

Revitalization & Virginia Building & Fire Regulations



Supporting
Revitalized and Healthier
Built Environments & Communities
in Virginia

Provided by
Virginia Department of Housing and Community Development
Division of Building and Fire Regulation

Roanoke Center in the Square



Roles of DHCD/DBFR



- ❖ Division of Building and Fire Regulation (DBFR)
- ❖ Supports Board of Housing and Community Development (BHCD)
- ❖ Promulgates statewide building, fire, and related codes
- ❖ Provides administrative and technical assistance to local Building Officials, design/construction professionals, property/building owners, and general public

Roles of DHCD/SBCTRB



- ❖ Supports State Building Code Technical Review Board (Review Board)
- ❖ Provides processes and procedures for building owners or aggrieved parties to appeal decisions of local code officials
- ❖ Hears appeals, by either party, of decisions made by the Local Board of Building Code Appeals (LBBCA) appointed by local governing body
- ❖ Directs further appeals of Review Board decisions to Circuit Court of local jurisdiction

Roles of Local Building Departments/ Building Officials



- ❖ Conducts all code enforcement responsibilities and activities, including:
 - ❖ Construction permits
 - ❖ Plans examinations
 - ❖ Building inspections
 - ❖ Modification requests
 - ❖ Occupancy certificates
- ❖ Acts as resource to design/construction professionals, property/building owners, and general public
- ❖ Part of Economic/Main Street team

Different Roles of Local Building & Fire Officials



- ❖ Local Building Official has sole enforcement authority/responsibility for construction in his/her jurisdiction.
- ❖ Local Fire Official has sole enforcement authority/responsibility for fire safety after issuance of Certificate of Occupancy.

History of Virginia Building & Fire Codes

VUSBC



- ❖ Adopted Virginia Uniform Statewide Building Code (VUSBC) by DHCD/BHCD in September 1973

Applicable Building Codes



- ❖ Virginia Uniform Statewide Building Code – VUSBC
 - ❖ Part I – Virginia Construction Code – VCC
 - ❖ Part II – Virginia Rehabilitation Code – VReHabCode
 - ❖ Part III – Virginia Property Maintenance Code – VPMC

- ❖ Other Regulations and Codes
 - ❖ Virginia Statewide Fire Prevention Code

Applicable Building Codes

VCC



- ❖ Virginia Uniform Statewide Building Code – VUSBC
 - ❖ Part I – Virginia Construction Code – VCC
- ❖ Applies to new construction, additions, and possible significant alterations
- ❖ Includes Chapter 34 Existing Buildings and Structures
 - ❖ Applies to alterations and repair,

Applicable Building Codes

Virginia Rehabilitation Code



- ❖ VUSBC PART II
- ❖ Acceptable code compliant alternative for rehabilitation of existing buildings
- ❖ Provides three paths of code compliance
 - ❖ Performance
 - ❖ Compliance alternatives - evaluation
 - ❖ Prescriptive

Applicable Building Codes

Virginia Rehabilitation Code



- ❖ Rehabilitation defines as any work as described in following categories undertaken in existing building
 - ❖ Alteration Level 1 – removal and replacement of or covering of existing materials, elements, equipment, or fixtures with new items serving same purpose
 - ❖ Alteration Level 2 – reconfiguration of space, reconfiguration or extension of system, installation of additional equipment, or addition or elimination of door or window
 - ❖ Alteration Level 3 – reconfiguration of space, excluding incidental portions of work, exceeding 50% of aggregate building area

Virginia Property Maintenance Code



- ❖ Permits optional adoption and enforcement by local jurisdictions
- ❖ Protects safety, health, and welfare of individuals at least possible cost

Virginia Property Maintenance Code



- ❖ Requires structures to be maintained as originally constructed
- ❖ Applies to physical structure only and excludes exterior property
- ❖ Applies to unsafe structures
- ❖ Applies to existing elevators
- ❖ Authorizes local Building Official to conduct emergency repairs or demolish structure
- ❖ Provides for localities to recover costs

Energy Conservation Code



- ❖ Responds to national focus and federal mandates on energy conservation
- ❖ Increases code requirements for new construction and additions by 30%
- ❖ Not applied to retrofit of existing structures
- ❖ Allows solar energy tax credit in some jurisdictions

Modification Requests



- ❖ **Modification Requests of local Building Official**
 - ❖ Applies in cases of technical infeasibility, alternative construction materials or methods, or
 - ❖ Requires written application and decision
 - ❖ Complies with spirit and functional intent of codes
 - ❖ Provides for equivalency with flexibility
 - ❖ Requires possible construction documents or statement sealed by RDP regarding equivalency
 - ❖ Considers future editions of model code provisions not automatically adopted into VUSBC

Property Lines



- ❖ Requires construction permit when any revisions to property/lot lines
- ❖ Affects existing or proposed buildings on adjacent properties/lots
 - ❖ Increases potential hazards in comparison to building code under which structure originally constructed
 - ❖ Decreases levels of safety in comparison to building code under which structure originally constructed

Changes of Occupancy



- ❖ Requires construction permit
- ❖ Requires new Certificate of Occupancy when current VUSBC edition mandates greater degree of:
 - ❖ Structural strength
 - ❖ Fire protection
 - ❖ Means of egress
 - ❖ Ventilation
 - ❖ Sanitation
 - ❖ Accessibility
- ❖ Allows modifications approved by local Building Official when code compliance is impractical

Reconstruction, Alteration, or Repair



- ❖ Cannot cause structure to be unsafe
- ❖ Cannot lower existing levels of safety and health in structure
- ❖ Cannot adversely affect performance of structure

Reconstruction, Alteration, or Repair



- ❖ Portions not being reconstructed, altered, or repaired not required to comply with code provisions as for new construction
- ❖ Installation(s) of non-required or non-prohibited material and/or equipment to comply with code provisions for safe installation only
- ❖ Permits replacement of materials and/or equipment of similar nature or capacity in same location
 - ❖ Exception of reconstructed decks, balconies, porches 30” or greater above grade to comply with current code provisions for: structural loading capacity , structural attachment and connections,
 - ❖ Exception excludes configuration and height of handrails and guardrails

Reconstruction, Alteration, or Repair



Downtown Marion



Additions



- ❖ Requires code compliance as for new construction
- ❖ Total aggregate height and area of existing structure plus new addition(s) to comply with height and area code provisions and Table 503 Allowable Building Heights and Areas
- ❖ Does not require changes to design or construction of existing structure or portion(s) thereof when not altered or affected, excepting when lowering existing level of safety

Little Theater of Norfolk



Historic Buildings



- ❖ Requires flood hazard construction for substantial improvements per other code provisions – USBC VCC Section 1612 Flood Loads
- ❖ VUSBC VCC Section 3409 Floodproofing

- ❖ Exempts buildings:
 - ❖ Eligible for or listed in National Register of Historic Places
 - ❖ Contributing to historical significance of qualifying or registered historic district as determined by US Department of Interior Secretary
 - ❖ Designated historic under state or local historic preservation program approved by US Department of Interior

Historic Buildings



- ❖ Substantial Improvement –Section 1612.2
- ❖ Defined as any repair, reconstruction, rehabilitation, addition, or improvement of structure for which construction cost equals or exceeds 50% of market value of structure before improvement or any repair of structure having substantial damage regardless of cost
- ❖ Excludes:
 - ❖ Required improvements to minimally ensure safe living conditions and to correct existing health, sanitary, or safety code violations identified by local Building Official
 - ❖ Any alterations to historic structures when not precluding continued historic designation

Historic Buildings



- ❖ Accessibility for historic buildings – VUSBC VCC Section 3411.9 Existing Buildings and Structures
Historic Buildings
- ❖ Apply to change of occupancy or alteration, with exception of technical infeasibility

Historic Buildings



- ❖ Code provisions for the following are not mandatory for historic buildings where judged by the local Building Official to not constitute a distinct life safety hazard:
 - ❖ Construction
 - ❖ Addition
 - ❖ Alteration
 - ❖ Repair
 - ❖ Restoration
 - ❖ Movement of structure
 - ❖ Change of occupancy

Live/Work Units



- ❖ Introduced in 2009 VCC code edition
- ❖ Reflects increased focus on and importance of healthy/sustainable/pedestrian communities
- ❖ Contains commercial use located on main level operated by tenant and residential use on upper floors

Live/Work Units



- ❖ Imposes criteria limitations:
 - ❖ 3000 square feet maximum
 - ❖ 1500 square feet maximum area for commercial use
 - ❖ 5 non-residential employees maximum at any time
 - ❖ Commercial use on first/main floor level only
- ❖ Requires structural capacity for minimum uniformly distributed and concentrated live loads applicable to each function area
- ❖ Applies mandatory means of egress requirements although several exceptions may apply
- ❖ Requires accessibility

Live/Work Units



- ❖ Eliminates horizontal and vertical fire-rated separation requirements between occupancies
- ❖ Eliminates fire-rated enclosure requirements at openings between floor levels
- ❖ Requires automatic fire suppression system although some exceptions may apply
- ❖ Requires monitored fire notification/alarm system although some exceptions may apply

Accessibility



- ❖ Enforce ICC/ANSI A117.1-2003 Referenced Standard
- ❖ Referenced in ICC national model codes
 - ❖ Consistent with ADA Guidelines for new construction
 - ❖ Not consistent with ADA Guidelines for existing structures
 - ❖ Omits requirement to remove barriers to publicly accessed structures
- ❖ Amended at state level
 - ❖ Exempts religious entities and special religious structures/areas
 - ❖ Raised and lowered areas
 - ❖ Exempts one and two family dwellings

Accessibility



- ❖ Addresses primary route to primary function area
- ❖ Accessible improvement costs not disproportionate to total improvement costs – 20% limit

- ❖ NOTE: Federal ADA Guidelines not enforced by local building departments/officials
 - ❖ Property/ building owners responsible and legally liable for ADA compliance

Example: Floyd County Revitalization Project



- ❖ Associated with Floyd Downtown Revitalization Project through DHCD Community Development Block Grant (CDBG)
- ❖ Renovated early 20th century structure of 15,000 square feet
- ❖ Utilized previously as factory, automotive repair shop, vehicle dealership, and restaurant
- ❖ Adapted for reuse as assembly/restaurant, business, and mercantile occupancies on lower level and residential occupancy on upper level

Example: Floyd County Revitalization Project



❖ Challenges:

- ❖ Deed restrictions/stipulations
- ❖ Fire separation of structure
- ❖ Fire protection of wall openings
- ❖ Fire protection or separation of floor openings and shafts
- ❖ Accessibility
- ❖ Historic building

Example: Floyd County Revitalization Project



❖ Solutions:

- ❖ Utilization of VRC for compliance alternatives to evaluate major safety components with scoring system to determine compliance
 - ❖ Building elements and finish materials
 - ❖ Structural systems and support of new loads
 - ❖ Fire resistance protection integrity and systems
 - ❖ Means of egress
- ❖ Relocation of property line
- ❖ Installation of automatic fire suppression system
- ❖ Other option: Utilize VRC performance or prescriptive requirements

Example: Floyd County Revitalization Project



Revitalization & Virginia Building & Fire Regulations



Questions?

Contact DHCD/DBFR at 804.371.7150

"You cannot defy the laws of physics or building codes, but beyond that, the possibilities are endless."

Dan Phillips, Home Builder,
Huntsville, Texas

"Let us consider all of the possibilities before we answer with all of the negatives."

Unknown

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Thank You

for Supporting the Community Development
Efforts of DHCD to Improve Communities
in Virginia

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804.371.7150