

Use this form to help you get started on your building permit application. Answers to our most frequently asked questions are below.

**When is a building permit required?** Almost all projects require permits. In general, any work which alters a building or structure requires a permit. Work exempt from a building permit is identified in the California Building Code as adopted and amended by the Municipal Code (CMC Section 18.04). Exemption from the permit requirements shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of any city code or ordinance.

We encourage you to contact us at 442-339-2719 or by email at [building@carlsbadca.gov](mailto:building@carlsbadca.gov) or visit the [Building Division webpage](#) before you submit your building permit application. Counter staff can provide general direction on the process, fees, and timelines for review. You may be referred to other staff members to determine if your project will require any other city permits or planning approvals. If your project requires separate permits from other departments, you must file those applications before submitting a building permit. Approvals from other departments may be needed before you can apply for a building permit.

**What do I need to do to put together a building permit application?** The purpose of a building permit is to ensure that the construction project will comply with minimum state and local building codes and other land use requirements, and that contractors are licensed pursuant to the Contractors' State License Law. To accomplish this, building permit applications are reviewed by city staff against applicable state and local building and land development codes and regulations. While the city has simplified the permit submittal process, some projects require information and documents that are not needed for other projects.

Almost all projects require plans. These include, but are not limited to, new structures, demolitions, additions, alterations, interior/exterior remodels, running new electrical, water or gas lines, repairs, outdoor kitchens, pergolas, pavilions, decks, carports, garages, docks, pools, foundation repairs, ADUs, and Junior ADUs, solar, energy storage systems, and backup generators.

The Building Department conducts plan review and cannot give advice on how to create your plan. We recommend contacting licensed professionals when applicable. If you are considering a building project and are wondering where to start, please refer to the city's Info Bulletin ([IB-211](#)) to help you get underway in securing required authorizations before you start construction. The Info Bulletin has additional links and resources to help explain the required information are provided in the form. You may also want to refer to the Minimum Submittal Requirements provided in the B-1A form (Residential Building Permit Application) or the B-2A form (Non-Residential Building Permit Application) to help you identify what is needed to assemble a complete application for intake processing.

**What do I need on the cover page of a plan?** A site plan is a drawing that shows all property lines, lot lines, easements, public rights-of-way, buildings, and structures located on the parcel of property. A site plan will label and dimension the existing and proposed improvements on the property so that the city review team can review your plans. A basic site plan may be submitted for minor projects such as meter replacements. A

detailed site plan is required for more complex projects, such as additions or a new building. Please refer to the city's Info Bulletin ([IB-201](#)) to see what is needed on a typical site plan for a building permit.

**Do I need a Geotechnical (Soils) Report?** Some projects may be exempt from needing a Geotechnical Report. Please refer to the Geotechnical Report Exemption Guidelines (Form B-64) for more information.

**What is the permit process?** Below are the "5 Steps of the Permit Process" for most construction projects requiring a building permit:

- 1) **Building Permit Application:** Before any construction begins, a building permit and other related permits must be obtained from the City of Carlsbad, unless exempted from the requirement (See Municipal Code Section 18.04). If it has been determined that a permit is required, the Property Owner, Contractor, or Agent shall complete a building permit application, pay plan check fees, and when required submit plans and specifications for review. Please review the submittal requirements prior to intake. Some projects require information and documents that are not needed for other projects. When necessary, the Building Official will give the permittee an agency referral sheet (school district, health department, etc.). The Applicant (Property Owner, Contractor, or Agent) is responsible for obtaining the noted agency approvals prior to obtaining the permit. To obtain a building permit, an Applicant must demonstrate compliance with the code requirements specific to each project, pay required fees, and provide all forms, plans, and supplemental documents.
- 2) **Plan Check Review:** When a plan check is required the review process will begin and be reviewed in the order it was received. Plans and any related documents will be routed to various city divisions for review. Turn-around time may vary depending on the volume of plans submitted, but for except for minor work permits that can be issued over the counter, the initial plan check takes 10-15 working days. The Applicant will be notified of any corrections needed. Revised plans can then be re-submitted for a second review. This process is repeated until all corrections have been addressed.
- 3) **Application Approval:** The plans may be issued once the permit application is completed and the plan check review is either approved or a plan check is not required. Once the city has determined that the plans and submittal materials satisfy all code requirements, you will be notified of the approval. Upon full payment of fees and completion of final forms, the city will issue a building permit.
- 4) **Inspection:** We will inspect your project as work progresses and you must have the inspection card and the approved plans available during all inspections. Once construction begins, you must pass at least one "milestone inspection" approval within 365 days (one year) and every 180 days thereafter (6 months) to avoid permit expiration. All work must be completed within three years of permit issuance. When the permitted work reaches a certain phase of construction the permit holder is required to request for inspection online. You can request a "morning" or "afternoon" inspection and we will do our best to accommodate your schedule. An inspector will review the work for compliance with the requirements of the code(s), the approved plan, and the permit(s) scope of work.
- 5) **Project Complete:** The project is complete once any required agency approvals have been obtained and the work covered by the permit(s) has passed final inspection, (inspection record card and permit(s) have been signed and dated). Additionally, with final inspection approval, the city will provide a Certificate of Occupancy for new buildings or additions only. All other projects can obtain an Inspection Summary.

**How do I check the status of my Plan Check?** You can contact track the status of the project through the CSS portal by creating a user account.

**Who can prepare building plans and does my project require an Architect or Engineer?** An accurate detailed set of plans, specifications, and supporting documents is required for most construction projects. Please be aware that if you are proposing an assembly occupancy, construction requirements for the entire building may need to be upgraded. Hiring a California licensed Architect or Engineer will provide specialized knowledge regarding the principles of building requirements. Additionally, a licensed Engineer may be required to provide design, analysis, and evaluation of complex soil conditions, grading, foundation/site work, retaining walls, hydrology, structural elements, and mechanical or electrical systems. The resulting plans, specifications, and supporting documents are required to be signed and sealed (stamped) by the Engineer. Plans, specifications, and supporting documents may be prepared by a licensed Civil Engineer, Architect, or registered design professional. Structural elements of a plan must be reviewed and stamped by a licensed Engineer.

**When does the trash area need to be upgraded to meet new enclosure standards?** For nonresidential uses, upgrades to existing trash enclosures may be required for both building shell and tenant improvement permits. Please refer to Form B-276. Only minor improvements will be exempted from current enclosure standards. Enclosure upgrades may also be required if a complaint is received by the city for unscreened, overflowing, or inappropriately sited trash bins/containers. Note that a building permit is required for all new commercial and multi-family trash and recycling enclosures, even those that result from enforcement cases. Alterations to existing outdoor areas or parking areas, such as reconfiguring a parking lot, adding or removing parking spaces (not including a like-for-like restripe or ADA upgrades), and significant alterations to the site configuration and yard areas may require review and approval from the Planning Division.

**How long does it take for my plans to be approved by the Building division?** Except for minor work permits that can be issued over the counter, the initial plan check takes 10-15 working days. Because the Property Owner, Contractor, or Agent creates the project and the city receives and reviews this work, the city can nearly always process its side of the project review timeline faster than the Applicant. An Applicant may move faster or slower; the city's review times will remain the same. Quality projects that are responsive to city review comments move faster through the review process. Therefore, the Applicant has control over its side of the project review timeline, and ultimately the overall review timeline.

**Can the Building Division recommend an Architect, Engineer, or Contractor for my project?** No, the Building Division makes no recommendations. Referrals from friends, neighbors and co-workers can often point to local professionals who have successfully provided the services you require.

**May an Architect act as a Contractor for the owner and hire subcontractors for the construction phase of a project under an architectural license?** No. An Architect would also need to be licensed as a Contractor to perform such services. The California Contractors License Law does not exempt Architects unless they are acting solely within their professional capacity, which does not include contracting construction work for others.

**Can an owner pull a commercial building permit?** Permits for commercial or industrial projects are only issued to California Licensed Contractors.

**Can an owner pull a residential building permit?** A building permit may be issued to a California Licensed Contractor or an Owner-Builder residing in the single-family residence for which the permit is to be obtained. Permits for commercial, industrial or multiple residential projects (townhomes, condominiums, apartments, duplexes, etc.) are only issued to California Licensed Contractors.

- Hiring a California Licensed Contractor means you do not personally perform any of the construction work, the permit is not taken out in your name, you are not personally responsible for

the construction and you are not an Owner-Builder. Instead, you become a “Customer” and California law provides you the benefit of protection from poor workmanship, failure to finish the job and financial risk due to worker injury.

- Owner-as-Contractor is a type of Owner-Builder where you personally act as your own Contractor, the permit is taken out in your name and you hire California licensed sub-contractors to perform portions of the construction work. WARNING: The benefit of protection provided by law when you hire only California licensed sub-contractors can turn to serious financial risk if you hire unlicensed contractors to perform any of the work. Unless you are very experienced in construction, it is best to leave these matters to your California Licensed Contractor.
- Owner-as-Employer is a type of Owner-Builder where you pay any unlicensed individual to perform any construction work valued at more than \$500.00, the permit is taken out in your name and you are personally responsible for their employment requirements, supervision, performance, safety and welfare while on your property. WARNING: Cost savings benefit can turn to serious financial risk if you fail to deduct payroll taxes or provide workers compensation insurance for each worker.

The Property Owner should be aware and consider the legal and financial risk before accepting full responsibility for your construction permit. When a project is identified on permits as an Owner-Builder job, subcontractors or consultants do not take over the legal responsibility for the job; the homeowner still holds all responsibility.

**What should I know about Contractors?** Consultants who submit a bid to construct any structure or portion of a structure and/or supervise all of the construction and hiring of subcontractors are acting in the capacity of a contractor and must have a state contractor license. The California Contractor State License Board licenses contractors in 44 different classifications. This ranges from General Contractors to Swimming Pool Contractors, Electricians, Plumbers, etc. General Contractors usually oversee projects and coordinate the specific licensed subcontractors for a job. Specialty Contractors or subcontractors usually are hired to perform a single job. You can check with the Contractor State License Board to see if the General Contractor or Specialty Contractor has a valid license. By State law, different types of contractors are limited as to the types of permits that they can pull. For example, a Plumbing Contractors cannot pull an electrical permit, and vice versa. A General Contractor also may contract for specialty work but must hold a specialty license for that work or actually have a specialty contractor do the work. The only exception is if the job requires more than two types of work on a building. Then it is appropriate for a General Contractor to contract for and oversee the entire project. For example, if your kitchen remodeling will involve plumbing, electrical and carpentry work under one contract, you should hire a licensed "B" General Contractor. Under these circumstances, a "B" contractor may perform all of the work on a building, or subcontract parts of the job to contractors with specialty licenses.

**When a licensed Architect or Engineer working on a building permit application quits or is discharged, may another Architect or Engineer sign the original plans?** If both design professionals are licensed in California, and the new Architect or Engineer completely reviews the plans, making necessary, or client-directed changes, the new Architect or Engineer has “prepared” the plans and may stamp and sign them, absent fraud, deception, or dishonesty. A “change of design professional declaration” must be added and a B-23 form must be completed and submitted to the Building Division. For a change of record after issuance of permit, the Applicant will submit alternate plans/reports for any revisions to documents prepared by the previous/original Architect or Engineer of record subsequent to the date of hire.

**When does a building permit application or building permit expire?** When no permit has been issued within 365 days (one year) following the date of permit application, the application shall expire. The Building Official may grant two 180-day extensions upon written request by the applicant and payment of fees. After issuance, the building permit expires if the work has not started within 365 days from the date

of permit issuance. Once construction begins, you must pass at least one “milestone inspection” approval every 180 days thereafter to avoid permit expiration. Therefore, a major inspection (foundation, underfloor, frame, or final) must be approved or partially approved within the first 365-days after permit issuance. The permit may be granted one or more extensions of 180 days each, upon written request. Prior to your expiration date, you must file Form B-25 and obtain Building Official approval to receive an extension. However, all work must be completed within three years of permit issuance. When a permit expires, a new permit application shall be filed, and new plan check and permit fees shall be paid.

**What are the disability access requirements for commercial building permits?** You may be subject to liability for failure to meet your legal obligation to comply with state and federal disability access laws. The recent issuance or renewal of a business license or equivalent instrument or permit does not mean that your business has been determined to be in compliance with state and federal disability access laws.

The State of California wants to ensure that all people have equal access to public and private services. This includes existing buildings. Many people with disabilities do not have equal access to services because many business owners do not take the time to ensure that their businesses are accessible.

Some common problems disabled people encounter are:

- 1) The building has architectural barriers that make it difficult or impossible for someone using a wheelchair, walker, or other mobility device to get inside or move around.
- 2) The business uses a website that does not work with screen reading devices and other assistive technology.
- 3) The business does not allow people with disabilities to enter the building with their service animals.
- 4) The staff do not receive ADA training and do not know about the requirements to modify practices or to provide auxiliary aids and services.

As the operator of a business, it is your responsibility to ensure that your business provides equal access to people with disabilities. Refusing to make your business accessible is discrimination under state and federal law. People with disabilities and the government have the right to sue businesses that discriminate. The best way to protect yourself from a lawsuit is to make your business accessible. Here are some important steps you should take:

- 1) Schedule an inspection with a Certified Access Specialist. A Certified Access Specialist (CASp) is a person who the State of California recognizes as having specialized knowledge of accessibility standards. They can inspect your business and tell you what changes you need to make for your business to be accessible to disabled people. Getting a CASp inspection has important benefits, like giving you extra protection in a lawsuit. To find a CASp in your area, contact the CASp Program at the Division of the State Architect. You can also visit [www.apps2.dgs.ca.gov/DSA/casp/casp\\_certified\\_list.aspx](http://www.apps2.dgs.ca.gov/DSA/casp/casp_certified_list.aspx). Additionally, you should contact your local government and ask what resources it has to help businesses comply with disability access laws. The State of California makes money available to local governments to create programs that help business owners comply with disability access laws.
- 2) Learn about accessibility laws from reliable sources. There is a lot of misinformation about accessibility laws. Get information about your rights and responsibilities as a business owner from reliable, trustworthy sources. California has several agencies that provide fact sheets, trainings, and other educational materials about accessibility. In fact, one of these agencies, the California Commission on Disability Access, was created by the Legislature for the purpose of helping businesses comply with accessibility laws.