



Cities 'Get Smart' Without State Initiatives

As in many of America's city centers, there has been an urban renaissance of sorts in Kansas City, Mo., to restore and revitalize aging buildings for both residential and commercial use. But unlike other cities where the demand for rehabilitation often outstrips planners' ability to develop effective building and maintenance codes to govern these activities, Kansas City has addressed the issue head on through the use of Smart Codes.

According to Barry Archer, Kansas City's director of codes administration, Missouri has no uniform state building code. That's why the city in September implemented its own new codes to address the needs of growing demand.

Kansas City's problem was a common one - an older downtown area with vacant and even dilapidated buildings that would be very costly for developers to rehab using the city's former building code specifications. It wasn't that the city needed to relax the codes, it just needed codes that more adequately addressed rehabilitation, thereby making reuse a more attractive option for developers.

The existing codes didn't take into consideration how the building would be used or adjust requirements accordingly. And when the cost of renovation exceeded 50 percent of the replacement value of the building, then the entire structure had to be brought up to par with code requirements for new construction. This requirement, along with a lack of clearly defined costs in repairing older buildings, made developers reluctant to take on such projects.

"We wanted to do something that would spur economic development downtown," Archer said. The city updated its codes based upon federal code recommendations, input from the chamber, builders, building owners and managers. The changes haven't helped just developers, they've helped the government staff who have to explain the rules.

"It's resulted in more efficiency for them and for us," Archer said. "It's one less phone call you have to answer and one less fax you have to send. It eliminates the gray areas."

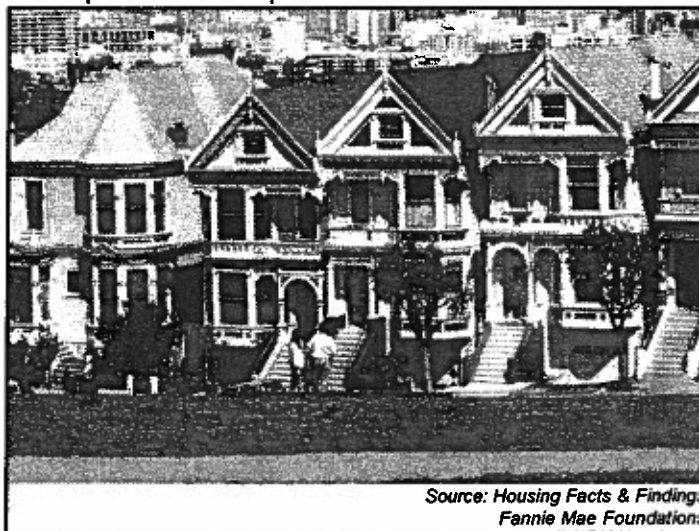
Since the implementation of the new codes, interest in developing existing buildings in Kansas City's city center has increased 15 to 20 percent according to Chris Sully, downtown development manager for the Economic Development Corp. in Kansas City.

Within the last two years, 2,015 additional residential housing units have been built or are under construction - 70 percent of which have used existing buildings.

"There's been a similar increase in commercial use as well," Sully added, saying the interest would likely have been there without the code change, but "it wouldn't be nearly as much as we're seeing right now," nor would it have taken place as quickly.

The city has essentially eliminated retrofitting problems, Sully said.

The move has given the city a great advantage, Scully said, in attracting downtown development because developers are finding the process so clean and easy. "We're not having problems with developers not wanting to look at using existing buildings because they've heard horror stories from other developers about the process."



Source: Housing Facts & Findings
Fannie Mae Foundations

Smart development through smarter codes

These rehabilitation codes, referred to as "Smart Codes" by the U.S. Department of Housing and Urban Development, aren't just making a difference in Kansas City. They're taking root all across the country because they simplify regulations



and provide the framework necessary to spur reinvestment in existing building infrastructure with minimal effort.

Simply put, Smart Codes are building codes that encourage alteration and reuse of existing buildings. The term can also refer to other zoning and regulatory statutes that affect building.

Already, New Jersey, Maryland, Minnesota and Rhode Island have developed codes that directly address building reuse. And communities like Kansas City are following suit, creating their own codes without state involvement.

The existing regulatory system in the United States is based upon three model codes: the BOCA (Building Officials and Code Administrators) National Building Code; the Standard Building Code; and the Uniform Building Code.

In 2000, these three model code organizations pooled their efforts to develop a single set of model codes, the International Codes. Some states have adopted these codes, mandating all jurisdictions to use them while others leave it up to the local municipality to adopt them.

Then there are states like Missouri, which had to contend with a state law that actually forbade building codes in communities of a certain size. That law was repealed last year, Archer said, but until then there were 26 counties in Missouri where it was illegal to adopt a building code.

While the new international codes have simplified to an extent the regulation of design and construction, only two chapters of the 700-page code book address existing buildings. This lack of information can sometimes leave building owners and builders to rely on the judgment of the local code official.

The History of Smart Codes

Virtually anyone who deals with building codes or redeveloping existing structures has heard of the changes New Jersey made in 1998 to its rehabilitation subcode.

The state's efforts are considered by many to be the most significant reform in the regulation of codes addressing existing buildings. The New Jersey Uniform Construction Code has played a key role in redefining the way rehabilitation codes are written today.

The New Jersey code defined three primary criteria - handling projects as routine rather than as special cases; creating an applicable law and doing away with arbitrary treatment; and providing reasonable safety without imposing excessive additional costs.

The new code achieved this by essentially redefining the term "alteration," splitting it into three categories of work - renovation, alteration and reconstruction.

New Jersey defined renovation as work involving no reconfiguration of spaces in the building. Alteration was defined as work involving reconfiguration of spaces. Reconstruction was defined as work that is so extensive the area cannot be occupied during the project.

According to HUD, New Jersey has seen an increase of rehabilitation work since the code was implemented, jumping from 1.6 percent of all construction prior to the change to 60 percent after the code change. New Jersey's experience was so positive that HUD set out to adapt the state's innovation into a model rehabilitation code that could be used by other states and municipalities. The result was the Nationally Applicable Recommended Rehabilitation Provisions (NARRP).

The NARRP, however, took the New Jersey plan a few steps farther, expanding "alteration" into six rather than three categories: Repair, renovation, alteration, reconstruction, addition and change of occupancy. The goal was to provide proportionality so that the requirements are proportional to the extent of the intended work.

HUD suggests that communities and/or states with underutilized older buildings or with outdated building codes consider the development of a Smart Code based upon the NARRP recommendations. Wichita, Kansas did so in 2000, seeking support from HUD, which provided a one-day presentation and seminar on the NARRP and the Uniform Code for Existing Buildings.

Wichita began with a side-by-side comparison of the provisions of the UCEB and NARRP with current Wichita and Kansas regulations. The result was a modified version of the UCEB that suited the city's needs.

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