



STATE OF WASHINGTON
STATE BUILDING CODE COUNCIL

May 2018
Log No. _____

1. State Building Code to be Amended:

- International Building Code
- ICC ANSI A117.1 Accessibility Code
- International Existing Building Code
- International Residential Code
- International Fire Code
- Uniform Plumbing Code

- International Mechanical Code
- International Fuel Gas Code
- NFPA 54 National Fuel Gas Code
- NFPA 58 Liquefied Petroleum Gas Code
- Wildland Urban Interface Code

For the Washington State Energy Code, please see specialized [energy code forms](#)

Section(s): 510.2

Title: Horizontal building separation allowance

2. Proponent:

Proponent: Washington Association of Building Officials, Technical Code Development

Title: WABO TCD Committee Chair

Date: May 24, 2021

3. Designated Contact Person:

Name: Micah Chappell

Title: Technical Code Development Manager, Seattle Department of Construction and Inspections

Address: 700 Fifth Ave. Suite 2100, Seattle, WA. 98104

Office Phone: (206) 256-5157

Cell: (206) 305-4362

E-Mail address: micah.chappell@seattle.gov

4. Proposed Code Amendment.

Code(s) IBC Section(s) 510.2

510.2 Horizontal building separation allowance. A building shall be considered as separate and distinct buildings for the purpose of determining area limitations, continuity of *fire walls*, limitation of number of stories and type of construction where the following conditions are met:

1. The buildings are separated with a *horizontal assembly* having a *fire-resistance rating* of not less than 3 hours. Where vertical offsets are provided as part of a *horizontal assembly*, the vertical offset and the structure supporting the vertical offset shall have a *fire-resistance rating* of not less than 3 hours.
2. The building below, including the *horizontal assembly*, is of Type IA construction.
3. *Shaft, stairway, ramp* and escalator enclosures through the *horizontal assembly* shall have not less than a 2-hour *fire-resistance rating* with opening protectives in accordance with Section 716.

Exception: Where the enclosure walls below the *horizontal assembly* have not less than a 3-hour *fire-resistance rating* with opening protectives in accordance with Section 716, the enclosure walls extending above the *horizontal assembly* shall be permitted to have a 1- hour *fire-resistance rating*, provided that the following conditions are met:

1. The building above the *horizontal assembly* is not required to be of Type I construction.
 2. The enclosure connects fewer than four stories.
 3. The enclosure opening protectives above the *horizontal assembly* have a *fire protection rating* of not less than 1 hour.
4. *Interior exit stairways* located within the Type IA building are permitted to be of combustible materials where the following requirements are met:
 - 4.1. The building above the Type IA building is of Type III, IV, or V construction.
 - 4.2. The *stairway* located in the Type IA building is enclosed by 3-hour fire-resistance-rated construction with opening protectives in accordance with Section 716.
 5. The building or buildings above the *horizontal assembly* shall be permitted to have ~~multiple~~ Group A occupancy uses, ~~each with an occupant load of less than 300, or~~ Group B, M, R or S occupancies.
 6. The building below the *horizontal assembly* shall be protected throughout by an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, and shall be permitted to be any occupancy allowed by this code except Group H.
 7. The maximum *building height* in feet (mm) shall not exceed the limits set forth in Section 504.3 for the building having the smaller allowable height as measured from the *grade plane*.

5. Briefly explain your proposed amendment, including the purpose, benefits and problems addressed.

The IBC currently limits a building that is over what is commonly referred to as a "podium building" (IBC Section 510.2, Item 5) to having "multiple Group A occupancy uses, each with an occupant load of less than 300." This means that no single assembly space is allowed to have an occupant load of 300 persons within a building located above the horizontal assembly - think museum, swimming pool deck or movie theater. Or health club. Again, I want you remember that this is a limit to ALL Group A occupancies, not just large entertainment venues - think outdoor sculpture museums (Group A-3). And in this day of COVID-19, think outdoor restaurants (Group A-2) or even outdoor places of religious worship (Group A-5). The current language in the code would not allow these to occur over a podium building. This limitation really curtails the construction of buildings that are placed on a podium building on an inner city site.

And what just does "shall be permitted to have multiple Group A occupancy uses, each with an occupant load of 300" mean? Does each Group A space with 299 occupants have to be separated from an adjacent Group A space with 299 occupants? And if so, does the separation need to be fire rated? But what if each of these spaces with 299 persons discharge out into a foyer (that has an occupant load of 299) and which leads to the exterior? Is that acceptable? But then everyone is discharged out onto the horizontal assembly to open air - just like a Group A-5 occupancy - but oops, a Group A-5 occupancy cannot have more than 300 persons to be located above the horizontal assembly.

This proposal seeks to eliminate the Group A 299 occupant load limitation in its entirety and let the overall provisions found in the IBC dictate the design of the Group A building or building with a Group A occupancy constructed over the horizontal assembly.

While this limitation, and all what is currently in IBC 510 has been in the IBC since the 2000 IBC, the real roots of the entire section are in one of the legacy codes - the Uniform Building Code (UBC) Section 311.2.2.1 **"311.2.2.1 Group S, Division 3 with Group A, Division 3; Group B; Group M or R, Division 1 Occupancy above.**

Other provisions of this code notwithstanding, a basement or first story of a building may be considered as a separate and distinct building for the purpose of area limitations, limitation of number of stories and type of construction, when all of the following conditions are met:"

And specifically Item 2 in UBC Section 311.2.2.1:

"2. The building above the three-hour occupancy separation contains only Group A, Division 3; Group B; or Group M or R, Division 1 Occupancies."

In the 1997 UBC Group A was divided into 5 sub classifications:

- Division 1 - Any assembly building or portion of a building with a legitimate stage and an occupant load of 1,000 or more
- Division 2 - Any assembly building or portion of a building with an occupant load of less than 1,000 and a legitimate stage.
- Division 2.1 - Any assembly building or portion of a building with an occupant load of 300 or more without a legitimate stage, including such buildings used for educational purposes and not classified as a Group E Group B, Division 2 Occupancy.
- Division 3 - Any assembly building or portion of a building with an occupant load of less than 300 without a legitimate stage, including such buildings used for educational purposes and not classified as a Group E or Group B, Division 2 Occupancies
- Division 4 - Stadiums, reviewing stands and amusement park structures not included within other Group A occupancies.

The thing is, the UBC occupancy classifications do not correlate in any way to the Group A occupancy classifications in 2021 IBC nor in how the provisions are applied. When the applicable provisions of the IBC are applied to a building with an assembly space having an occupant load of 300 or more, it is unjustified and inconsistent to prohibit that space from being located on top of podium building.

6. Specify what criteria this proposal meets. You may select more than one.

- The amendment is needed to address a critical life/safety need.
- The amendment clarifies the intent or application of the code.
- The amendment is needed to address a specific state policy or statute.
- The amendment is needed for consistency with state or federal regulations.
- The amendment is needed to address a unique character of the state.
- The amendment corrects errors and omissions.

7. Is there an economic impact: Yes No

Explain:

The code change proposal will decrease the cost of construction.

If accepted this code change will reduce the cost of construction as buildings above a podium building will have a broader choice of types of construction.