



Health Facilities Information Sheet

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Federal Land and Local Zoning

Summary.

Typically Federal ('fee') land is not subject to local zoning, inspection, etc. However it is generally recommended that Federal Agencies coordinate with local municipalities and comply with state and local building codes as practical. Also, some projects may still require certain state permits, such as alteration of terrain or dredge and fill permits, or federal permits such as a stormwater management approval.

Per GSA Guidance¹:

State and Local Codes.

National building codes are typically the foundation of state and local building codes. However, state and local codes also represent important regional interests and conditions. As such, state and local building codes shall also be followed to the maximum extent practicable. Legally, however, buildings built on federal property are exempt from state and local building codes.

State and Local Government Consultation/Review.

The appropriate state and/or local government officials may be provided the opportunity to review a planned project and design for compatibility with local plans, zoning compliance, building code compliance, utility connections, road access, and construction inspections.

Their review should occur early in project so the project team can easily respond to appropriate recommendations. This includes, but is not limited to:

- review of drawings and specifications,
- any on-site inspections,
- issuing building permits,
- making recommendations for compliance with local regulations, and
- compatibility with local firefighting practices.

IHS will review the recommendations and carefully consider each one based on adequacy, cost, and nationally accepted practice. IHS has the final authority to accept or reject any recommendation.

Construction Inspections.

If the state and local government officials elect to perform code construction inspections, any findings resulting from such inspections by the state and local government officials shall be immediately communicated to the IHS project manager for consideration. It should be clearly understood by all parties (e.g., state and local government officials, construction contractors, IHS, etc.) that the state and local government officials do not have the authority to reject, accept, or make changes to the work and is there only to assist IHS in achieving quality assurance and code compliance.

IHS will review the inspection comments and carefully considered each one based on adequacy, cost, and nationally accepted practice. IHS has the final authority to accept or reject any comment.

¹ 2003 Facilities Standards (P100) - Section 1.3
Codes and Standards
<http://www.gsa.gov/portal/content/101288>