



TOWN OF ISLIP
DEPARTMENT OF PLANNING AND DEVELOPMENT
DIVISION OF BUILDING

One Manitton Court, Islip, New York 11751

Permits.....631-224-5469
Records/Inspections.....631-224-5470
Commercial Plans Examiner...631-224-5467
Residential Plans Examiner....631-224-5468

SHELL/VACANT BUILDING PERMITS

(UPDATED AS PER NEW ADOPTED CODES 11/1/2017, 2017 NYSUC, 2017 NYSUC SUPPLEMENT)

The Town of Islip Building Department has developed this Information Bulletin to outline the procedures for permitting shell/vacant (hereinafter “shell”) buildings.

A shell building permit is issued to allow construction of a structure that does not yet have an occupant identified and therefore cannot be legally occupied upon completion. Instead of a Certificate of Occupancy (CofO), a shell building will receive a “Certificate of Compliance” (CofC) when the work associated with the shell building permit has been completed and approved by Building Department. A CofO would be issued at a later date, after a permit application to complete the building for an occupancy/use/tenant is submitted, approved and inspected by the Building Department.

Plans for building systems, fire protection, mechanical and plumbing, structural and allowable building area may need to be submitted for approval depending on the ACTUAL tenant proposed on the permit application.

A shell building permit may include site work, foundations, and differing levels of building completion. Since there is no universal definition of shell structures, the Building Department has defined them as follows:

Shell Building: A shell building is a special category of structure that, when completed, is not ready for occupancy. Generally, the future tenant or type of tenant is known, and the building is being designed for that specific use. Sometimes the design firm designing the shell is designing the interior finish-out, or working with the design firm who will be. At a minimum, a shell building consists of all exterior walls, property line fire walls and roof structure. Multi-story shell buildings also include all elevated floor assemblies, mezzanines, stairways and elevators.

“Speculative” Shell Building: A particular type of shell building that is constructed for a speculative/unknown future occupant(s). Since the tenant is unknown, the building is constructed without all the necessary interior elements, and is therefore not ready for occupancy. The interior finish-out is usually done by a different design firm/contractor at a later date when the future tenant is identified, and they usually have no information as to how the shell building was designed. Examples of common speculative shell buildings include strip malls, offices, warehouses and industrial buildings.

[A building complete on the exterior. The interior slab/floor may or may not be placed. The fire suppression and fire alarm systems (if required) must be complete. Plumbing may or may not be stubbed in. The electrical service for the main building must be complete; however the

house panel which feeds only the circuits for the main building, fire alarm control panel, required exit signs, emergency lighting and the site electrical will be allowed to be energized with this permit. The building does not have any interior walls unless they are required, by code, a fire resistant corridor, and stair or elevator shaft walls. This type of building will require a Certificate of Compliance prior to issuance of any tenant build out permits for each tenant space.]

“White Box” or “Vanilla Box”: A white box describes the level of construction where interior space is only minimally finished and ready for tenant improvements. The owner generally knows the type of tenant that they will pursue for the structure but does not yet know the actual tenant(s) and have a rental contract and the owner does not want to obtain his/her own CofO for the spaces for their own occupancy.. The level of work associated with the “white box” finish-out varies, but typically includes all demising walls, toilet facilities, **mechanical and electrical systems**. As with other shell buildings, since there is no tenant in place, a “white box” permit is only granted a “Certificate of Compliance”. Once the “white box” is completed, future tenants must apply for a Change of Use/Tenant permit in order to obtain a CofO for their space.

*[A building designed to accommodate one (1) or more tenants and is complete on the interior and exterior. It must include all required fire suppression and fire alarm systems, **all required plumbing drain, waste, vent and potable water piping and fixtures, all required exhaust, heating, ventilation and air conditioning systems and all electrical requirements**. The electrical service for the main building must be complete; however the house panel which feeds only the circuits for the main building, required exit signs, emergency lighting and the site electrical will be allowed to be energized with this permit. All site improvements must be complete.]*

Procedure for Permitting Shell Buildings:

1. Applicants shall submit a Commercial Building Permit Application along with all applicable construction documents to the Building Department.
2. Applicants shall include all general information and a code analysis (TOIBES) for the proposed project that includes:
 - a. Design approach (if multiple occupancies): Separated occupancies, Non-separated occupancies and/or Accessory occupancies per the 2017 NYSUC (2015 IBC Chapter 5, calculations for allowable building area per section 506.2 and section 508.1 for multiple occupancies are to be submitted and shown on the construction plans title sheet.)
 - b. Type of construction.
 - c. Speculative occupancy classifications. Note: This should be based upon the design team and developer’s intended types of possible future tenants (e.g., retail, restaurants, offices, high-piled storage warehouse, etc.). Lack of information at the shell permit stage and/or changes to the potential tenants during the tenant finish-out phase of the project can cause significant design challenges, delays and additional costs to the overall project.
 - d. Fire protection system requirements (fire sprinkler, fire alarm, standpipe, etc.).
 - e. Plumbing fixture analysis.
 - f. The cover sheet should clearly state “These plans have been prepared for a building shell only. Construction will cease at the completion of the shell building and the owner shall

only obtain a Certificate of Compliance. This building is not to be occupied until Building Permits are applied for and obtained for each new occupancy and the building is completed and inspected and issued a Certificate of Occupancy”.

Minimum Code Requirements Permitting Shell Buildings:

The following list of minimum code requirements for shell buildings was compiled to help expedite the design, plans review, permitting and construction of shell buildings. This list does not represent a complete list of code requirements but is an attempt to answer the most common code questions that the Building Department receives from the design and development community.

- Minimum construction type will be based on the maximum allowable height and area provisions of Chapter 5 of the 2015 IBC as amended. This calculation should be included in the title sheet’s code summary and be based upon the potential future occupancy types and the design approach chosen (separated or non-separated occupancy).
- A site plan showing fire department access roads and fire hydrant locations.
- Exiting shall be provided at the shell permit stage as follows in order to meet the provisions 2015 IBC as amended.
 - Exit access doors and exits shall be provided to meet the maximum permitted occupant load and travel distance criteria of 2015 IBC chapter 10 as amended. Warning, means of egress compliance for the actual tenant spaces may require building modifications.
 - Means of egress illumination (i.e., exit lighting) is not required in unfinished shell spaces.
 - Exit signs per Section 1013 are not required in unfinished shell spaces.
- Please note, if any area of the building is "finished out" as part of the shell permit (e.g., entrance lobby space, corridor, 1st floor tenant, etc.), those areas must show emergency egress lighting and exit signs per the 2015 IBC as amended.
- Fire sprinkler systems shall be provided and installed at the shell stage for projects that are required to be fire sprinklered per the 2017 NYSUC. The building permit plans must include/show appropriate electrical supervision per the 2015 IFC as amended and mechanical heating where needed for freeze protection per NFPA 13. For mercantile, warehouse and industrial shell buildings, the fire sprinkler system design criteria (i.e., design area and density, type of fire sprinklers, minimum sprinkler operating pressure(s), maximum storage height and arrangement of speculative commodities, etc.) is to be provided for the shell permit review.

Note that for some speculative shell buildings, it may be uncertain if a fire sprinkler system will be required (i.e., it may depend solely on what type of occupant purchase(s) and/or lease(s) the space). In these cases, the design team may decide not to install a fire sprinkler system at the shell building stage. If this choice is made, the Building

Department may require a signed letter from both the registered design professional and owner, indicating that they understand fire sprinklers may be required at the tenant finish-out permit stage. This option is not allowed where fire sprinklers are required for allowable height and area, exiting, fire area size, minimum fire flow and fire hydrants, etc.

- Fire alarm systems are typically occupancy specific and installed with the tenant finish-out permit(s). Full fire alarm systems need not be installed to obtain a “Certificate of Compliance”. However, where a fire sprinkler system is installed and required to be monitored per 2015 IFC section 903.4 as amended, the sprinkler monitoring system is required to be installed at the shell permit stage prior to the issuance of the Certificate of Completion.
- Minimum parking, minimum plumbing fixtures, and minimum fire flow requirements will be reviewed at the shell stage based upon the proposed speculative occupancy classifications identified by the design team. Each of these items may be reviewed again at the tenant finish-out permit(s) to ensure that the proposed parking, plumbing, and fire flow compliance provided at the shell design are adequate for the actual tenant finish-out(s).
- Completed Energy Report (new Energy code in effect as of 10/31/2017, 2017 NYSECCC and the 2017 NYSECCC Supplement) that satisfies the current adopted energy code.

HVAC/MEP for shell buildings

For Speculative buildings and White Box shells, all building systems related to the building thermal envelope will need to be designed, constructed and inspected per 2015 IECC Section C402 and C401.2 item 2 or ASHRAE 90.1 2013 (July 2014 printing) section 4.2.1.1 during the shell permit and prior to obtaining the certificate of compliance. The construction and inspections of mechanical, electrical and plumbing (MEP) systems may be postponed to the Interior Finish Out permit(s); however the MEP systems will need to be designed and submitted as part of the COMcheck report during the shell permit process. Future tenants will be responsible to permit, install and inspect the MEP systems that meet the adopted energy code and as designed under the shell. For shell buildings built by a known owner for their own use, where permits are being phased for whatever reason, all building thermal envelope systems, and MEP systems may be postponed to the IFO stage. The design team needs to be aware of energy compliant building envelope systems such as required skylights that should be installed as part of the roof system at the shell stage rather than trying to retrofit them at the IFO stage after the roof assemblies are already constructed.

IMPORTANT NOTE: SUFFOLK COUNTY HEALTH DEPARTMENT – *Suffolk County Health Department* approval is required and all applicants are responsible to contact this agency directly for their requirements. If the Use on the plans approved by the Suffolk County Health Department does not match the plans submitted to the Town, a new application will need to be filed with the Suffolk County Health Department.

The requirements listed above address "typical" shell and speculative shell building permits (office, retail, warehouse and industrial). Atypical situations may require modifications to these

general guidelines; the Building Department will work with applicants as needed to facilitate the permitting process.

If you have any questions regarding the data contained in this Information Bulletin, please contact a Building Plans Examiner at (631) 224-5467.