



## Ohio Administrative Code

### Rule 3318:1-5-02 Waiver of the two-thirds guideline for new construction vs. renovation.

Effective: January 23, 2023

---

(A) The Ohio facilities construction commission may approve master plans that incorporate variances from its planning guidelines. A master plan may include the renovation of buildings where the cost of renovation exceeds two-thirds the cost of new construction and may include the replacement of facilities where the cost of renovation is less than two-thirds the cost of new construction as calculated under rule 3318:1-3-01 of the Administrative Code.

(B) Commission staff shall evaluate requests for such waivers and make a recommendation to the commission. The commission approval of the master plan shall constitute approval of the waiver.

(C) Without limitation, factors to be considered in evaluating such requests include:

- (1) Historical significance of the building;
- (2) The overall quality of the spaces, including such factors as access to light and air;
- (3) The overall quality of the space in supporting education;
- (4) Functionality and adjacency of spaces within the school building;
- (5) Adequacy of means of egress;
- (6) Adequacy of site;
- (7) Logical and efficient circulation patterns of students and staff;
- (8) Ability to meet requirements of the Americans with Disabilities Act;
- (9) Adequacy of the typical classroom size;



(10) Ease of expansion; and.

(11) Consideration of long-term durability of existing building systems.

(D) The commission shall also consider the educational adequacy of the building if it were renovated according to 2021 Ohio school design manual standards, which can be found on the commission's web site at [ofcc.ohio.gov](http://ofcc.ohio.gov), including but not limited to the factors listed in paragraphs (C)(1) to (C)(11) of this rule as well as:

(1) The scope and cost of renovations required for the facility to be educationally adequate.

(2) The context of the entire master plan and the practical considerations of phasing of work, making space available for instruction during the build out of the entire district facility needs, site constraints, and community concerns.