



Module 8 - Code Conventions

8.5 THE DESIGN PROCESS

Identification of the applicable regulatory issues is an integral part of the planning/predesign and design phase of the project. When determining the viability of a project for a given site or site selection, the zoning ordinances and codes must be reviewed to decide if the project complies with the local authority's planning objectives for development. Federal agencies such as FEMA (e.g., flooding considerations) or the EPA (e.g., environmental emissions) may have specific legislation that governs the project.

The type of project may also impact design considerations. In fact, the project may be beyond the scope and enforceability of the local jurisdiction. For example, projects being designed for the federal government (e.g., post offices, military bases, government offices, Native American jurisdictions) are exempt from local regulations. However, these projects must comply with local zoning requirements. With a common goal of protecting the public safety, the federal government often requires that projects be designed in conformance with applicable local codes, even though the projects are not subject to enforcement by local authorities. Such projects often occur with the local jurisdiction given the opportunity to be involved in the project, but with limited input. Ultimately, the applicable governing authority sets the project regulations.

On the building side of the project, identification of the applicable code(s) and their respective editions must occur as part of the design of the building. This applies to both new construction and additions, alterations, and changes of occupancy relative to existing buildings. Identification of local amendments that affect the design is also important. As is discussed in the Plan Review Process section of this Module, some jurisdictions may use an electronic plan review process, which may impact how the design professional packages and submits the construction documents.

Identification of the applicable regulations may require a review of not only the applicable regulations of the building department but other jurisdictions as well. Coordination among the building department, fire department, water and sewer utilities, and the design professional is crucial to determine if there is any regulatory overlap among departments that may affect the design. Similarly, the design and enforcement may be governed by multiple agencies such as a board of education (schools), board of health (hospitals), historical preservation, environmental requirements, or local utility.

The final goal in the development of construction documents is the completion of the project coupled with the issuance of the certificate of occupancy (sometimes called the certificate of completion). The issuance of the certificate of occupancy is the last stage of the regulatory process. The first stage in the regulatory process is identification and analysis of applicable regulations. The second stage is implementation of applicable regulations into the construction documents. These two stages lead to an application for permission to construct (referred to as a building permit). One of the most critical, time-sensitive aspects of the process is reviewing the construction documents for code compliance.

*In all cases, the design professional is encouraged to **contact the local authority(ies)** in the early design phases of the project to determine local regulatory requirements.*