.

5.5. Other Requirements for B-Permits

When do I need the approval of the Cultural Affairs Department for my street improvement project?

Private structures in or extending into land owned by or under control of the City will require the approval of the Cultural Affairs Department. These structures shall include all above ground building encroachments, carports, bridges, and walls greater than eight (8) feet in visible height or over 500 square feet in vertical face area. The application must be made with the Cultural Affairs Department, 201 N. Figueroa Street, 14th Floor, Los Angeles, CA 90012, (213) 202-5500.

What environmental documentation will I need for my street improvement project?

As a condition for obtaining a B-Permit, the Applicant will be required to provide information for the preparation of the appropriate environmental document or to complete an Environmental Impact Report (EIR) exemption request form. Should a negative declaration or EIR be necessary, the City must approve it before construction can start.

What happens if my street improvement project is near the coastline?

If the location of the street construction lies within the Coastal Zone as delineated in the Coastal Act of 1976 and involves a “development” as defined in the State of California Public Resources Code, the Applicant is advised that state law may prohibit action under the B-Permit unless a Coastal Development permit from the California Coastal Commission is obtained.

What if my project is in a City Planning Specific Plan Area?

Your street improvement project must comply with the Specific Plan requirements. Please contact City Planning for specific requirements. In addition, if your project is in a hillside area, the requirements of the Hillside Ordinance may be triggered. Please check with your B-Permit plan checker regarding Hillside Ordinance requirements.

5.6. Enforcement

In general, B-Permit requirements and conditions are enforced through the plan-check and inspection processes.
What is a violation?

1) Doing work without a permit
2) Performing operations that are not included in the permit
3) Failing to comply with provisions of the LAMC
4) Failing to comply with permit requirements
5) Failing to pay monthly B-Permit bills
6) Causing a deficit in B-Permit account by failing to pay cash balance due

How will violations be dealt with?

The B-Permit in question will not be cleared at either the conclusion of the BD-Permit process or the BC-Permit process, whichever is applicable. Failure to complete the B-Permit process could result in the failure to clear City Planning or building permit conditions. Failure to pay monthly B-Permit bills will result in a stoppage of work on B-Permit approval. Customers must pay their B-Permit bills and keep their accounts from going into a deficit.

5.7. How to Apply for a B-Permit

Start the BD-Permit Process

The BD-Permit, which is issued for the checking of plans, may be obtained as soon as the required fee deposit has been determined and paid by the Applicant. All design plans submitted for B-Permit checking must be prepared and signed by California Registered Engineers. Civil engineering plans (street, sewer, storm drain, etc.) require a Civil Engineer. For traffic engineering plans, DOT requires plan preparation by a Traffic Engineer under the review of a Civil Engineer. Street lighting plans require either a Civil Engineer or an Electrical Engineer. Landscape architectural plans that include street trees and/or an irrigation system must be prepared by either a licensed Landscape Architect or Architect.

Obtain All Applicable City Design Standards

Visit the following offices, in this sequence, in order to obtain design standards and minimize conflicts and redesigns:

1) DOT - Obtain preliminary approvals and requirements from the Department of Transportation

Obtain approval of driveway location and dimensions, verify requirements for
A copy of tract action, zoning determination, City Planning Case, Council action, or any document that describes the conditions of approval should be submitted. Driveway approvals may also be sought at DOT District Offices.

- Obtain design standards for traffic signal and geometric design plans.
  DOT Design Division
  221 North Figueroa, 3rd Floor
  Los Angeles, CA 90012
  (213) 580-5301 for traffic signal design plans
  (213) 580-5336 for geometric design plans

- Transportation Specific Plan Ordinances and Interim Control Ordinances (ICO’s)

Private developers applying for a building permit may be required, under various Transportation Ordinances to mitigate any transportation impacts as determined by the DOT. Street improvements may be required to be guaranteed through bonds, insurance, and B-Permits (Construction Permit) prior to receiving permission to proceed with the building permit and the building construction. Appropriate plans (at 40 scale) may also be required as part of this process. For further information, please contact the following DOT offices:

**Metro Program Division:**
221 North Figueroa, Suite 600
Los Angeles, CA 90012
(213) 580-5202

**WLA Program Section:**
7166 West Manchester Avenue
Los Angeles, CA 90045
(213) 485-1062

**Valley Program Section:**
19040 Vanowen Street
Reseda, CA 91335
(818) 756-9929
2) BSL - Obtain street lighting locations and specifications

Bureau of Street Lighting (BSL)
600 South Spring Street, 8th Floor
Los Angeles, CA 90014
(213) 847-6379

3) BSS - Obtain street tree locations, landscape architectural standards and specifications

Bureau of Street Services (BSS)
Street Tree Division
600 South Spring Street, 10th Floor
Los Angeles, CA 90014
(213) 485-5675

Bureau of Engineering (BOE)
Architectural Division/Landscape Architectural Section
600 South Spring Street, 2nd Floor
(213) 847-5332

Submit Street Improvement Design Plans

Submit two (2) sets of civil plans to the appropriate BOE District Office.

Submit four (4) sets of civil, street lighting, and traffic plans to DOT.

Submit four (4) sets of street lighting plans, one (1) set of civil street plans, one(1) set of traffic plans, and all lumination calculations to the Bureau of Street Lighting (BSL)

Obtain City Planning Specific Plan Approval (if required)

Contact the City Planning Department for information regarding the applicability of a Specific Plan, Historical Preservation Overlay Zone, or other City Planning condition to your B-Permit. Any condition triggered by your B-Permit work, must be cleared through City Planning.

How long will it take BOE to check my plans?

It takes about eight (8) weeks maximum to check plans depending on the current backlog and the completeness of the plans submitted. Rechecking obviously adds to the time involved. Checking time by BSL and DOT is also dependent on availability of personnel and backlog. At the completion of the BD-Permit processes, the Permittee will receive City approval of the street improvement plans and the plans will be ready for construction.
Start the BC-Permit Process

The BC-Permit will be issued when the Applicant has obtained the required construction bond and furnished satisfactory liability insurance to the City. A BC-Permit that is obtained after final approval of plans is sometimes advantageous because no bond or insurance is required for a BD-Permit. Therefore, bond and insurance costs can be avoided while plans are being processed.

Inspection Requirements

After obtaining the necessary permits and plan approvals, you should engage a licensed contractor to perform the work.

Before noon of the day before starting the work, the dispatcher of the Bureau of Contract Administration (BCA) must be notified to arrange for inspection.

Customer Satisfaction Survey

At the conclusion of all permit transactions with a customer, Applicant, and/or Permittee, all Public Counter Staff shall present the customer a Customer Satisfaction Survey Form. The Survey shall be presented to every customer, at every transaction. Should the customer decline to accept the Survey, Public Counter Staff are instructed to simply place the declined Survey back into Survey storage trays. The Survey is a valuable tool to improve customer service by listening to the customer.

5.8. How to Check a BD-Permit Application

The following list of items can be used by Public Counter staff to check the BOE’s BD-Permit Application. Information obtained at the completion of this checklist is entered into the BOE B-Permit computer database. This checklist is not intended to check B-Permit applications required by other City agencies.

1) Complete B-Permit Application

   • Verify name, address, and phone number of current owner
   • Verify name, address, and phone number of private engineer hired by the B-Permit Applicant
   • Verify location of proposed street improvements
   • Determine if improvements are within a City Planning Specific Plan Area (or other special City Planning Area). If applicable, refer customer to City Planning.

2) Receive one copy of improvement conditions issued by City Planning
• Verify location and type of improvement conditions
• If improvement conditions are not clear, verify improvement details as soon as practical
• File copy of condition letter by City Planning
• No copy is needed if improvement is not related to a City Planning action

3) Verify construction material take-offs

• Use construction material take-offs for preparation of bond estimate
• Notify Applicant of when bond estimate would be available
• Notify Applicant of bond estimate as soon as practical

4) Receive two sets of construction plans

• Verify that plans are signed and sealed by the licensed Engineer of the appropriate discipline
• Verify major items of the Street Design Checklist, such as Title Block, Notices to Contractor, Standard Plans for Project, Typical Cross-Section, and other details
• File construction plans

5) Receive and file one copy of building application

6) Obtain Applicant signature and fee

• Obtain payment of $1000.00 by check to the City of Los Angeles for Pre-Design deposit
• Prepare necessary receipts and follow-up documentation

5.9. How to Check a BC-Permit Application

The following list of items can be used by Public Counter staff to check the BOE’s BC-Permit Application. Information obtained at the completion of this checklist is entered into the BOE B-Permit computer database.

This checklist is not intended to check B-Permit applications required by other City agencies.

Complete steps 1 through 6 of Section 5.8, “How to Check a BD-Permit”, and complete the two additional steps below:

1) Obtain one copy of the current Title Policy issued within the last six (6) months.

• Verify that Title Policy matches ownership of property as listed on the B-Permit application
the B-Permit application
• Resolve discrepancies as soon as practical

2) Obtain the name, address, and telephone number of the private contractor hired by the B-Permit Applicant to construction the street improvements.

• Record this information on the B-Permit Application