

Title: Phased Approvals in Permitting	Date: April, 2010
<p>Abstract:</p> <p>Phased approval of construction projects is a permitting process unfamiliar to some building officials, design professionals, and others. This paper offers guidelines to assist in understanding the need and procedures for such a process.</p> <p>This white paper is intended to provide guidelines for building departments to facilitate approval of building projects with phased submittals and construction.</p>	<p>Committee Members:</p> <p><i>Chris Ricketts (WABO)</i> <i>Mark D'Amato (SEAW)</i> <i>Jerry Barbera (WABO)</i> <i>Charlie Griffes (SEAW)</i> <i>Jon Siu (WABO)</i> <i>Dan Sully (WABO)</i> <i>Drew McEachern (SEAW)</i> <i>Rick Fine (SEAW)</i> <i>Mary Kate McGee (WABO)</i></p>
<p>Committee Mission Statement:</p> <ul style="list-style-type: none"> • <i>Improve communications between the public jurisdictions that administer building codes and the engineering design community that prepares construction documents.</i> • <i>Improve consistency and quality of engineering submittals and project reviews.</i> • <i>Build consensus between the engineering design community and building officials with regard to code interpretation and submittal requirements.</i> 	

I. INTRODUCTION:

It is advantageous and sometimes necessary for a construction project to commence prior to the issuance of a single permit for the full project. This white paper suggests guidelines to building officials for issuing multiple, or phased permit approvals for a given project and to promote wider acceptance of this practice among local jurisdictions.

Architectural and engineering design for the preparation of construction documents on a time measured basis is usually a linear process. Typically, duration of design can extend from many months to a year or more, depending on the complexity of the building. Because bringing projects to market can be a critically timed event, with schedules being driven by tenant contracts or market forces, it can be crucial for owners/developers/contractors to move forward concurrently on as many of the elements of a project as is practicable, including construction.

The subject of this paper draws a distinction between the terms “**phased approvals**” and “**approval of deferred submittals.**” Deferred submittals are usually made and approved after primary permits are issued. They are commonly interpreted by design professionals to be construction documents for those structural elements that are prepared by specialty engineers (not necessarily the EOR), who may be employed by a supplier or fabricator and who may have unique design experience associated with those components. Components requiring design by specialty engineers are typically designated on the primary

construction documents by the EOR. These elements typically include proprietary systems or specialized construction. They can include prefabricated wood framing (trusses, “TJI’s,” etc.), miscellaneous prefabricated metals (stairs, skylights, metal decking, connection designs, etc.), cladding systems, and metal buildings, for example. The subject of deferred submittals is to be addressed in a separate white paper.

II. Examples of Construction Phases that may be suitable for phased approvals

- Clearing and Grading
- Erosion and Sediment Controls
- Excavation and Shoring
- Foundations including deep foundations requiring piles, caissons, etc.
- Other distinct building segmentations delineated by site location, height or construction type

III. Guidelines

1. Procedure for Requesting Phased Permits. Requests for phased approvals should be made in writing to the building official. The following information should normally be provided:
 - a. A “phasing plan” including a description of what work the applicant wishes to perform in each phase, and a proposed schedule for each phase (anticipated dates of submittal, permit issuance, and start of construction).
 - b. A statement of the applicant’s understanding that they are proceeding at their own risk pursuant to Section 107.3.3 Phased Approval, as specified in the 2009 IBC.
2. Degree of completeness required for permitting:
 - a. Project segmentations to receive phased approvals should be clearly delineated in the construction documents.
 - b. Engineering for a particular phase of construction requiring permit approval should be complete. Also, project submittals to the building department should have sufficient, relevant engineering completed for the entire project to justify the design and details of that portion of the project for which the phased permit is being issued.
3. Administration for Phased Approvals:
 - a. Phased approvals are subject to the normal approval process of other reviewing divisions or departments such as Land Use and the Fire Marshal.
 - b. Administration will be performed by the building official designated by the director of the building department. Internal jurisdictions that are party to the review process should be briefed on the phased approval request and provide concurrence for the proposed plan.
4. Other considerations for establishing a Phased Approval process:
 - a. Fees and costs to the applicant for administering the process.
 - b. Financial guarantees and assurances to be provided by the applicant, as warranted by the construction. *(These measures provide a means for the jurisdiction to restore or protect building sites with partially completed construction in the event full permitting is not issued.)*
 - c. Mutually-agreeable schedule for submittal and issuance of each phase

- d. Inspections, verifications and limitations associated with each phase of construction.

IV. Commentary

Guidelines for this paper were derived from both written guidelines prepared by King County DDES and verbal interviews with building department representatives of two major cities that, currently, do not have specific, written guidelines.

The necessity (and convenience) of phased permit submittals comes about because construction itself is recognized to consist of distinct phases. One example is the differentiation between “below grade” and “above grade” work. Depending on the scope of the building project, below grade construction can encompass some or all of the following: demolition, clearing and grading, dewatering, shored excavation, foundations, basement walls, multiple levels of parking, etc. Above grade work encompasses all else. Here, too, distinct phases can be drawn between construction of the primary frame of a building, its interiors, cladding, and even smaller architectural treatments such as canopies, grand stairways, signage, artwork, etc.

Building departments in many jurisdictions accommodate the time sensitive construction schedules of owners/developers (for both public and private projects) by conducting *phased permit approvals* corresponding to specific construction phases defined in the construction documents. For example, when permitted separately, construction can begin on the below grade work while detailed design is completed on the above grade portion of the building. Demarcations for the splits should be prearranged with the building department.

While the practice of issuing phased or split construction permits is widely accepted in the more heavily developed cities and regions of Washington State, some jurisdictions are not familiar with the process or simply do not allow it.

V. Current Regulations/Relevant State Laws and Codes

Section 107.3.3 *Phase Approval*, 2009 IBC, states:

“The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder’s own risk with the building operation and without the assurance that a permit for the entire structure will be granted.”

This section clearly recognizes the practice of issuing phased approvals for construction projects.

Some jurisdictions such as King County Department of Development and Environmental Services have developed their own written program describing the process of obtaining phased permits. Other jurisdictions evaluate requests for phased permits on a case-by-case basis and tailor procedures that may be unique to any given project. Nevertheless, final approval of construction must comply with all the jurisdictional reviews as if only one permit had been issued.

VI. Supporting Documents

1. 2009 IBC, Section 107.3.3 Phased Approval
2. Pre-Issuance Construction Authorization (PICA) Guidelines, King County Department of Development and Environmental Services.