



Memorandum

To: Lew Horne
Clare De Briere
Kellie Kao Miles
Gayle Berens

From: Rebuild LA--Permit Self-Certification Committee

Copy: Nelson Algaze
Craig Lawson
Mott Smith
Winston Stromberg
David Waite
Will Wright

Date: February 14, 2025

File No: 109358

Re: Los Angeles Recovery and Rebuild—Implementing Building Permit
“Self-Certification” Program—Key Findings and Recommendations

In response to the unprecedented state of emergency caused by the January 2025 firestorms in the Pacific Palisades, Malibu and Altadena communities, the Governor of the State of California, the Los Angeles County Board of Supervisors, Los Angeles Mayor Karen Bass, and the Los Angeles City Council have placed the highest priority on streamlining and expediting the building permit process so homeowners and small businesses can rapidly rebuild and replace structures on their existing properties. The stated goal of the Executive Orders from the Governor, the County and the City is to complete initial permit review **within 30 days** from submittal of a permit application. Even prior to the state of emergency, the State, the County and the City had initiated an evaluation of how the building permit process can be substantially improved to create substantially more housing production throughout the State, City and County of Los Angeles.

In response to the state of emergency, local educational institutions, including the UCLA Ziman Center for Real Estate, and the USC Lusk Center have partnered with the Urban Land Institute, Los Angeles District Council (“ULI LA”), to evaluate and recommend a streamlined, integrated and “self-certified” building permit program that, if adopted and implemented by the City and County of Los Angeles, and the City of Malibu, can meet the stated 30-day goal for permit review for new homes and businesses. The program can serve as the critical catalyst for the Palisades, Altadena and Malibu communities to recover more rapidly and more effectively.

Lew Horne
Clair DeBriere
Kelly Miles
Gayle Berens
February 14, 2025
Page 2

More broadly, the program can serve the pressing needs of the City and County to substantially increase housing production, thereby addressing housing scarcity and affordability and the region's chronic homelessness crisis. The integrated and self-certified permit program is a bold initiative for the City and County. It requires skilled leadership at all levels—both public and private--to be successful. A fully integrated permit self-certification program that includes a parallel coordinated plan check with all departments can achieve both initial permit review and permit issuance within the stated goal of 30 days. It will require a high degree of collaboration, trust and support to achieve a shared goal of achieving permit approvals within 30 days. A successful self-certification program will reallocate increasing scarce resources and expertise, thereby increasing the City and County's permitting capacity while maintaining rigorous professional accountability and regulatory integrity. It will allow public agencies to focus resources where they are needed most, enabling safe, efficient building that supports wildfire recovery efforts, housing production, and economic development, especially among grocery stores, restaurants and other small businesses.

Executive Orders

The Governor's Executive Order N-4-25 (January 7, 2025) suspends the California Environmental Quality Act ("CEQA") for the "repair, restoration, demolition and replacement of property and facilities damages or destroyed by fires." The Order suspends permitting under the California Coastal Act. The Order allows for the replacement of property and facilities in the same location as the destroyed structure and not to exceed 110% of the footprint and height of the destroyed structure. On February 13, 2025, the Governor issued Executive Order N-20-25, reaffirming CEQA exemptions and further limiting discretionary reviews for rebuilding within the Coastal Zone, and strengthens the permitting expediting programs for rebuilding homes and businesses. The Mayor of Los Angeles Executive Order No 1 (January 13, 2025) established a "Disaster Recovery Permitting Center" for "one stop shop expedited permitting, waiving all discretionary reviews, and exempt from CEQA. The Mayor's Order calls for City departments to complete initial reviews of building plans within 30 days of submission of a complete application. The Mayor's Order calls for inspections to occur within 2 business days of a request for an inspection. Finally, the Mayor's Order calls for the City's Department of Building and Safety to recommend self-certification procedures for building permits. The County Board of Supervisors has directed the Department of Regional Planning, Public Health, Fire and Public Works to adopt a program for streamlined coordination, plan review and permit issuance and to establish a "Rebuild Coordination Team" to "develop staffing models to address existing constrained staff resources and to separate rebuild activities from 'business as usual' entitlement and permit activities with staffing models required to balance permit experience, timeliness of permit approvals and fiscal resilience." (Motion by Supervisors Barger and Horvath, Board Resolution, January 28, 2025)

Lew Horne
Clair DeBriere
Kelly Miles
Gayle Berens
February 14, 2025
Page 3

In response to these Executive Orders, Resolutions and directives, this memorandum is intended to identify key findings and recommendations regarding a proposed streamlined and integrated building permit self-certification program to aid in the recovery and rebuilding within the City and County of Los Angeles and the City of Malibu for homes and retail businesses damaged or destroyed by the January 2025 wildfires. It is anticipated that this program could, over time, be expanded throughout the City and County of Los Angeles and become a model for streamlined and expedited permitting for homes and businesses.

Key Recommendations

Based on best practices from a number of jurisdictions that have successfully implemented building permit self-certification programs, including San Diego, Phoenix, Chicago, and New York, we recommend the following integrated “self-certification” permit program and framework for the City and County of Los Angeles and for the City of Malibu:

1. Project Eligibility

Recommended eligible projects shall include:

- Single-Family Residences (SFR) and ADUs– New construction and major remodels
- Small/Medium Multifamily & Mixed-Use– New construction and remodels (\leq three stories)
- Commercial Interior Improvements– Including adaptive reuse projects
- Resubmittals During Clearance– Plan modifications made during the final approval process
- 110 % building footprint limitation should be waived if rebuilt structures comply with current zoning codes
- Rebuilding and permitting should be allowed for all legal non-conforming uses that existed prior to the state of emergency
- For rebuilding retail and commercial properties located in the Palisades Village Specific Plan Area, a 20% increase in building FAR should be allowed without any additional discretionary approvals

2. **Exclusions**

- Certain zoning reviews requiring discretionary approvals
- Projects with complex structural systems
- Significant hillside grading/foundations

3. **Permits and Plan-Check**

Permit approvals involve multiple technical reviews, including zoning, grading, fire, green building, ADA, structural, and MEP (mechanical, electrical, plumbing) plan checks. Self-certification should apply as an elective option to all reviews that:

- Follow clear, objective code requirements
- Do not involve complex structural or fire/life safety systems

4. **Flexible Application**

A single project may utilize self-certification for some technical reviews while undergoing traditional review for others. For example, a small multifamily project could have its structural, green building and ADA compliance self-certified while undergoing regular plan check for zoning and fire.

5. **Design Professional Qualifications**

To ensure accountability, self-certification should be limited to highly qualified professionals:

- Licensure & Insurance: State-licensed architects and engineers with mandatory errors & omissions (E&O) insurance
- Experience Requirement: Minimum five years of professional practice with a clean compliance record
- Training & Accreditation: Required completion of a city-administered training program (based on similar programs in other cities) on Los Angeles (City and County as necessary) building and zoning codes

Lew Horne
Clair DeBriere
Kelly Miles
Gayle Berens
February 14, 2025
Page 5

6. Audit & Enforcement Protocols

To prevent abuse and ensure compliance, the City and County should implement robust audit mechanisms:

- Randomized Inspections: 10-20% of self-certified projects should be audited annually, in line with San Diego and Phoenix
- Progressive Penalties:
 - First violation: Mandatory correction at the professional's expense
 - Second violation: Probation and additional training
 - Third violation: Disqualification from self-certification
- Public Transparency: An annual report should track self-certified permits, audit outcomes, and enforcement actions

7. Departmental Clearance Process

Concurrent Review System:

- Eliminate and replace the current sequential clearance process with a coordinated and fully integrated concurrent review system where all relevant departments meet to resolve conflicting requirements in real time at a single location. A permit program coordinator assigned to each project is responsible for insuring coordinated review and approval.

8. Dedicated Inspection Unit

- Establish a specialized inspection team for self-certified projects, staffed by the city's most experienced inspectors.
- Evaluation should be based on:
 - Timely issue resolution
 - Minimal post-construction corrections
 - Ensuring project safety & compliance

9. Use of Digital Technology and Program Software

- Utilize state of the art singular and uniform digital technology for submission and review of all self-certified plans and specifications to aid in coordinated and integrated review and approval of all self-certified plans. The permit program coordinators will utilize this technology to assist in the coordinated and integrated review and approval by all departments at the on-site permitting centers.

10. Establish Permitting Centers in Palisades, Altadena and Malibu

- Permitting triage centers will be established in the Palisades, Altadena and Malibu. Each center will be staffed and supported by the City and County's most experienced professionals representing all relevant departments and who have themselves been trained in the self-certification program and who are well trained in the digital technology to be utilized for the program. The centers will also be staffed with project permit program coordinators who will serve as the primary expeditor for each project.

Background—City of Los Angeles

There have been various efforts over the last two decades to streamline the land use entitlement and building permit processes in the City of Los Angeles. These efforts have ranged from the “12 to 2” program announced in 2008 by former Mayor Antonio Villaraigosa (and abandoned in 2010) to the “Processes and Procedures Ordinance” relating to certain Zoning Code procedures, which was initiated in 2016 and was recently approved by the Los Angeles City Council and the Mayor (Ordinance 187712, effective January 22, 2024). The Processes and Procedures Ordinance is the initial phase of a larger effort to rewrite the City's Zoning Code, which is being implemented as part of the Community Plan Updates (starting with DTLA 2040, the Downtown Community Plan Update, which was recently approved).

While there have been incremental changes in the L.A. Building and Safety Department (LADBS) Permit Process over the years, such as allowing for the online submittal of certain types of plans, the basic process remains the same. An applicant submits plans into Plan Check at LADBS, the plans are reviewed by a Plan Check Engineer, revised plans are resubmitted by the applicant, and the applicant is responsible for obtaining signoffs and clearances from other departments, such as Planning, Bureau of Engineering, Water and Power, Bureau of Sanitation and Fire Department. Once all the signoffs and clearances are obtained, and fees are paid, LADBS will issue a Building Permit and an Inspection Card to the applicant or builder.

The process from application submittal to permit issuance can take many months. While LADBS plays a coordinating role, it is typical for the applicant to be “handed off” to other City

Lew Horne
Clair DeBriere
Kelly Miles
Gayle Berens
February 14, 2025
Page 7

Departments for signoffs and clearances. Delays can occur when new issues are raised late in the process, known as “late hits”, which were not disclosed or discussed when the initial meetings with the Case Manager took place. For example, the applicant may be told to get a clearance from the Planning Department. This could range from an over-the-counter signature to a lengthy land use entitlement process that can take years to complete.

In addition, the implementation of new environmental regulations, such as the stormwater mitigation program known as the Low Impact Development (LID) Ordinance, have added complexity to the process resulting in additional review time by the Bureau of Sanitation and other City departments.

Delays can also occur during the construction process, when there are issues relating to obtaining inspections from LADBS and other City departments. According to various sources, there are not enough building inspectors, many inspectors have retired in recent years, and the pipeline for recruiting and hiring additional inspectors is limited due to a statewide shortage of trained building inspectors. Given the enormity of the permit challenges associated with the rebuild and recovery efforts, the status quo will prove to be entirely unworkable.

Jurisdictional Survey – Self-Certification, Liability and Risk Management

The self-certification programs in various jurisdictions deal with code compliance certifications (state and local code compliance), liability allocation in the self-certification process, insurance for projects that utilize self-certification, indemnification, and other related issues. The jurisdictions analyzed to date include the City of Bellflower, the City of San Diego, San Diego County, Carlsbad, Denver, Phoenix, and New York City.

Here are our research findings for each of the jurisdictions mentioned above.

City of Bellflower

- **Background:** The [Self-Certification Program](#) is a voluntary program to expedite the issuance of Building Permits without reducing the building’s integrity and still adhering to life and safety requirements. The program is only available to Licensed Professionals (Architects and Engineers) who agree to self-certify the building plans. Self-certifying is accepting full responsibility in assuring the architectural, structural, mechanical, electrical, plumbing, energy, and accessibility requirements are compliant with the current California Code cycle, as well as the City’s laws, codes, rules, and regulations. In addition, the Licensed Professional confirms that the submittal package was prepared by he/she (or under his/her direct supervision) and it does not contain falsified information. (Program Guidelines, p. 1.)

- **Information related to code compliance certifications, liability allocation, insurance, indemnification, etc.:**
 - ***Licensed Professional Qualification Requirements:*** A Licensed Professional is eligible to participate in the Self-Certification Program if he/she is a registered State of California Licensed Architect or Engineer who is in good standing with the State. City Staff verifies the license number through the DCA License Search to certify the provided information. (Program Guidelines, p. 1.)
 - ***Hold Harmless Letter Requirement:*** A “Hold Harmless” Letter must be written by the Property Owner to the City’s Building Official. The Property Owner agrees to protect, defend, indemnify, and hold the City of Bellflower, the Planning Department, the City Officers, Representatives, Managers, and Employees harmless against any and all claims, demands, awards, suits, judgement, liabilities, losses or damages arising out of, or being in any way connected with the design, construction, and/or code compliance review for the specific project. (*Id.* There is also a Hold Harmless Letter sample on p. 4 of the Program Guidelines.)
 - ***Certificate of Insurance Requirement:*** A Certificate of Professional Liability Insurance is required to be furnished to the City’s Building Official. The Certificate is issued by an authorized Insurer recognized by the State of California. The coverage amount required will be reasonably determined by the City Manager (or his designee). The minimum amount is typically \$1,000,000.00, but never less than the Project’s Valuation. (*Id.*)

San Diego County

- **Background:** The [Self-Certification Program](#) eliminates plan review by allowing a registered professional to take responsibility for and certify a project’s compliance with building code, standards and ordinances. Depending on the scope of the project, permits can be issued within one to five business days. The expanded program includes tenant improvements on small commercial projects, residential minor grading, residential minor grading on a lot without a house, residential driveway permits onto County roads, residential landscape plans, and private roads serving 4 or less homes.
- **Information related to code compliance certifications, liability allocation, insurance, indemnification, etc.:** The requirements for San Diego County are similar to those of Phoenix and the City of Bellflower. It actually looks like San Diego County and Phoenix follow the same (or very similar) Rules and Regulations for the self-certification process.

- According to this [overview](#), all projects are required to submit: a hold-harmless letter signed by all registrants, an owner/tenant indemnification letter, a copy of the Self-Certified Professional's Certification of Insurance, and a self-certification project application.
- ***Insurance Requirements:*** For each project, the Self-Certified Professional is required to furnish to PDS a certificate of professional liability errors and omissions insurance, issued by an insurer authorized to insure in California, with limits of not less than \$250,000 per claim and \$500,000 in the aggregate for all claims made during the policy period. ([Rules and Regulations](#), p. 8.)
- ***Professional of Record Statement Requirement:*** For each project, the Self-Certified Professional is required to submit a Professional of Record Self-Certification Statement in which the Self-Certified Professional shall be required to certify to the County of San Diego and to the person hiring or otherwise retaining the Self-Certified Professional for such project that:
 - A. The Self-Certified Professional has been a registered engineer or architect for at least three (3) years and is registered in the State of California; and
 - B. Within the preceding five-year period, the Self-Certified Professional has not been convicted or found liable of: (1) knowingly making a false statement of material fact on or in connection with any building permit application, or (2) knowingly submitting in support of a building permit application any document containing false or fraudulent information, or (3) knowingly affixing a false signature to any building permit application; and
 - C. The attached application and every page of the accompanying plan(s) stamped by the Self-Certified Professional: (1) were prepared by, under the direct supervision of, or reviewed by such Professional; (2) are complete; and (3) are, as of the date of submission, in accordance with the requirements of the County of San Diego Amended Building Code and Zoning Ordinance and all other applicable laws; and
 - D. The attached application and all technical submissions made by the Self-Certified Professional in connection with the self-certified project were prepared in accordance with and meet the "standard of care" required of the profession; and

- E. All information and assertions made by the Self-Certified Professional in the permit application and documents submitted in support of such permit application are true and correct; and
- F. If the Self-Certified Professional becomes aware of any false or inaccurate statement in the permit application, accompanying plans or any document submitted in support of such permit application, regardless of whether such false or inaccurate statement was made by such Self-Certified Professional or by his agent or employee, the Self-Certified Professional will immediately take all measures necessary to correct such false or inaccurate statement; and
- G. The Self-Certified Professional understands that the Building Chief will rely upon the truth and accuracy of the certifications contained in the Professional of Record Self-Certification Statement as the basis for issuing a permit under the Self-Certification Permit Program; and
- H. The Self-Certified Professional understands that the self-certified project identified in the building permit application is being approved for a building permit subject to audit and/or field inspection by PDS and the permit is subject to revocation by the Building Chief if necessary or appropriate to protect the public health, safety or welfare; and
- I. If PDS determines that the submitted plans do not conform to the requirements of the County of San Diego Amended Building Code and Zoning Ordinance or any other applicable law, the Self-Certified Professional agrees to submit a revision to permit to PDS in a timely manner and to take all remedial measures within such professional of record's control to bring the submitted plans and any construction there under into conformity with the requirements of the County of San Diego Amended Building Code and Zoning Ordinance and any other applicable law; and
- J. The Self-Certified Professional understands that the failure to submit any required plan revision to PDS in a timely manner will result in automatic suspension of their self-certification privileges under the Self-Certification Permit Program, until such time that a plan revision is submitted to PDS and/or the matter is resolved by PDS; and

- K. The Self-Certified Professional understands that failure to take all remedial measures within their control to bring the submitted plans and any construction thereunder into compliance with the County of San Diego Amended Building Code and Zoning Ordinance or any other applicable law shall result in revocation of the Self-Certified Professional's privileges under the Self-Certification Program and may result in notification of such fact to the California Department of Consumer Affairs Board of Professional Engineers, Land Surveyors, and Geologists.
- L. The Self-Certified Professional understands that a Stop Work Order can be issued at the discretion of the Building Chief. (Rules and Regulations, pp. 8-9.)
- ***Owner/Designer Certification Statement Requirement:*** For each project, the Self-Certified Professional is required to submit to PDS, on a form prepared by PDS, an Owner/Tenant Certification Statement, which shall be signed and dated by the owner or tenant responsible for the work identified in the permit application and in which such owner or tenant shall certify to the County of San Diego that such owner or tenant:
 - A. Authorized the work of all professionals and consultants named in the permit application and accompanying plans; and
 - B. Agrees to take all measures necessary to correct any misrepresentation or falsification of facts made knowingly or negligently in the building permit application or in any document submitted in support of such application by the owner or tenant, as applicable, or by such owner's or tenant's agents, contractors or employees; and
 - C. Understands that the Self-Certified project is being approved for a permit subject to audit and/or field inspection by the County; and
 - D. Agrees to take all remedial measures necessary to bring the plans and all construction completed under the permit for the project into conformity with requirements of the County of San Diego Amended Building Code, Zoning Ordinance, Grading Ordinance and all other applicable laws. (Rules and Regulations, p. 10.)

Lew Horne
Clair DeBriere
Kelly Miles
Gayle Berens
February 14, 2025
Page 12

- ***Hold Harmless Letter Requirement:*** For each project, the Self-Certified Professional is required to submit to PDS, on a form provided by PDS, an Owner Hold Harmless Letter, which shall be signed and dated by the owner responsible for the work identified in the permit application and in which such owner shall agree to the following:
 - A. To protect, defend, indemnify and hold harmless the County of San Diego and its officers, representatives, managers and employees against any and all claims, liabilities, judgments, costs, expenses, delays, demands or injuries arising out of or in any way connected with the design, construction, code compliance review or issuance of a building permit for the project identified in the building permit application; and
 - B. That if construction is contrary to the County of San Diego Amended Building Code and Zoning Ordinance or any other applicable law or to any permit issued under the Self-Certification Program, the owner, as applicable, shall, without undue delay, remove or modify, at such owner's own expense, any component of such construction that does not conform to the requirements of the County of San Diego Amended Building Code and Zoning Ordinance or any other applicable law or to such permit. (Rules and Regulations, pp. 10-11.)

Carlsbad

- **Background:** According to this [Information Bulletin](#), the Carlsbad Building Permit Self-Certification Program (SCP) allows for a California-licensed contractor to certify that certain minor construction projects were completed in compliance with required building codes in-lieu of a city inspection. Eligible projects include: roof (shingle) replacement (non-structural); re-plumbing or re-piping of existing plumbing; HVAC system (new or replacement); water heater replacement (except tankless/solar); insulation installation; window replacement, with stucco/siding repair; exterior siding / plaster; interior drywall; fence; and commercial sign.
- **Information related to code compliance certifications, liability allocation, insurance, indemnification, etc.:**
 - ***Minimum Requirements:*** The following requirements must be met in order to participate in the SCP.

- The individual responsible for completing and inspecting work under this program must hold a valid and active credential, as reflected below:
 - California B-General Building Contractor's license; or
 - California C-type Contractor's license, depending upon construction work being completed; or
 - State certified civil or structural engineer.
 - Current worker's compensation insurance or certificate of exemption.
- ***Self-Certification Declaration Requirement:*** There is also a [Self-Certification Declaration](#), which requires the Contractor/Architect/Engineer to state the following: "I shall assume responsibility and liability for the overall installation, inspection, and certification of all work associated with the referenced building permit and will ensure that all work is completed in compliance with all applicable requirements of the California Building Standards Code as adopted and amended by the City of Carlsbad and in accordance with any manufacturer's installation requirements."

Phoenix

- **Background:** The [Self-Certification Program](#) eliminates plan review by allowing a registered professional to take responsibility for and certify a project's compliance with building code, standards and ordinances. Depending on the scope of the project, permits can be issued within one to five business days. The program includes most buildings over 25,000 square feet; inventory, salvage, landscape and parking lot plans by landscape architects; and grading and drainage and parking lot plans by civil engineers. (Self-Certification Website.)
- **Information related to code compliance certifications, liability allocation, insurance, indemnification, etc.:** Each project requires a hold-harmless letter, indemnification letter, and certification of insurance. Additionally, some projects require Structural Peer Review Certificates or Electrical Peer Review Certificates. Lastly, there are Professional Record Statement and Owner/Tenant Certification requirements as well. Each is summarized below.

- ***Peer review certificates required:*** A [Structural Peer Review Certificate](#) by a city-approved Structural Peer Reviewer is required for projects with structural scope of work; an Electrical Peer Review Certificate by a city-approved Electrical Peer Reviewer is required for installation or modifications to electrical systems that exceed 400 amperes or the available fault current exceeds 22,000 amperes. ([Project Overview website](#).)
- ***Hold-harmless letter, indemnification letter, and Certification of Insurance:*** All projects require: a [hold-harmless letter](#) signed by all registrants, a building [owner/tenant indemnification letter](#), and a copy of the Self-Certified Professional's Certification of Insurance. (Project Overview website.)
- ***Insurance Requirements:*** For each project, the Self-Certified Professional is required to furnish to the Department a certificate of professional liability insurance, issued by an insurer authorized to insure in Arizona, with limits of not less than \$500,000 per claim and \$1,000,000 in the aggregate for all claims made during the policy period. ([Rules and Regulations](#), p. 9.)
- ***Professional Record of Statement Requirement:*** For each project, the Self-Certified Professional is required to submit a Professional of Record Self-Certification Statement in which the Self-Certified Professional shall be required to certify to the city and to the person hiring or otherwise retaining the Self-Certified Professional for such project that:
 - A. The Self-Certified Professional has been a professional registered engineer or architect for at least three (3) years and is registered in the State of Arizona; and
 - B. Within the preceding five-year period, the Self-Certified Professional has not been convicted or found liable of: (1) knowingly making a false statement of material fact on or in connection with any building permit application, or (2) knowingly submitting in support of a building permit application any document containing false or fraudulent information, or (3) knowingly affixing a false signature to any building permit application; and
 - C. The attached application and every page of the accompanying plan(s) stamped by the Self-Certified Professional: (1) were prepared by, under the direct supervision of, or reviewed by such Professional; (2) are complete; and (3) are, as of the date of submission, in accordance with the

requirements of the Phoenix Building Construction Code and all other applicable laws; and

- D. The attached application and all technical submissions made by the Self-Certified Professional in connection with the self-certified project were prepared in accordance with and meet the “standard of care” required of the profession; and
- E. All information and assertions made by the Self-Certified Professional in the permit application and documents submitted in support of such permit application are true and correct; and
- F. If the Self-Certified Professional becomes aware of any false or inaccurate statement in the permit application, accompanying plans or any document submitted in support of such permit application, regardless of whether such false or inaccurate statement was made by such Self-Certified Professional or by his agent or employee, the Self-Certified Professional will immediately take all measures necessary to correct such false or inaccurate statement; and
- G. The Self-Certified Professional understands that the Building Official will rely upon the truth and accuracy of the certifications contained in the Professional of Record Self-Certification Statement as the basis for issuing a permit under the Self-Certification Permit Program; and
- H. The Self-Certified Professional understands that the self-certified project identified in the building permit application is being approved for a building permit subject to audit and/or field inspection by the Department and the permit is subject to revocation by the Building Official if necessary or appropriate to protect the public health, safety or welfare; and
- I. If the Department determines that the submitted plans do not conform to the requirements of the Phoenix Building Construction Code or any other applicable law, the Self-Certified Professional agrees to submit a revision to permit to the Department in a timely manner and to take all remedial measures within such professional of record’s control to bring the submitted plans and any construction there under into conformity with the requirements of the Phoenix Building Construction Code and any other applicable law; and

- J. The Self-Certified Professional understands that the failure to submit any required plan revision to the Department in a timely manner will result in automatic suspension of their self-certification privileges under the Self-Certification Permit Program, until such time that a plan revision is submitted to the Department and/or the matter is resolved by the Department; and
- K. The Self-Certified Professional understands that failure to take all remedial measures within their control to bring the submitted plans and any construction thereunder into compliance with the Phoenix Building Construction Code or any other applicable law shall result in revocation of the Self-Certified Professional's privileges under the Self-Certification Program and may result in notification of such fact to the Arizona Board of Technical Registration. (Rules and Regulations, pp. 9-10)
- ***Owner/Tenant Certification Statement*** For each project, the Self-Certified Professional is required to submit to the Department, on a form prepared by the Department, an Owner/Tenant Certification Statement, which shall be signed and dated by the owner or tenant responsible for the work identified in the building permit application and in which such owner or tenant shall certify to the city that such owner or tenant:
 - A. Authorized the work of all professionals and consultants named in the building permit application and accompanying plans; and
 - B. Agrees to take all measures necessary to correct any misrepresentation or falsification of facts made knowingly or negligently in the building permit application or in any document submitted in support of such application by the owner or tenant, as applicable, or by such owner's or tenant's agents, contractors or employees; and
 - C. Understands that the Self-Certified project is being approved for a building permit subject to audit and/or field inspection by the Department; and
 - D. Agrees to take all remedial measures necessary to bring the plans and all construction completed under the permit for the project into conformity with requirements of the Phoenix Building Construction Code and all other applicable laws. (Rules and Regulations, pp. 10-11)

Lew Horne
Clair DeBriere
Kelly Miles
Gayle Berens
February 14, 2025
Page 17

- ***Hold Harmless Letter Requirement:*** For each project, the Self-Certified Professional is required to submit to the Department, on a form provided by the Department, an Owner Hold Harmless Letter, which shall be signed and dated by the owner responsible for the work identified in the permit application and in which such owner shall agree to the following:
 - A. To protect, defend, indemnify and hold harmless the City of Phoenix and its officers, representatives, managers and employees against any and all claims, liabilities, judgments, costs, expenses, delays, demands or injuries arising out of or in any way connected with the design, construction, code compliance review or issuance of a building permit for the project identified in the building permit application; and
 - B. That if construction is contrary to the Phoenix Building Construction Code or any other applicable law or to any permit issued under the Self-Certification Program, the owner, as applicable, shall, without undue delay, remove or modify, at such owner's own expense, any component of such construction that does not conform to the requirements of the Phoenix Building Construction Code or any other applicable law or to such permit. (Rules and Regulations, p. 11.)

Denver

- **Background:** [Quick permits](#) are trade-specific permits that can be issued without the need for a plan review. The types of projects that qualify for quick permits include: minor work that introduces little to no visible change to a historic structure or property, certain types of boiler and commercial A/C projects, certain types of electrical work projects (only if the utility service is rated 400 Amps or less), certain types of mechanical and plumbing projects, roof or siding work,
- We have not yet been able to locate information related to code compliance certifications, liability allocation, insurance, indemnification, and related issues for the quick permit process but will continue looking for it.

New York City

- **Background:**
 - Self-certification in NYC is governed by [Directive 14](#). Projects that do not propose a change to use, egress, or occupancy or any other change that might affect the Certificate of Occupancy are eligible for a limited review under the

Directive 14 of 1975 (D14) program. The applicant assumes responsibility for the job and is authorized to perform the final inspection of his/her project and request a letter of completion. (Directive 14 website.)

- **Information related to code compliance certifications, liability allocation, insurance, indemnification, etc.:**
 - ***Insurance Requirements:*** According to [Directive 14](#), “[i]t will be required that proof of [workmen’s] compensation insurance and disability benefits insurance be filed before the permit is issued.” (Directive 14(1).)
 - ***Professional Certification:*** The NYC Buildings Department also offers a [Professional Certification \(Pro Cert\) Program](#) which enables Professional Engineers (PE) and Registered Architects (RA) to certify that the plans they file with the Department are in compliance with all applicable laws. This reduces the amount of time a builder normally has to wait for a permit by eliminating the process of Department plan examination and approval. (Professional Certification website). A link to the Professional Certification document is [here](#).

Santa Rosa

In October 2017, the Tubbs Fire in Santa Rosa, California destroyed almost 7,000 structures, of which over 3,000 homes (5% of the overall housing stock) were destroyed. According to a report issued by the Local Government Commission called “Rebuilding after the Fires: Housing Lessons for All Communities”, the City of Santa Rosa responded to this crisis by creating a “Resilient City Permit Center” to expedite the plan review and permitting process. Although not a “self-certification” program per se, the Santa Rosa program included:

- Adding dedicated staff – up to 30 new positions
- Reduced permit fees for all rebuild projects
- Reviewing plans within 5 days
- Expedited review of plans relating to fire safety, landscaping, water service, etc.
- Inspections within 24 hours of request
- Allowing for expedited construction of Accessory Dwelling Units

The results in Santa Rosa have been impressive. According to a recent article in the Los Angeles Times, by 2020, just three years after the fire, more than 80% of the neighborhood homes lost in the fire had been rebuilt and families had moved back in.

Los Angeles – RSBEP “Case Manager” Model

Although not a permit self-certification program per se, one of the most successful permit streamlining efforts in Los Angeles in recent years has been the LADBS Restaurant & Small Business Express Program (“RSBEP”) set up to assist restaurants, bars and other businesses with processing permits for certain projects. According to the LADBS website, RSBEP presently applies to the following types of projects:

- Small businesses, such as nail salons, barbershops, breweries and retail stores, that are undertaking a construction project with a permit valuation of under \$1 million.
- Restaurants, bars and outdoor dining projects, as well as studio and soundstage projects, regardless of permit valuation.

The RSBEP includes early consultation with a LADBS “Case Manager” who provides information, answers questions and coordinates meetings with representatives of various City agencies that will be required to provide sign offs or clearances during the Building Permit process. The intent is to identify issues as early as possible so the project architect and/or builder can resolve those issues right away. Once the Building Permit is issued, the LADBS Case Manager works with the applicant to continue moving the project forward by resolving issues that come up, scheduling inspections, and obtaining the Certificate of Occupancy. The RSBEP program has received favorable reviews from small business owners, and in a September 2023 Progress Report called “Identifying Barriers to Small Business Creation, Development and Growth” issued by the Mayor’s Office of Business and Economic Development, it was recommended that the RSBEP be expanded by “assigning additional case managers to help small businesses.”

The RSBEP Case Manager program can serve as a model for expedited, coordinated and integrated program be implemented for homeowners who want to rebuild their homes and for small businesses that want to rebuild in retail districts. When combined with self-certification and an on-site Permit Program Coordinator assigned to each project who is responsible for insuring coordinated review and approval by all departments, it has the similar successful attributes to the Case Manager RSBEP model.

The following self -certification program elements modeled after the RSBEP program, should include the following:

1. The self-certification program should apply to all new construction and rebuild projects, regardless of permit type, with no cap on permit valuation. Because many if not most property owners will elect to rebuild in excess of 110% of the structures destroyed by the fires, the self-certification program should allow for such exceedance so long as the projects are cleared for compliance with current zoning standards.
2. Initial self-certified permit applications should be allowed to be submitted online, utilizing the best available digital technology, similar to the online application process that already exists at LADBS for certain types of applications.
3. LADBS Project Permit Coordinators with experience in reviewing plans for single family homes and small retail buildings should be assigned to the self-certification program. Staff members from other key departments should be assigned to work under the Project Permit Coordinator at Permit Processing Centers located in the Palisades, Altadena and Malibu, and shall coordinate and expedite all departmental signoffs and clearances that are outside of LADBS jurisdiction.
4. LADBS should ensure that assigned Permit Project Coordinators are available to applicants at the onset of the project at the designated Permitting Center to proactively review potential clearances, identify corrections, and anticipate long lead time items or issues that may arise during plan check. This early engagement with staff would streamline the process and minimize unnecessary back and forth with engineers and staff reducing delays and expediting approvals.
5. Issues and questions that are discussed and resolved early in the review process (in writing) under the direction and supervision of the Permit Project Coordinators should not be changed later in the process, thus eliminating the “late hits” that cause significant delays.
6. The Mayor should consider a revised Executive Order relating to “eligible projects” which would allow all retail and commercial rebuild projects to be exempt from the Palisades Village Specific Plan Ordinance as long as they are not increasing the height or floor area of the building by more than 20% (as opposed to limiting the exemption to increases of not more than 10%).
7. The Mayor should consider a revised Executive Order to allow Accessory Dwelling Units (including manufactured housing units) to be built or installed on residential properties without losing the ability to utilize an expedited review process. This is consistent with the Governor’s February 13, 2025 Executive Order that removes regulatory barrier to construct ADU’s on property where the primary residence was damaged or destroyed by the fires.

Lew Horne
Clair DeBriere
Kelly Miles
Gayle Berens
February 14, 2025
Page 21

8. LADBS should establish an in-house training and apprentice program for inspectors, so there are more inspectors available when these new homes are under construction.

9. LADBS should establish a “virtual inspection” process in which an inspector can view work in progress via mobile phone or online, thus reducing the travel time to project sites.

10. The adoption of a self-certification program for project applications and inspections during construction, can be expanded to allow all applicants to utilize this process, and not just those that are identified as “eligible projects” at the outset of the application process.

11. Allow for waivers of clearances relating to requirements that did not apply to previously built structures.

Contributing Authors:

Nelson Algaze, SAA
Craig Lawson, Craig Lawson & Co., LLC
Mott Smith, Amped Kitchens
Winston Stromberg, Latham & Watkins LLP
David Waite, Cox, Castle & Nicholson LLP
Will Wright, American Institute of Architects, Los Angeles Chapter

Attachments: SAA Research, Findings and Supporting Materials

SELF-CERTIFICATION PROGRAM FINDINGS



PROS AND CONS OF SELF-CERTIFICATION

PROS

- REDUCES BURDEN ON AGENCIES
 - Allows Licensed Design Professionals the option of bypassing the City's normal plan check procedure which historically can take months to complete.
 - Frees up agency resources, allowing them to focus on the more complex projects rather than routine approvals.
- ENCOURAGES PROFESSIONAL ACCOUNTABILITY
 - Puts the responsibility on licensed architects, engineers, or contractors to ensure compliance with regulations.
 - Promotes high-standards of professional integrity.
- COST SAVINGS AND PROJECT EFFICIENCY
 - Eliminates delays associated with waiting for plan check approvals from agencies.
 - Allows construction projects to commence or progress without agency bottlenecks.
 - Reduces administrative fees associated with plan check processes.
 - Minimizes project downtime, preventing financial losses due to delays.
- PRECEDENCE
 - Model municipalities such as city of New York, city of Chicago, county of San Diego, city of Bellflower, and the city of Phoenix have already laid a lot of the framework to successfully perform and regulate self-certified projects. *See references page for more.*

CONS

- LIMITED APPLICABILITY
 - Currently, self-certified programs have restrictions and limits on the type of projects applicable.
 - "Rebuild" and "reconstruction" definitions can be ambiguous.

BEST PRACTICES WORKFLOW

1

PRE-FILING ASSISTANCE

- A courtesy prescreening with city staff to ensure required process is outlined from the beginning for the proposed project.
- Process should be clearly outline and define all the paperwork needed and all department sign-offs required for permit issuance.

2

LICENSED DESIGN PROFESSIONALS

- A registered State of California Licensed Architect or Engineer who is in good standing with the State and city.
- All documents shall be prepared under the supervision of and stamped/signed by a Licensed Design Professional or Engineer for each respective discipline required for the project. No deferred submittals.
- All plans shall demonstrate compliance with requirements of the applicable State and city laws, codes, and regulations.
- All documents shall be verified to be true and declared to not contain any false information.

3

APPLICATIONS, FORMS & FEES

- Self-Certification Permit Application (which differs from the regular plan check form)
- Certificates for Professional Liability Insurance (typically a minimum of \$1,000,000, but not less than the valuation of the permitted project)
- “Hold-Harmless” Letter
- Letter of Property Owner Authorizations
- Disclosure & Acceptance forms
 - Including Agency referral approval letters or sign-off forms

4

PERMIT ISSUANCE, AUDITS & INSPECTIONS

- Permits shall only be issued to a licensed General Contractor who is in good standing with the State and city.
- Self certified permits shall be subject to an audit process by city staff.
- In kind, Licensed Design Professionals should be given an appropriate amount of time to file for an appeal of audits.
- All Inspections (including special inspections) shall be clearly identified at the start of construction.
 - Inspectors should provide a clear and concise path

CONSENSUS OF ELIGIBLE VS. NON-ELIGIBLE PROJECTS

ELIGIBLE

- NEW CONSTRUCTION
 - Single family residential
 - Multi-family residential up to 3 stories maximum (single occupancy)
 - Multi-family residential up to 4 stories maximum, small assembly, business, or mercantile use limited to ground floor (mixed use)
 - Commercial shell buildings up to 25,000 sq.ft. maximum (single occupancy)
 - 299 person maximum for small assembly use
 - Commercial new buildings up to 10,000 sq.ft. (mixed used)
- ALTERATIONS
 - Commercial tenant improvements up to 25,000 sq.ft., including change of use (without structural changes)
 - Tenant improvements with structural changes may be subject to a structural peer review process.
 - Projects solely for the purposes of making accessible improvements
- TEMPORARY STRUCTURE PERMITS
 - Temporary tents or canopies up to 4,000 sq.ft. and 299 person maximum
 - Temporary stages and platforms, 299 person maximum

NON-ELIGIBLE

- Projects located in Hillside Development Areas
- Developments of 5 acres or larger
- Public assembly uses and assembly uses over 300 persons
- Shell buildings over 25,000 sq.ft.
- New buildings over 10,000 sq.ft.
- New high-rise buildings
- Education and institutional uses
- Hazardous occupancies and uses
- Ambulatory care facilities

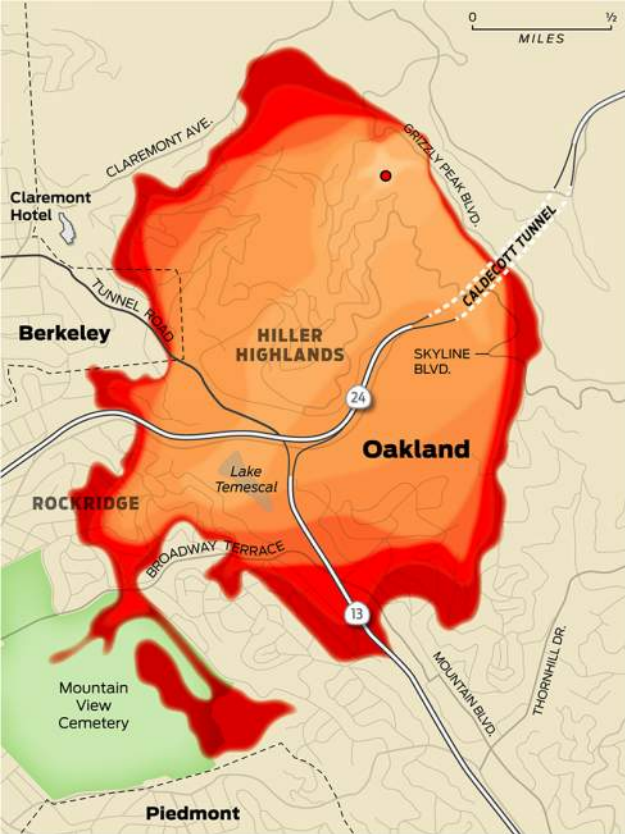
CASE STUDY

LOMA PRIETA EARTHQUAKE (1989) & OAKLAND HILLS FIRE (1991)



LOMA PRIETA EARTHQUAKE

- A.K.A. “World Series earthquake”
- Structure Damage
 - 27,000 buildings damaged.
 - 1,000 buildings were completely destroyed
- Economic Loss:
 - \$6 billion in 1989 (roughly \$150 billion in 2024 dollars)



OAKLAND HILLS FIRE

- Size: 1,520 acres destroyed
- Structures Damage:
 - 2,843 single-family dwellings
 - 437 apartment and condominium units.
- Economic Loss:
 - \$1.5 billion in 1991 (roughly \$3.5 billion in 2024 dollars)

NOTABLE POLICY ACTIONS

- Santa Barbara and Santa Cruz counties established a 60-day moratorium to allow county offices time to set up their processes for the rebuilding.
- After the Loma Prieta earthquake, Santa Cruz County hired an outside consultant agency to process and expeditiously review structure damage permits and provide step-by-step guidance to applicants.
- City of Oakland opened a “community restoration development center” 1 month after the fire. This allowed for dedicated city staff to address the rebuild permit process helping applicants navigate an expedited process.
- BUILDING PERMIT FEE WAIVERS:
 - This allowed for a period of days (60-90 days), where no building permit fees were charged for the purposes of repairing damage “in kind” and laid out parameters for qualifying projects:
 - Projects and work applicable to the fee waiver included:
 - Restoration of utilities (power, water, sewer, gas).
 - Damage repaired in kind that does not constitute more than 25% of the overall value without foundation damage work.
 - Repair of non-habitable residential structures that does not exceed 75% of the value replaced in kind and in the same location as previous. In addition, fire separations were required to be 6ft. from habitable structures and 3ft from the property line.
 - Special exemptions or “on-site” permits issued for chimney repairs.
- LIVING QUARTER ASSESSMENTS
 - After an inspection period, home-owners were given the option to live on their parcel should the property be deemed safe enough to occupy (whether in the dwelling or by use of temporary facilities).
- LENIENCY ON CONSTRUCTION HOURS
 - To help facilitate a faster rebuild, the City of Oakland provided more lenient construction hours specific to the damaged areas which extended to longer periods of time on weekdays and allowed construction on weekends and holidays.

REFERENCES

Case Studies:

- Association of Bay Area Governments. (n.d.). Issuing building permits following a disaster: Recommendations for local governments. Retrieved from https://abag.ca.gov/sites/default/files/issuing_building_permits.pdf
- City of Oakland. (n.d.). Chapter 15.16 - Floodplain management and area of primary concern regulations. In Code of ordinances. Retrieved from https://library.municode.com/ca/oakland/codes/code_of_ordinances?nodeId=TIT15BUCO_CH15.16FIMAARPRIMRE

City of New York

- New York City Department of Buildings. (n.d.). Professional Certification. NYC.gov. Retrieved February 6, 2025, from <https://www.nyc.gov/site/buildings/industry/professional-certification.page>
- New York City Department of Buildings. (2004, January 16). Professional and Owner Certification (Form POC1). NYC.gov. Retrieved February 6, 2025, from <https://www.nyc.gov/assets/buildings/pdf/poc1.pdf>
- New York City Department of Buildings. (n.d.). Local law 108 of 2019. NYC.gov. Retrieved February 6, 2025, from <https://www.nyc.gov/site/buildings/industry/local-law-108-2019.page>

City of Chicago

- City of Chicago. (n.d.). Self-certification permits. Chicago.gov. <https://www.chicago.gov/city/en/depts/bldgs/provdrs/permits/svcs/self-cert-permits.html>
- American Institute of Architects. (n.d.). Indiana self-certification program. <https://content.aia.org/sites/default/files/2016-05/Ind-SelfCertificationProgram.pdf>

City of Bellflower

- City of Bellflower. (n.d.). News & highlights – Building & Safety Division. City of Bellflower Planning Department. https://www.bellflower.org/departments/planning/building_safety_division/news_highlights.php
- City of Bellflower. (n.d.). 2022 Handout 12: Voluntary self-certification [PDF]. City of Bellflower Planning Department. [https://cms5.revize.com/revize/bellflowerca/Document%20Center/Department/Planning/Building%20Division/Documents%20and%20Resources/2022%20Handout%2012%20Voluntary%20Self%20Certification.p](https://cms5.revize.com/revize/bellflowerca/Document%20Center/Department/Planning/Building%20Division/Documents%20and%20Resources/2022%20Handout%2012%20Voluntary%20Self%20Certification.pdf)
[df](https://cms5.revize.com/revize/bellflowerca/Document%20Center/Department/Planning/Building%20Division/Documents%20and%20Resources/2022%20Handout%2012%20Voluntary%20Self%20Certification.pdf)
- City of Bellflower. (n.d.). Municipal code. eCode360. <https://ecode360.com/BE4904>

County of San Diego

- San Diego County. (n.d.). Standard County Practices (SCPs). San Diego County Planning & Development Services. <https://www.sandiegocounty.gov/content/sdc/pds/bldg/scp.html>
- San Diego County. (n.d.). PDS 693: Building permit application [PDF]. San Diego County Planning & Development Services. <https://www.sandiegocounty.gov/content/dam/sdc/pds/bldg/PDS693.pdf>
- San Diego County. (n.d.). PDS 694: Owner-builder verification form [PDF]. San Diego County Planning & Development Services. <https://www.sandiegocounty.gov/content/dam/sdc/pds/bldg/PDS694.pdf>

City of Phoenix

- City of Phoenix. (n.d.). Self-certification program. Retrieved from <https://www.phoenix.gov/pdd/self-certification-program>
- City of Phoenix. (n.d.). Self-certification program guidelines and procedures. Retrieved from https://www.phoenix.gov/pddsite/Documents/TRT/dsd_trt_pdf_00523.pdf

MEMORANDUM

To: David Waite

From: Nelson Algaze, AIA

Date: February 12th, 2025

Subject: Updated Memo and PDF Including City of Chicago and List of Eligible vs. Non-Eligible projects

Self-Certification Process Best Practices

1. Pre-Filing Assistance

- Bellflower offers a pre-screening process to ensure applicants understand the process.
- San Diego, Chicago and Phoenix require applicants to take a class to qualify for self-certification.
- New York has a similar registration process for applicants to participate in self-certification projects.

2. Licensed Design Professionals

- Design professionals must be in "good standing" with the state and city.
- Bellflower requires:
 - Inclusion of all construction trades (structural, civil, mechanical, plumbing, electrical, fire sprinklers, alarms) prepared by a licensed professional.
 - Pre-approval from city departments (Planning, Fire, Public Works, Air Quality Management, Sanitation) before a permit can be issued.
 - After approvals, the building department can issue a "same-day" permit.

3. Applications, Forms, and Fees

- New York requires additional forms beyond the standard building permit application.
- Bellflower's and Chicago's process includes:
 - Proof of liability insurance.
 - "Hold-harmless" letter.
 - Letters of Authorization from property owners.
- Bellflower offers a form with department approval checkboxes instead of requiring stamped plans.

4. Permit Issuance, Audits, and Inspections

Permits:

- Only licensed contractors can pull permits (no owner declarations or "owner-builder" permits allowed).
- General Contractors must be registered and in good standing.

Audits:

- New York audits 10% of projects within 30 days.
- Bellflower audits all projects but lacks clear parameters.
- San Diego automatically audits first-time and sixth-time applicants; all projects are randomly audited.
- Chicago provides guidelines for projects that would qualify for automatic and random audits.
- All cities provide an appeal process.

Inspections:

- Bellflower requires the General Contractor and Architect to declare necessary inspections.
-

Self-Certification Process by City

New York City

- Professional testifies that documents comply with all applicable codes.
- Limited to tenant improvements, residential remodels (without structural changes), and projects with no change of use.
- Pros:
 - Permits issued within one week.
 - Limited risk type projects.
- Cons:
 - Not applicable to new construction or change of use.
 - 10-25% of jobs are audited within 30 days.
 - Errors in plans can lead to sanctions, construction stoppages, or rework.

City of Bellflower

- Allows registered professionals to bypass standard plan check for same-day permits.
 - Requires liability insurance and approvals from various city departments before issuance.
 - Links to guidelines, authorization letters, and municipal codes available.

County of San Diego

- Eliminates plan review for registered professionals certifying compliance.

- Covers tenant improvements, residential minor grading, private roads, and landscape plans.
- Permits issued within 1-5 business days.
- Self-certification training and applications available.

City of Phoenix

- Similar to San Diego; allows registered professionals to bypass plan review.
- Includes most buildings over 25,000 sq. ft., landscape and parking lot plans, grading and drainage plans.
- Permits issued within 1-5 business days.
- Training program available for professionals.

City of Chicago

- Eliminates plan review for registered professionals certifying compliance.
- Covers tenant improvements and a wider variety of new construction projects.
- Includes implementation of structural peer review process and approval letters for projects requiring structural engineering.
- Self-certification training is required to be registered as self-certification applicant.

General Comments

- Self-certification is also referred to as "Professional Certification."
- New York and San Diego professionals often hire expeditors to handle complex paperwork.