

Residential Uses Sub-Workgroup August 9, 2019

Attendees:

Kenney Payne	AIA (on the phone)
Peter Broadbent	VCTA
Sharon Stroble	DSS
Judith McGreal	DSS
Ron Clements	Chesterfield County/VBCOA
Mackenzie Glassco	DBHDS
Thomas King	DHCD
Jeff Brown	DHCD
Nicole Donaldson	DHCD

Welcome/Introductions

Discussion of proposals

BAQ104.1.2-18 (Tiny Homes)

The meeting began with a recommendation from Mr. Stanton to edit the “Tiny Homes Appendix Q” proposal (BAQ104.1.2-18), that was previously reviewed and supported by the group, to include a requirement that ladders providing access to loft areas be designed for a minimum 300 lb. load. This change was agreed to by the group. DHCD staff will update the proposal to include this change. This proposal will be on the August 21st combined workgroup 1-4 meeting agenda.

B302.1-18 (SRCFs)

This proposal was only partially completed when presented to workgroups 1 and 2 at their July 24th meeting, to give an idea of the concept that the subworkgroup had in mind (eliminate the laundry lists under the Group R use group classifications and replace with specific characteristics of each use; move all of the SRCF exceptions to a new section in Chapter 4). The workgroups generally supported the concept and the proposal was carried over to the August 21st combined workgroup 1-4 meeting.

The group began reviewing a completed draft of the proposal that was submitted by Mr. Payne. The following suggestions and concerns raised during the July 24th workgroup meeting were incorporated and addressed during review of the draft:

- Family Day Homes are described as “generally up to 12 children”. Some may be approved for over 12.

- Proposals B310.3(1)-18 and B310.3(2) were also tabled during the July 24th workgroup meeting, to be coordinated with this proposal, as they were also amending the R-1 use group description.
- Adding a reference in Section 302.1, to the new Chapter 4 SRCF section, should not be done by adding #11 to the existing list of occupancy classifications.

A few additional changes were made based on comments and discussions during review of the draft. The final draft that was approved by the group is attached. DHCD staff will update the proposal in cdpVA to include all changes. This proposal will be on the August 21st combined workgroup 1-4 meeting agenda.

B310.1-18 (R Uses Clean Up)

This proposal was carried over at the July 24th workgroup 1 & 2 meeting, to the August 21st combined workgroup 1-4 meeting. The group agreed to merge this proposal with B302.1-18. All changes previously agreed to in this proposal were included in the draft B302.1-18 proposal from Mr. Payne that was reviewed and finalized. This proposal will be withdrawn.

B302.1-18 FINAL DRAFT

SECTION 101 GENERAL

101.5 Use of terminology and notes. The provisions of this code shall be used as follows:

1. The term “this code,” or “the code,” where used in the provisions of Chapter 1, in Chapters 2–35 of the IBC or in the state amendments to the IBC, means the USBC, unless the context clearly indicates otherwise.
2. The term “this code” or “the code,” where used in a code or standard referenced in the IBC, means that code or standard, unless the context clearly indicates otherwise.
3. The use of notes in Chapter 1 is to provide information only and shall not be construed as changing the meaning of any code provision.
4. Notes in the IBC, in the codes and standards referenced in the IBC, and in the state amendments to the IBC, may modify the content of a related provision and shall be considered to be a valid part of the provision, unless the context clearly indicates otherwise.
5. References to International Codes and standards, where used in this code, include state amendments made to those International Codes and standards in the VCC.

SECTION 202 GENERAL DEFINITIONS

STATE REGULATED CARE FACILITY (SRCF). A building ~~with an occupancy in Group R-2, R-3, R-4, R-5 or R-5~~ occupied by persons in the care of others where program oversight is provided by the Virginia Department of Social Services, the Virginia Department of Behavioral Health and Developmental Services, the Virginia Department of Education, the Virginia Department of Health or the Virginia Department of Juvenile Justice.

SECTION 302 CLASSIFICATION

302.1 General. Structures or portions of structures shall be classified with respect to occupancy in one or more of the groups listed in this section. A room or space that is intended to be occupied at different times for different purposes shall comply with all of the requirements that are applicable to each of the purposes for which the room or space will be occupied. Structures with multiple occupancies or uses shall comply with Section 508. Where a structure is proposed for a purpose that is not specifically provided for in this code, such structure shall be classified in the group that the occupancy most nearly resembles, according to the fire safety and relative hazard involved.

1. Assembly (see Section 303): Groups A-1, A-2, A-3, A-4 and A-5.
2. Business (see Section 304): Group B.

3. Educational (see Section 305): Group E.
4. Factory and Industrial (see Section 306): Groups F-1 and F-2.
5. High Hazard (see Section 307): Groups H-1, H-2, H-3, H-4 and H-5.
6. Institutional (see Section 308 and Section 432 for SRCFs): Groups I-1, I-2, I-3 and I-4.
7. Mercantile (see Section 309): Group M.
8. Residential (see Section 310 and Section 432 for SRCFs): Groups R-1, R-2, R-3 and R-4.
9. Storage (see Section 311): Groups S-1 and S-2.
10. Utility and Miscellaneous (see Section 312): Group U.

SECTION 308 INSTITUTIONAL GROUP I

308.1 Institutional Group I. Institutional Group I occupancy includes, among others, the use of a building or structure, or a portion thereof, in which care or supervision is provided to persons who are or are not capable of self-preservation without physical assistance or in which persons are detained for penal or correctional purposes or in which the liberty of the occupants is restricted. Institutional occupancies shall be classified as Group I-1, I-2, I-3 or I-4.

308.2 Institutional Group I-1. This occupancy shall include buildings, structures or portions thereof for more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised environment and receive custodial care. Buildings of Group I-1, ~~other than assisted living facilities licensed by the Virginia Department of Social Services, shall be classified as the occupancy condition indicated in Section 308.3.1. Assisted living facilities licensed by the Virginia Department of Social Services shall be classified as one of the occupancy conditions indicated in Section 308.2.1 or 308.2.2. This group shall include, but not be limited to, the following:~~

~~Alcohol and drug centers~~

~~Assisted living facilities~~

~~Congregate care facilities~~

~~Group homes~~

~~Halfway houses~~

~~Residential board and care facilities~~

~~Social rehabilitation facilities~~

308.2.1 Condition 1. This occupancy condition shall include buildings in which all persons receiving custodial care who, without any assistance, are capable of responding to an emergency situation to complete building evacuation. Not more than five of the residents may require physical assistance from staff to respond to an emergency situation when all residents that may require the physical assistance reside on a single level of exit discharge.

308.2.2 Condition 2. This occupancy condition shall include buildings in which there are persons receiving custodial care who require assistance by not more than one staff member while responding to an emergency situation to complete building evacuation. Five of the residents may require physical assistance from more than one staff member to respond to an emergency.

308.2.3 Six to 16 persons receiving custodial care. ~~A facility housing not fewer than six and not more than 16 persons receiving custodial care shall be classified as Group R-4.~~

308.2.4 Five or fewer persons receiving custodial care. ~~A facility with five or fewer persons receiving custodial care shall be classified as Group R-3 or shall comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or Section P2904 of the International Residential Code.~~

308.3 Institutional Group I-2. This occupancy shall include buildings and structures used for medical care on a 24-hour basis for more than five persons who are incapable of self-preservation. This group shall include, but not be limited to, the following:

~~Convalescent facilities~~

~~Detoxification facilities~~

~~Foster care facilities~~

~~Hospice facilities~~

~~Hospitals~~

~~Nursing homes~~

~~Psychiatric hospitals~~

~~**Exception:** Hospice facilities occupied by 16 or less occupants, excluding staff, are permitted to be classified as Group R-4.~~

308.3.1 Occupancy Conditions. Buildings of Group I-2 shall be classified as one of the occupancy conditions specified in Section 308.3.1.1 or 308.3.1.2.

308.3.1.1 Condition 1. This occupancy condition shall include facilities that provide nursing and medical care but do not provide emergency care, surgery, obstetrics or in-patient stabilization units for psychiatric or detoxification, including but not limited to nursing homes and foster care facilities.

308.3.1.2 Condition 2. This occupancy condition shall include facilities that provide nursing and medical care and could provide emergency care, surgery, obstetrics or in-patient stabilization units for psychiatric or detoxification, including but not limited to hospitals.

308.3.2 Five or fewer persons receiving medical care. ~~A facility with five or fewer persons receiving medical care shall be classified as Group R-3 or shall comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or Section P2904 of the International Residential Code.~~

SECTION 310 RESIDENTIAL GROUP R

310.1 Residential Group R. Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Group I or when not regulated by the ~~International Residential Code~~ VRC.

310.2 Residential Group R-1. Residential occupancies ~~containing sleeping units~~ with more than 10 occupants where the occupants are primarily transient, ~~in nature~~, including:

~~Boarding houses (transient) with more than 10 occupants~~

~~Congregate living facilities (transient) with more than 10 occupants~~

~~Hotels (transient)~~

~~Motels (transient)~~

Exceptions:

- ~~1. Nonproprietor occupied bed and breakfast and other transient boarding facilities not more than three stories above grade plane in height with a maximum of 10 occupants total are permitted to be classified as either Group R-3 or R-5 provided that smoke alarms are installed in compliance with Section 907.2.11.2 for Group R-3 or Section R314 of the IRC for Group R-5~~
- ~~2. Proprietor occupied bed and breakfast and other transient boarding facilities not more than three stories above grade plane in height, that are also occupied as the residence of the proprietor, with a maximum of five guest room sleeping units provided for the transient occupants are permitted to be classified as either Group R-3 or R-5 provided that smoke alarms are installed in compliance with Section 907.2.11.2 for Group R-3 or Section R314 of the IRC for Group R-5.~~

310.3 Residential Group R-2. Residential Group R-2 occupancies containing sleeping units or more than two dwelling units where the occupants are not primarily transient, ~~permanent in nature~~, including:

~~Apartment houses~~

~~Boarding houses (nontransient) with more than 16 occupants~~

~~Congregate living facilities (nontransient) with more than 16 occupants~~

~~Convents~~

~~Dormitories~~

~~Fraternities and sororities~~

~~Hotels (nontransient)~~

~~Live/work units~~

~~Monasteries~~

~~Motels (nontransient)~~

~~Vacation timeshare properties~~

310.4 Residential Group R-3. Group R-3 occupancies where the occupancy is not classified as Group R-1, R-2, R-4, R-5 or I, including and the building contains no more than two dwelling units and:

1. The occupants are not primarily transient permanent in nature, or
2. There are no more than 10 transient occupants per dwelling unit.

~~Buildings that do not contain more than two dwelling units~~

~~Boarding houses (nontransient) with 16 or fewer occupants~~

~~Boarding houses (transient) with 10 or fewer occupants~~

~~Care facilities that provide accommodations for five or fewer persons receiving care~~

~~Congregate living facilities (nontransient) with 16 or fewer occupants~~

~~Congregate living facilities (transient) with 10 or fewer occupants~~

~~Lodging houses with five or fewer guest rooms~~

310.4.1 Care facilities within a dwelling Radon-resistant construction. ~~Care facilities for five or fewer persons receiving care that are within a single family dwelling are permitted to comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or Section P2904 of the International Residential Code. Group R-3 buildings and structures shall be subject to the radon-resistant construction requirements in Appendix F of the IRC in localities enforcing such requirements pursuant to Section R324 of the IRC.~~

310.4.2 Lodging houses. ~~Owner-occupied lodging houses with five or fewer guest rooms shall be permitted to be constructed in accordance with the International Residential Code. Bed and breakfast and other transient boarding facilities shall comply with Section 310.4.2.1 or 310.4.2.2.~~

310.5 Residential Group R-4. This occupancy shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive custodial care. Buildings of Group R-4, ~~other than assisted living facilities licensed by the Virginia Department of Social Services, shall be classified as the occupancy condition indicated in Section 310.6.1. Assisted living facilities licensed by the Virginia Department of Social Services shall be classified as one of the occupancy conditions indicated in Section 310.6.1 or 310.6.2. This group shall include, but not be limited to, the following:~~

~~Alcohol and drug centers~~

~~Assisted living facilities~~

~~Congregate care facilities~~

~~Group homes~~

~~Halfway houses~~

~~Residential board and care facilities~~

~~Social rehabilitation facilities~~

This occupancy shall also include hospice facilities with not more than 16 occupants, excluding staff.

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code.

Exceptions:

1. ~~Group homes licensed by the Virginia Department of Behavioral Health and Developmental Services that house no more than eight persons with one or more resident counselors shall be classified as Group R-2, R-3, R-4 or R-5. Not more than five of the persons may require physical assistance from staff to respond to an emergency situation.~~
2. ~~In Group R-4 occupancies classified as the occupancy condition indicated in Section 310.6.1, other than in hospice facilities, not more than five of the residents may require physical assistance from staff to respond to an emergency situation when all residents who may require the physical assistance from staff reside on a single level of exit discharge and other than using a ramp, a change of elevation using steps or stairs is not within the path of egress to an exit door.~~
3. ~~Assisted living facilities licensed by the Virginia Department of Social Services that house no more than eight persons, with one or more resident counselors, and all of the residents are capable of responding to an emergency situation without physical assistance from staff, may be classified as Group R-2, R-3 or R-5.~~
4. ~~Assisted living facilities licensed by the Virginia Department of Social Services that house no more than eight persons, where not more than five of the residents require physical assistance from staff to respond to an emergency situation with one or more resident counselors, may be classified as Group R-5 when in compliance with all of the following:~~
 - 4.1. ~~The building is protected by an automatic sprinkler system installed in accordance with Section 903.3 or Section P2904 of the IRC.~~
 - 4.2. ~~Not more than five of the residents may require physical assistance from staff to respond to an emergency situation.~~
 - 4.3. ~~All residents who may require physical assistance from staff to respond to an emergency situation reside on a single level of exit discharge and other than using a ramp, a change in elevation using steps or stairs is not within the path of egress to an exit door.~~
5. ~~Hospice facilities with five or fewer occupants are permitted to comply with the IRC provided the building is protected by an automatic sprinkler system in accordance with IRC Section P2904 or IBC Section 903.3.~~

310.5.1 Condition 1. This occupancy condition shall include buildings in which all persons receiving custodial care who, without any assistance, are capable of responding to an emergency situation to complete building evacuation or, in which not more than five of the residents may require physical assistance from staff to respond to an emergency situation when all residents who may require the physical assistance from

staff reside on a level of exit discharge and the path of egress to the exit does not include steps.

310.5.2 Condition 2. This occupancy condition shall include buildings in which there are persons receiving custodial care who require assistance by not more than one staff member while responding to an emergency situation to complete building evacuation.

310.5.3 Radon-resistant construction. Groups R-4 buildings and structures shall be subject to the radon-resistant construction requirements in Appendix F of the IRC in localities enforcing such requirements pursuant to Section R324 of the IRC.

~~**310.7**~~ **310.6 Residential Group R-5.** Residential This occupancy shall include residential occupancies in detached single- and two-family dwellings, townhouses and accessory structures within the scope of the IRC. The construction of Group R-5 structures shall comply with the IRC. The amendments to the IRC set out in Section 310.11 shall be made to the IRC for its use as part of this code. In addition, all references to the IRC in the IBC shall be considered to be references to this section.

The provisions of the International Residential Code for One- and Two-family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings ~~and~~, townhouses, and care facilities for five or fewer persons receiving care not more than three stories above grade plane in height with a separate means of egress and their accessory structures. The use of such structures for transient occupancies shall not exceed 10 persons per dwelling unit.

~~**310.8 Group R-5.** The construction of Group R-5 structures shall comply with the IRC. The amendments to the IRC set out in Section 310.11 shall be made to the IRC for its use as part of this code. In addition, all references to the IRC in the IBC shall be considered to be references to this section.~~

~~**310.8.1**~~ **310.6.1 Additional requirements.** Methods of construction, materials, systems, equipment or components for Group R-5 structures not addressed by prescriptive or performance provisions of the IRC shall comply with applicable IBC requirements.

~~**310.9 Family day homes.** Family day homes where program oversight is provided by the Virginia Department of Social Services shall be classified as Group R-2, R-3 or R-5.~~

~~**Note:** Family day homes may generally care for up to 12 children. See the DHCD “Related Laws Package” for additional information.~~

~~**310.10 Radon-resistant construction in Groups R-3 and R-4 structures.** Groups R-3 and R-4 structures shall be subject to the radon-resistant construction requirements in Appendix F of the IRC in localities enforcing such requirements pursuant to Section R324 of the IRC.~~

310.14 310.7 Amendments to the IRC. The following changes shall be made to the IRC for its use as part of this code.....

SECTION 432 (New Section)
STATE REGULATED CARE FACILITIES (SRCF)

432.1 General. Notwithstanding any other requirements of this code, this section applies to the use and occupancy classification of state regulated care facilities addressed in this section.

432.2 Assisted Living Facilities. Assisted living facilities licensed by the Virginia Department of Social Services shall be classified as one of the occupancies specified in sections 432.2.1 through 432.2.6.

432.2.1 Group I-1 Condition 1. Facilities with seventeen or more persons receiving care, in which all persons receiving care, without any assistance, are capable of responding to an emergency situation to complete building evacuation, shall be classified as Group I-1 Condition 1. Not more than five of the persons may require physical assistance from staff to respond to an emergency, provided all persons requiring assistance reside on a level of exit discharge and the path of egress to the exit does not include steps.

432.2.2 Group I-1 Condition 2. Facilities with seventeen or persons receiving care, in which there are persons who require assistance by not more than one staff member while responding to an emergency situation to complete building evacuation, shall be classified as Group I-1 Condition 2. Not more than five of the persons may require physical assistance from more than one staff member to respond to an emergency situation.

432.2.3 Group I-2 Condition 1. Facilities with six or more persons receiving care who require assistance by more than one staff member when responding to an emergency situation to complete building evacuation, shall be classified as Group I-2 Condition 1.

432.2.4 Group R-4 Condition 1. Facilities with nine to sixteen persons receiving care, where all persons receiving care, without any assistance, are capable of responding to an emergency situation to complete building evacuation shall be classified as R-4 Condition 1. Not more than five of the persons may require physical assistance from staff to respond to an emergency, provided all persons requiring assistance reside on a level of exit discharge and the path of egress to the exit does not include steps.

432.2.5 Group R-4 Condition 2. Buildings with nine to sixteen persons receiving care, who may require assistance by not more than one staff member when responding to an emergency situation to complete building evacuation, shall be classified as Group R-4 Condition 2. Not more than five of the persons may require physical assistance from staff to respond to an emergency situation.

432.2.6 Group R-2, R-3 or R-5. Facilities with no more than eight persons receiving care, with one or more resident counselors, and all persons are capable of responding to an emergency situation without physical assistance from staff, may be classified as Group R-2, R-3 or R-5. Up to five of the persons may require physical assistance from staff to respond to an emergency situation when in compliance with the following:

1. All residents that require physical assistance from staff reside on a level of exit discharge and the path of egress to the exit does not include steps.
2. The building is protected by an automatic sprinkler system installed in accordance with Section 903.3 or Section P2904 of the IRC.

432.3 Family Day Homes. Family day homes registered or licensed by the Virginia Department of Social Services shall be classified as Group R-2, R-3 or R-5.

432.4 Group Homes. Group Homes licensed by the Virginia Department of Behavioral Health and Developmental Services shall be classified as one of the occupancies specified in sections 432.4.1 through 432.4.3.

432.4.1 Groups R-2, R-3, R-4 Condition 1 or 2 or R-5. Facilities with no more than eight persons receiving care, with one or more resident counselors, shall be classified as Group R-2, R-3, R-4 (Condition 1 or 2) or R-5. Not more than five of the persons may require physical assistance from staff to respond to an emergency situation.

432.4.2 Group R-4 Condition 1. Facilities with eight to sixteen persons receiving care, where all persons, without any assistance, are capable of responding to an emergency situation to complete building evacuation shall be classified as Group R-4 Condition 1. Not more than five of the persons may require physical assistance from staff to respond to an emergency, provided all persons requiring assistance reside on a level of exit discharge and the path of egress to the exit does not include steps.

432.4.3 Group R-4 Condition 2. Facilities with eight to sixteen persons receiving care or facilities with more than five persons requiring physical assistance from staff to respond to an emergency situation shall be classified as Group R-4 Condition 2.

432.5 Hospice Facilities. Hospice facilities licensed by the Virginia Department of Health shall be classified as one of the occupancies specified in sections 432.5.1 through 432.5.3.

432.5.1 Group I-2. Facilities with sixteen or more persons receiving care shall be classified as Group I-2.

432.5.2 Group R-4 Condition 1. Facilities with less than sixteen persons receiving care shall be classified as Group R-4 Condition 1.

432.5.3 Group R-5. Facilities with five or fewer persons receiving care are permitted to be classified as Group R-5.