



City of Beverly Hills

SUMMARY OF REQUIREMENTS FOR THE INSTALLATION / REMOVAL OF TIE-BACKS AND SUPPORTING STRUCTURES

The Council of the City of Beverly Hills, per Resolution Number 71-R-4269, has directed that standard procedures be established in connection with uses on public rights of way adjacent to private property where a private structure will be constructed with specific reference to the following uses:

- 1) Removal of a portion of the public right of way adjacent to private property during a portion of the construction period; or
- 2) Constructing steel, concrete, or steel and concrete structures in public rights of way for the purpose of providing lateral support for the public right of way during the construction period and permitting these structures to remain in the public right of way after completion of the building.

Three Types of Lateral Support

- (i) Steel tieback rods and supporting structures.
- (ii) Over-excavation on public right-of-way.
- (iii) Caisson/Soldier piles, Raker/Brace system.

Whenever a permit is required by the provisions of Chapters 2 and 3 of Title 8, entitled “Parks, streets, and other Public Property” of the Beverly Hills Municipal Code, to excavate, occupy, or use any space below any public sidewalk, public street, or other public right of way adjacent to private property for the purpose of facilitating the construction of a structure to be erected on such private property, such permit shall be issued subject to each and all of the following conditions:

- (a) The applicant shall comply with any and all of the applicable provisions of Title 8 of the Beverly Hills Municipal code.
- (b) The applicant shall retain a professional engineer legally qualified to locate property lines and reference structures to such property line to prepare a plan and profile drawing on 24” x 36” sheet showing all installations, substructures, utilities, water works, drainage facilities and appurtenances between the property line and the centerline of the street or to such further line as may be identified by the City Engineer.

The profile elevations shall be shown to the official city datum plane referred to in Section 8-2.15 of the Municipal Code. The location of any substructure or underground utility between the curb and the property line shall be verified by spot excavation prior to completion of plans. Any other substructure, which may be affected by the proposed

excavation or construction, shall also be verified by spot excavation if required to do so by the City Engineer or the owner of the substructure.

- (c) The contractor shall obtain a statement from each of the following:
Beverly Hills Public Works Services Department, Southern California Gas Company, American Telephone and Telegraph Company, Southern California Edison Company, and any other owner of an affected utility or substructure that it has no objection to the proposed excavation and approving designated means of support of the public right of way and protection of the utility or other substructure. Each statement shall specify what inspection will be made by the utility company and replacement value of the facility for bonding purpose to ensure protection of its facility. The applicant shall bear all costs imposed by the utility company. A responsible official from the affected utility shall sign each statement.
- (d) Any type of construction in public rights of way shall comply fully with the provisions of the California Building Code as adopted by reference in Chapter 1, of Title 9 of the Beverly Hills Municipal Code.
- (e) Excavated sections on the public right of way and surfacing shall be backfilled as soon as the structure is self-supporting at grade.
- (f) In the event of removal of soil on public rights of way for the purpose of facilitating construction, no excavation shall be made closer than seven (7) feet to the face of the curb.
- (g) The applicant shall submit plans and specification of the support proposed for the public right-of-way. These plans and specifications shall show in detail the extent of excavation of the public right of way and method of support and procedure to be followed and shall be prepared by a structural engineer in accordance with the results of soil tests and recommendations by a recognized soil engineer. The City Engineer shall not recommend or approve, as the case may be, the issuance of a permit pursuant to the provisions of the Municipal Code and this resolution until he has been provided with a statement from the Community Development Department to the Civil Engineering Department indication his/her review and approval of the shoring plans.
- (h) No part of the structure in public rights of way for which a permit is issued under provisions of this resolution shall be considered to be part of the adjacent building.
- (i) Any caisson type supporting structure (maximum encroachment three (3) feet) may be constructed immediately adjacent to the property line on street public right of way. Such structure shall be removed to a minimum depth of eight (8) feet below sidewalk grade. No support construction (caisson type) will be permitted in alley public rights of way.
- (j) Any part of an earth anchor and tieback system in a public right of way shall be below a plane which at the property line is at a minimum depth of eight (8) feet and extends downward at an angle of thirty (30) degrees (20 degrees may be permitted by the City Engineer), said angle measured downward from a horizontal plane (tie backs may encroach

into the alley). Additional depths will be required if necessary to position any part of the earth anchor and tieback system a minimum clearance distance of two (2) feet from any utility or substructure. The City Engineer may require additional depths. All steel tieback rods shall be removed.

- (k) No permit shall be issued for supporting structures to be left in place on Wilshire Boulevard unless the Southern California Rapid Transit District advises in writing that it has no objection to the proposed structure being left in place.
- (l) The Council may cancel any permit granted per the referred resolution for reasonable cause and the contractor may be required to provide supporting structure on private properties.
- (m) Prior to issuance of a permit pursuant to the Municipal Code and per the referred resolution, the applicant shall pay to the Public Works Department a fee of \$21.00 per linear foot measured along the public rights of way of adjacent to private property occupied by the building site where the use of public rights of way is permitted.
- (n) Prior to issuance of a permit pursuant to the Municipal Code and per the reference resolution, the applicant shall pay to the Public Works Department \$12,434.00 to guarantee the removal of the steel tieback rods and the removal of supporting structures to a minimum depth of eight (8) feet below sidewalk grade. The \$12,434.00 will be refunded upon application by the applicant and approval from the Community Development Department that all steel tieback rods and supporting structures have been removed in accordance with paragraphs (i) and (j) above. The applicant shall forfeit \$1,275.00 for each steel tieback rod left in place and shall forfeit \$3,758.00 for each supporting structure not removed to a minimum depth of eight (8) feet below sidewalk grade. The applicant will be required to pay to the office of the Finance Director any additional sum in the event the \$12,434.00 was insufficient. Fees are subject to change.

The application for refund of deposit is required in writing, accompanied by drawing and satisfactory certification indicating tiebacks were removed and location of any left in place. Letter must be sent to the City by the resident deputy inspector verifying that all the tiebacks have been removed. The applicant shall show on a 24" x 36" sheet the location of all steel tieback rods and supporting structures left in place.

NOTE:

**ALL FEES ARE SUBJECT TO ANNUAL REVISION AND DEPOSITS MAY VARY,
DEPENDING UPON THE PARTICULAR PROJECT.**