

MEMORANDUM

May 24, 2022

To: Building Codes Division Plan Review and Inspection Territories
From: Alana Cox
Administrator - Oregon Building Codes Division
Subject: Adaptive Reuse – Existing Buildings

Downtown revitalization discussions are occurring in many towns across Oregon, and flexible tools that safeguard people are critical for successful economic and community development outcomes. The Oregon Department of Consumer and Business Services fully supports these efforts and, through its Building Codes Division (BCD), is prioritizing services to support the safe, accessible, and efficient adaptive reuse of buildings, particularly in rural Oregon.

This memorandum describes how BCD intends to support the adaptive reuse of buildings through outlining the tools in the building code, and appointing an official as a liaison with building owners throughout the process. Through this work, our intent is to foster and promote the use of flexible tools and individualized services for the benefit of local communities, particularly rural communities, while maintaining robust fire- and life-safety requirements.

Adaptive Reuse of Existing Buildings

There is a community and societal benefit to re-establishing downtown districts through the adaptive reuse of existing building stock. Creating revitalized areas fosters urban regeneration and builds community. Repurposing existing buildings, sometimes referred to as “building recycling,” is also a sustainable building practice. Supporting adaptive reuse of existing building stock is critical for the development goals of municipalities throughout our state.

The state building code is not a barrier to any type or method of construction. Also, it provides flexibility for site-specific alternative means of achieving increased safeguards, particularly when reviewing adaptive reuse of an existing building – gaining incremental fire- and life-safety improvements wherever possible, and considering creative solutions for increased compliance is within the discretionary building official authority.

Adaptive reuse of an existing building includes site-specific variables. The state building code provides the tools and flexibility necessary for the local building official to approve improvements to the existing structure without mandating that *all* intricacies of the current code are met. This creates solutions for achieving community development goals through flexible application of the state building code.

Ensuring that the existing building is safer than it was before renovation or new occupancy introduction is the primary intention. Absolute code compliance for existing buildings undergoing renovation is often technically infeasible or cost prohibitive, and is not commanded by the state building code. Instead, flexible tools have been built into the state building code so that there are multiple compliance paths aimed at supporting the safe adaptive reuse of buildings, as outlined below.

Code Guidance

We have recognized the International Existing Building Code (IEBC) in our Oregon Structural Specialty Code (OSSC) for existing building compliance in Oregon, providing options for customers. This includes a *prescriptive compliance method*, a *work area compliance method*, and a *performance compliance method*. The IEBC was founded on principles intending to encourage the reuse of existing buildings that adequately protect the users and occupants; not unnecessarily increase construction costs; and place no limitations on the use of new materials, products, or methods of construction.

The *prescriptive compliance method* is a compilation of prescribed “deemed to comply” provisions. Similar to other OSSC chapters, this path is administrative and offers flexibility where the assumed relative hazard of the existing building is not increasing under the proposed reuse and change of occupancy. These prescriptive provisions address alterations, additions, and changes of use, character, or occupancy for all existing building types.

The *work area compliance method* is intentionally flexible to further encourage the continued use, and reuse, of existing buildings. This path specifies levels of compliance based on the proposed scope of work, and covers all construction activities of alterations, changes of occupancy, and additions. The work area definition excludes other portions of the building where incidental work entailed by the intended work must be performed, and focuses on the designated area of work.

The *performance compliance method* uses a scoring method for analyzing the overall safety level of existing buildings. While this path is less comprehensive and does not cover structural changes, it offers an alternative compliance option that enables building improvements to raise the safety score to an acceptable level, without strict compliance with the new construction provisions of the OSSC. This option outlines a controlled departure from full compliance with the technical provisions of the codes without compromising the minimum safeguards for fire prevention and life safety.

Regardless of the customer compliance path selected, the overarching intention of existing building regulation under the OSSC is to facilitate greater compliance, increased safety, and reasonable safeguards, while encouraging adaptive reuse through flexible code application.

More information on code compliance options for existing buildings can be found in a BCD technical bulletin available at: [Oregon.gov/bcd/codes-stand/Documents/st-existing-buildings-techb.pdf](https://www.oregon.gov/bcd/codes-stand/Documents/st-existing-buildings-techb.pdf).

BCD Prioritization of Adaptive Reuse

Using the flexible, solution-oriented approach outlined above, BCD will be prioritizing applications for the reuse of existing buildings in the areas of the state where it provides commercial plan review and inspection services. We are appointing Richard Rogers, Chief Building Official – BCD, as our regional coordinator for adaptive reuse and downtown revitalization. Richard will provide the following services:

Before the submittal of building plans to the state, conduct an on-site walk through of each project, employing the following compliance principles:

- Support the use and reuse of legally existing buildings through facilitating solutions on a site-specific basis.
- Always consider statutory charge of providing reasonable safeguards when facing site-specific challenges.
- Provide optional predictable paths for the customer to consider.
- Allow damage repair without triggering “upgrades” unrelated to the damage.
- Ensure that the existing building, together with its alteration or rehabilitation, is no less conforming with the state building code than it was before the new work.
- Consider the opinion of the local fire service.

You can contact Richard the following ways:

Hours: Monday through Thursday, 7 a.m. to 6 p.m.
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