



# Maricopa County

## Planning & Development Department

### Department Directive

Department Directive:  
DD-2013-23

Effective: Immediately  
10/1/2013

Initiator: Darren Gerard

Director: *Debra Stark*

**PURPOSE:** To provide policies for adaptive re-use of existing buildings.

**REFERENCE:**

**The 2012 International Existing Building Code (IEBC)**

*Definition: Adaptive Re-use projects will be for "change of occupancy" projects commercial in nature (not subject to rezoning) that includes a building constructed prior to October 1, 1988. Said building (structure) shall not exceed 50,000 square feet in size. Some uses will not be subject to adaptive re-use. These include Adult Oriented Businesses, Massage Parlors, Smoke Shops and Pawn Shops.*

**POLICY/PROCEDURE:**

- 1. The 2012 International Existing Building Code (IEBC) may be used for adaptive re-use:** Life safety issues that must be addressed are always dependent upon the use of the building. Different life safety issues are associated with each occupancy classification. The primary areas of focus should include structural integrity, electrical safety, exiting and accessibility.
- 2. The 2012 International Existing Building Code (IEBC)** provides relief from code provisions required for new buildings. Chapter 10 of the IEBC, the change of occupancy chapter, provides relief in building elements and materials, fire protection and means of egress based on the relative hazard level associated with each occupancy classification.
- 3. Evaluation Reports for Adaptive Re-use**

Part of the mission of the Adaptive Reuse Program is to make it easier to obtain permits for adaptive reuse projects. One of the common challenges in the permitting process is obtaining a full set of plans for an existing building when very little construction is proposed. This process will provide a method for issuing a building permit based on an evaluation report in lieu of a full plan submittal. It is targeted towards small projects with very little construction proposed, and the evaluation report would be used to issue the permit and conduct inspections.

Should an applicant not desire using the Performance Compliance Methods of the IEBC the following method may be used:

A permit may be issued for adaptive reuse projects utilizing an Evaluation Report sealed by a registrant. This method focuses on using an evaluation report in lieu of a full plan submittal. This is targeted toward projects with very little new construction work. While a full set of as built plans will not be required, plans may be needed for any new construction.

The following process shall be used:

Qualifying Statements

- Single story, existing building only, without any added square footage
- Limited to Assembly, Business, Mercantile and Storage occupancies
- Can include minor interior remodel and minor code upgrade work



Report must be sealed by an Arizona registered architect or structural/electrical engineer  
All site, civil and traffic requirements must be met under separate review.

Report Requirements

The applicant will evaluate the building for the intended occupancy to determine if it meets the minimum requirements of the Maricopa Building Construction Code (MBCC). Items that shall be addressed in the report include (but are not limited to):

- Egress
- Fire protection requirements (under County authority)
- Exterior wall fire-ratings and opening protection requirements
- Interior finish flamespread and smoke development requirements
- General structural evaluation to determine adequacy of the structural system for the proposed use. Include increased floor loads (if applicable) and seismic considerations where change of occupancy is to a higher hazard level.
- Accessibility per State Arizonans with Disabilities Act
- Adequacy of electrical system, wiring methods, loads and overcurrent protection
- Ventilation requirements including kitchen exhaust if applicable
- Plumbing demands
- Grease interceptor requirements

For buildings that are not in compliance with the prescriptive requirements of the MBCC, the applicant must specify the modifications required to obtain compliance. A site plan review will then be completed to ensure that all zoning, civil, and traffic issues are satisfied. A building plan review will be completed to ensure and verify that the scope of the project fits within the limitations of this guideline.

Using the report, inspections are conducted. Any deficiencies must be addressed by the contractor/ applicant. Extensive work not identified in the original report may require additional plans and/or permits.

**4. Construction across Property lines**

For the following, the owner is **NOT** required to legally combine properties if the existing Building was permitted prior to October 1, 1988 and the multiple parcels are owned by the same owner.

- For utility permits, i.e. electric upgrades and rewire, repipe, gas line repair when the building crosses the recorded property line.
- Remodels to the interior only which do not change the footprint of the existing building. These changes may or may not cross the recorded property line.
- Remodels to the exterior which do not change the footprint of the existing buildings, i.e. reroof, new façade, and new parapets. These changes may or may not cross the recorded property line.



- Additions to an existing building crossing a recorded property line where the addition does not cross the recorded property line.
- When a new Certificate of Occupancy is issued for an existing building crossing a recorded property line. **This issue shall be clarified, citing previous permit or code, in the new Certificate of Occupancy.**

#### **5. Commercial Plot plan in Lieu of Site Plan**

Development Services staff will use the Site Commercial Plot Plan (SCPL) where no formal approved site plan exists and the scope of work is limited. The Site Commercial Plot Plan will be used in lieu of a formal site plan for projects with minor exterior improvements and a commercial building permit submittal. The SCPL helps consolidate the development process for adaptive reuse projects.

#### **6. Parking for Adaptive Re-use**

From time to time, Adaptive Re-use projects may need to address a variance for parking. For example, a change in use from a retail bookstore to a restaurant may necessitate additional parking. The Department will process a variance subject to no charge and may use a parking plan such as a valet parking or shared parking plan to facilitate the re-use.

#### **7. Stormwater Retention for Adaptive Re-use**

To be considered a re-use parcel; the lot must be within a developed subdivision or be considered a site that has been previously developed.

An adaptive re-use business is not required to provide retention for the 100-year, 2-hour event, as long as it meets the following criteria:

1. The site does not create a drainage hazard for adjacent parcels.
2. The business does not alter the current drainage condition.
3. The post-development discharge does not exceed pre-development discharge.
4. The site is less than one acre.

Adaptive Re-use projects that do not meet the criteria listed above may still qualify for a reduction in the retention requirements with a drainage waiver.

#### **8. Directives for Further Referencing (to be added at a later date)**