



CODE REVIEW COMMITTEE

SACRAMENTO VALLEY ASSOCIATION OF BUILDING OFFICIALS

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Code Review Committee Question/Survey for June Results and Committee Supported Responses

Subject: Exit Requirement for R-3 / U-1 Mixed Use Occupancy

Given: A three-story mixed use building contains a two-story residential dwelling unit on the second and third level and a private residential garage located at grade level. Entry to the residential unit is through a grade-level entry hallway/stairway separated from the garage. Based on CBC Section 1004.2.3.2,

1. Would your jurisdiction accept a single exit from the third level of this building in the following circumstances:

1a. If the residential unit second floor area exceeds five hundred square feet?

YES		NO	
6	26%	17	74%

1b. If the residential unit second floor area is less than five hundred square feet when the bathroom area is excluded?

YES		NO	
8	35%	15	65%

1c. If the residential unit second floor area is less than five hundred feet when closet and bathroom area are excluded?

YES		NO	
9	39%	14	61%

Comments by Spokespersons

- One exit would be allowed from the third floor if that floor area were less than 500 sq. ft. what is below the third floor as long as it was R-3 and not more than 2 stories below would not make a difference as long as the third floor area did not exceed 500 sq. ft. total.
- I understand the reasoning behind excluding certain areas of the third floor to get it under 500 feet, however, I don't think it is a good idea to interpret the code in a certain way so that you get the results that you are looking for. These areas are not included when calculating occ. load (1003.2.2.2.1) but the exception in 1004.2.3.2 is talking about area not occupant load. In the example shown with this question it appears that the bath and closet are about a third of the total area, but they could easily be a half or more making the total area 1,000 sq. ft. or more.
- We allow a 50% area increase on the 3rd floor if fire sprinklers are provided throughout.
- Permanent elements such as bookcases, vanities, etc may be removed from the total third floor square footage on a case-by-case basis.
- It could be argued that the 500 sq. ft. exemption would apply but for safety I would try to get the 2nd exit.

2. Would your jurisdiction accept a single exit from the third level of this building in the following circumstances:

2a. If the grade level entry area contains a bathroom?

YES		NO	
3	13%	19	83%

2b. If the grade level entry area contains a bathroom and laundry room?

	YES		NO
	3	13%	19 83%

2c. If the grade level entry area contains a habitable den/home office?

	YES		NO
	3	13%	19 83%

Comments by Spokespersons

- I see no justification to not count the non-habitable space in exception 4.
- I would not consider the grade level area anything but a portion of the exit access if it contained nothing but a short hall and a stairway. If that is all it contained I would consider the third "level" the second floor of the unit.
- A bathroom and laundry room may not be combined with a den or office. The total habitable area may not exceed 70 sq. ft.
- Answers are difficult when the entire "picture" is not available. Thanks for all the help.

Code Review Committee Supported Responses

- 1) The opinion of the committee is that a single exit suffices in all three conditions. With only a garage on the first floor (no other rooms or uses other than the entrance and stair), the residential portion of the building is only two stories. This complies with CBC Section 1004.2.3.2, Exception 3.
- 2a) Yes, a single exit complies with CBC Section 1004.2.3.2 Exception 3 as the bathroom is not habitable space and therefore is an incidental part of the residential unit which should not affect egress from the remainder of the dwelling.
- 2b) The opinion of the committee is that this condition may comply with CBC Section 1004.2.3.2, Exception 3 as neither the bathroom nor the laundry room is habitable space. However, final determination for egress in this condition is at the discretion of the Building Official.
- 2c) Clearly this condition includes habitable space on the first (ground) level. This creates a three-story residential unit and two exits are required from the third story.

Subject: Early Acceptance of 2007 CBC Building Codes

3. Will your jurisdiction accept building permit applications for projects based on the 2007 CBC under the following conditions:

3a. If the permit will not be issued before your adoption date?

	YES		NO
	11	48%	11 48%

3b. If the building will not be finaled before your adoption date?

	YES		NO
	6	26%	16 70%

3c. If the certificate of occupancy will not be issued before your adoption date?

	YES		NO
	6	26%	16 70%

Comments by Spokespersons

- Codes in effect for the purpose of plan check and inspection are based on the projects application date and receipt of a complete set of plans.
- Use of 2007 CBC prior to effective adoption date is subject to approval on a case by case basis.

- Our current plan is to adopt the new codes with local amendments prior to the January 1, 2008 effective date, however, we will not accept building permit applications based on the 2007 CBC until the effective date or the local adoption date whichever occurs later.
- We would go by application date, along as it was with a complete submittal package.
- We will accept early submittals as per 104.2.8.
- We would want items identified as to why new code would be used ahead of adoption-certain sections may not be adopted.
- The codes applied to a permit are the codes in effect on the date of application for that permit.
- We will start accepting applications based on the 2007 CBC after staff has received training in November assuming that the permit will not be issued until after adoption.

Code Review Committee Supported Responses

4. The CBC Chapter 1 is clear: new code is effective 180 days after the date of publication.
- 3a) A jurisdiction may choose to accept plans based on new code provisions but a permit should not be issued before the adoption date.
- 3b) and 3c) Inspections should not be based on new code provisions until after the adoption date; therefore a project can neither receive final inspection approval nor be issued a certificate of occupancy.