

DEC REQUEST DS 2016-098 STAFF ANALYSIS

ISSUE: DS 2016-098. Petitioner seeks a Declaratory Statement on an interpretation of Chapter 2, Section 206.7 – 206.7.5 and Chapter 4, Section 410 – 410.6 of the Florida Building Code, Accessibility – 5th Edition (2014)

Questions:

As opposed to seeking a waiver to install a platform lift in this situation, is the use of a platform lift acceptable in accordance with FBC 2014-Accessibility sections 410 and 206.7? Should a waiver be required for a design that apparently meets code requirements?

Situation:

Steve Krone AIA, representing Abdolhamid Hemali of IBN Seena Academy, Inc. seeks clarification of Chapter 2, Section 206.7 – 206.7.5 and Chapter 4, Section 410 – 410.6 of the Florida Building Code, Accessibility – 5th Edition (2014). The proposed project which has generated this Petition for Declaratory Statement consists of the finishing of a second floor shell space, which was constructed in 2012-2013. The space was framed with steel joists for a future floor deck system, supported by structural steel beams and columns. The second floor shell space is surrounded on two sides by 1-hr rated metal stud and gypsum board construction and on the remaining sides by exterior 2 story walls. Total area of existing second floor rough-in is 2,992.5 square feet. The floor-to-floor height from first to second is 11'4".

Proposed improvements at the second floor will include two exit stairs, teacher work areas, storage, and restrooms. In order to provide accessibility access to the second floor a platform lift has been proposed. The lift will be located in the northeast corner of the proposed space and will be enclosed by 1-hr rated construction. An attempt was made to configure a shaft for a small, code compliant elevator in this same location; however the dimensional requirements for the cab, interior clearances, shaft walls, and vertical elevator over-run at the second floor precluded the use of an elevator due to interference of overhead roof structure, (36" deep steel trusses with 53" clearance between).

The local permitting authority (Orange County) interprets FBC 2014-Accessibility, section 410 and 206.7 through 206.7.5 to indicate that platform lifts are exclusively used as listed in 206.7.1 through 206.7.5 and are not to be used in any other application. When the structural interference question noted above was brought to their attention as part of the comment response dialog, it was suggested to the petitioner's representative to seek a waiver to provide a platform lift which has no structural interference problems.

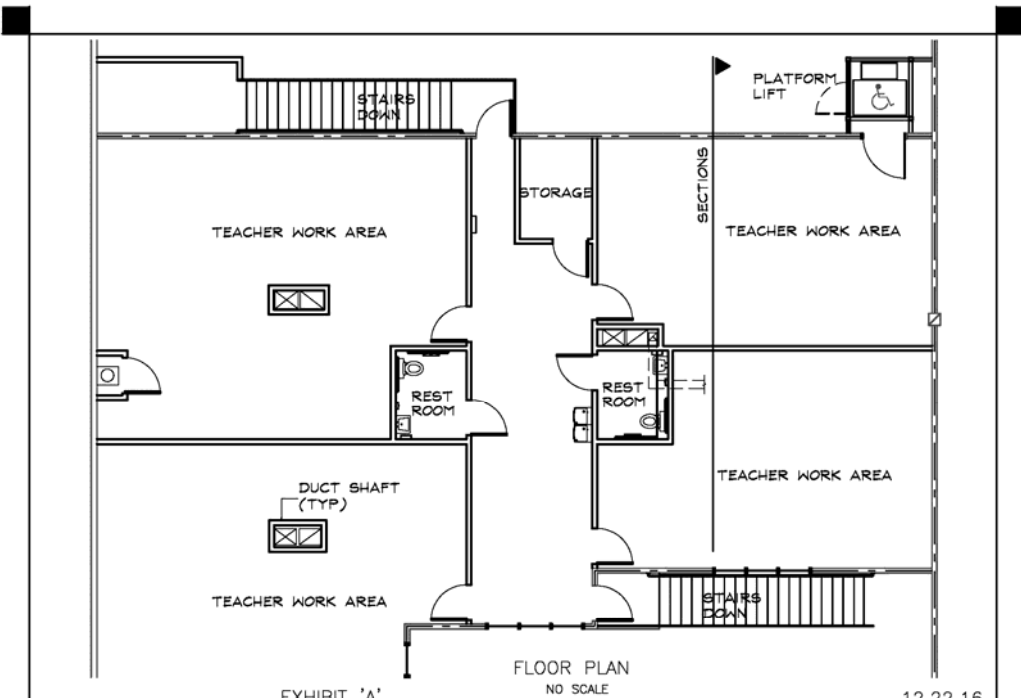


EXHIBIT 'A'

FLOOR PLAN
NO SCALE

12.22.16

PETITION FOR DECLARATORY STATEMENT		Steve Krone AIA architect AR 0005770
IBN Seena Academy, 12908 South Orange Blossom Trail, Orlando Florida		320 Oak Hill Drive Altamonte Springs, Florida 32701
		(407) 461-0406 steve@kronearchitect.com

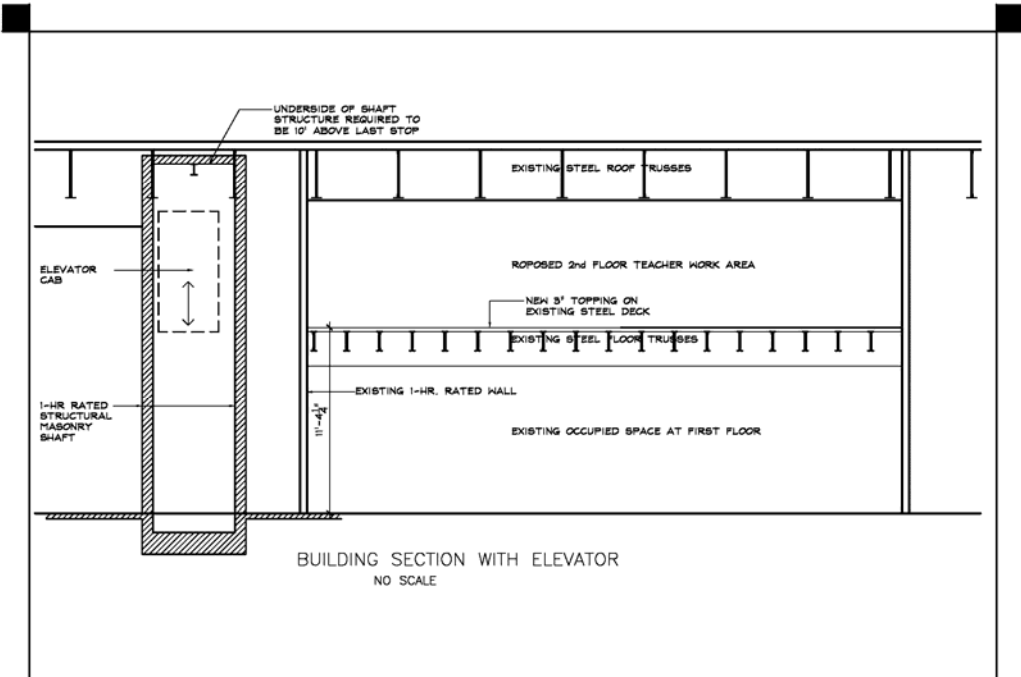
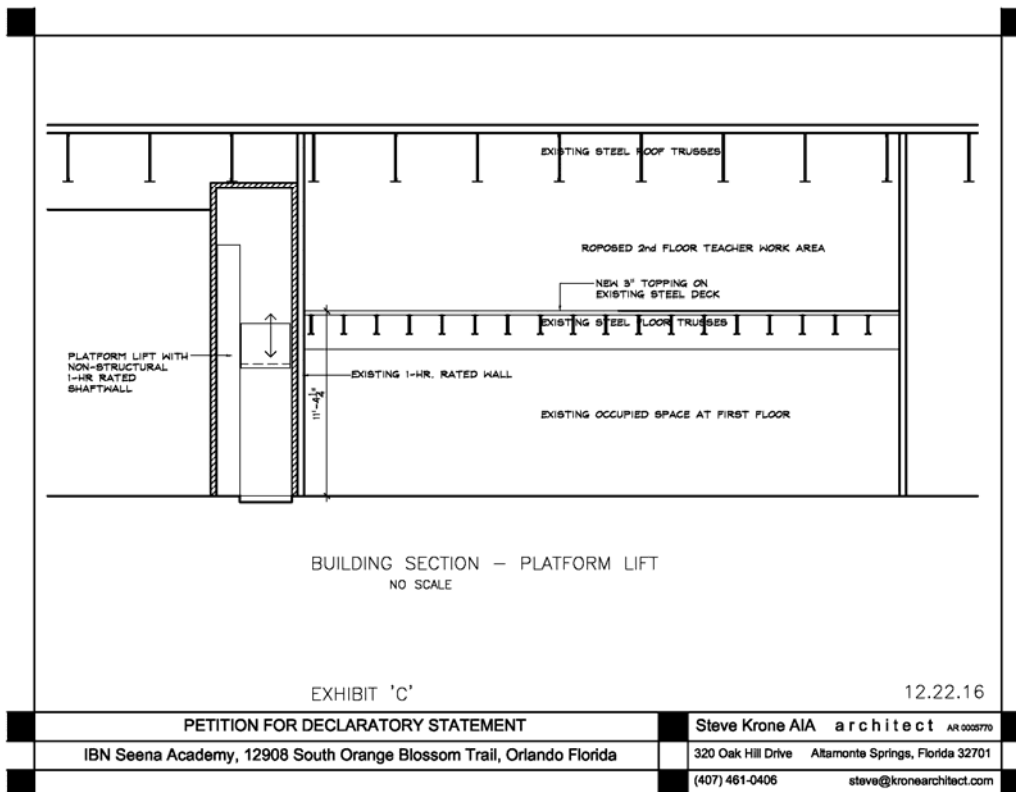


EXHIBIT 'B'

BUILDING SECTION WITH ELEVATOR
NO SCALE

12.22.16

PETITION FOR DECLARATORY STATEMENT		Steve Krone AIA architect AR 0005770
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2010 ADA Standards for Accessible Design

CHAPTER 2: SCOPING REQUIREMENTS

SECTION 206 ACCESSIBLE ROUTES

206.2.3 Multi-Story Buildings and Facilities. At least one *accessible* route shall connect each *story* and *mezzanine* in multi-story buildings and facilities.

EXCEPTIONS:

1. In *private buildings or facilities* that are less than three *stories* or that have less than 3000 square feet (279 m²) per *story*, an *accessible* route shall not be required to connect *stories* provided that the *building or facility* is not a shopping center, a shopping mall, the professional office of a health care provider, a terminal, depot or other station used for specified public transportation, an airport passenger terminal, or another type of *facility* as determined by the Attorney General.
2. Where a two *story public building or facility* has one *story* with an *occupant load* of five or fewer persons that does not contain *public use space*, that *story* shall not be required to be connected to the *story* above or below.
3. In detention and correctional *facilities*, an *accessible* route shall not be required to connect *stories* where cells with mobility features required to comply with 807.2, all *common use areas* serving cells with mobility features required to comply with 807.2, and all *public use areas* are on an *accessible* route.

4. In residential *facilities*, an *accessible* route shall not be required to connect *stories* where *residential dwelling units* with mobility features required to comply with 809.2 through 809.4, all *common use* areas serving *residential dwelling units* with mobility features required to comply with 809.2 through 809.4, and *public use* areas serving *residential dwelling units* are on an *accessible* route.

5. Within multi-story *transient lodging* guest rooms with mobility features required to comply with 806.2, an *accessible* route shall not be required to connect *stories* provided that *spaces* complying with 806.2 are on an *accessible* route and sleeping accommodations for two persons minimum are provided on a *story* served by an *accessible* route.

6. In air traffic control towers, an *accessible* route shall not be required to serve the cab and the floor immediately below the cab.

7. Where exceptions for *alterations* to *qualified historic buildings or facilities* are permitted by 202.5, an *accessible* route shall not be required to *stories* located above or below the *accessible story*.

206.6 Elevators. Elevators provided for passengers shall comply with 407. Where multiple elevators are provided, each elevator shall comply with 407.

EXCEPTIONS:

1. In a *building or facility* permitted to use the exceptions to 206.2.3 or permitted by 206.7 to use a platform lift, elevators complying with 408 shall be permitted

.2. Elevators complying with 408 or 409 shall be permitted in multi-story *residential dwelling units*.

206.7 Platform Lifts. Platform lifts shall comply with 410. Platform lifts shall be permitted as a component of an *accessible* route in new construction in accordance with 206.7. Platform lifts shall be permitted as a component of an *accessible* route in an existing *building or facility*.

206.7.1 Performance Areas and Speakers' Platforms.

Platform lifts shall be permitted to provide *accessible* routes to performance areas and speakers' platforms.

206.7.2 Wheelchair Spaces.

Platform lifts shall be permitted to provide an *accessible* route to comply with the *wheelchair space* dispersion and line-of-sight requirements of 221 and 802.

206.7.3 Incidental Spaces.

Platform lifts shall be permitted to provide an *accessible* route to incidental *spaces* which are not *public use spaces* and which are occupied by five persons maximum.

206.7.4 Judicial Spaces.

Platform lifts shall be permitted to provide an *accessible* route to: jury boxes and witness stands; raised courtroom stations including judges' benches, clerks' stations, bailiffs' stations, deputy clerks' stations, and court reporters' stations; and to depressed areas such as the well of a court.

206.7.5 Existing Site Constraints.

Platform lifts shall be permitted where existing exterior *site* constraints make use of a *ramp* or elevator

infeasible.

408 LIMITED-USE / LIMITED-APPLICATION ELEVATORS

408.1 General. Limited-use/limited-application elevators shall comply with 408 and with ASME A17.1 (incorporated by reference, see “Referenced Standards” in Chapter 1). They shall be passenger elevators as classified by ASME A17.1. Elevator operation shall be automatic.

CHAPTER 4: ACCESSIBLE ROUTES

SECTION 410 PLATFORM LIFTS

410.1 General.

Platform lifts shall comply with ASME A18.1 (1999 edition or 2003 edition) (incorporated by reference, see “Referenced Standards” in Chapter 1). Platform lifts shall not be attendant-operated and shall provide unassisted entry and exit from the lift.

410.2 Floor Surfaces.

Floor surfaces in platform lifts shall comply with 302 and 303.

410.3 Clear Floor Space.

Clear floor *space* in platform lifts shall comply with 305.

410.4 Platform to Runway Clearance.

The clearance between the platform sill and the edge of any runway landing shall be 1 inch (32 mm) maximum.

410.5 Operable Parts.

Controls for platform lifts shall comply with 309.

410.6 Doors and Gates.

Platform lifts shall have low-energy power-operated doors or gates complying with 404.3. Doors shall remain open for 20 seconds minimum. End doors and gates shall provide a clear width 32 inches (815 mm) minimum. Side doors and gates shall provide a clear width 42 inches (1065 mm) minimum.

EXCEPTION: Platform lifts serving two landings maximum and having doors or gates on opposite sides shall be permitted to have self-closing manual doors or gates.

5th Edition (2014) Florida Building Code, Accessibility

201.1.1 Vertical accessibility. Sections 553.501-553.513, F.S., and the ADA Standards for Accessible Design do not relieve the owner of any building, structure or facility governed by those sections from the duty to provide vertical accessibility to all levels above and below the occupiable grade level regardless

of whether the Standards require an elevator to be installed in such building, structure or facility, except for:

- (1) Elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks and automobile lubrication and maintenance pits and platforms.
- (2) Unoccupiable spaces, such as rooms, enclosed spaces and storage spaces that are not designed for human occupancy, for public accommodations or for work areas.
- (3) Occupiable spaces and rooms that are not open to the public and that house no more than five persons, including, but not limited to equipment control rooms and projection booths.
- (4) Theaters, concert halls, and stadiums, or other large assembly areas that have stadium-style seating or tiered seating if sections 221 and 802 are met.
- (5) All play and recreation areas if the requirements of chapter 10 are met.
- (6) All employee areas as exempted by 203.9.
- (7) Facilities, sites and spaces exempted by section 203.

Buildings, structures and facilities must, at a minimum, comply with the requirements of the ADA Standards for Accessible Design.

206.2.3 Multi-Story Buildings and Facilities. At least one accessible route shall connect each story and mezzanine in multi-story buildings and facilities.

Notwithstanding the requirements and exceptions of this section, section 201.1.1 shall apply.

EXCEPTIONS:

1. Reserved.
2. Reserved.
3. Reserved.
4. Reserved.
5. Reserved.
6. Reserved.
7. Reserved.

Note: Conveying systems such as platform Lifts, Stairway Chairlifts, Limited-use/Limited-Application Elevators may be used to provide vertical accessibility where the building is exempt from the ADA requirements for an elevator.

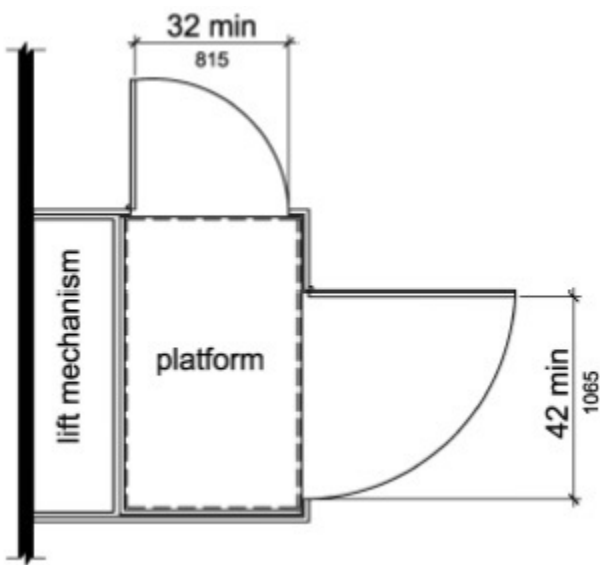


FIGURE 410.6 PLATFORM LIFT DOORS AND GATES

Question:

As opposed to seeking a waiver to install a platform lift in this situation, is the use of a platform lift acceptable in accordance with FBC 2014-Accessibility sections 410 and 206.7? Should a waiver be required for a design that apparently meets code requirements?

Answer:

To question “is the use of a platform lift acceptable in accordance with FBC 2014-Accessibility sections 410 and 206.7?” The answer is yes. A platform lift that is in compliance with Sections 410 and 206.7 and listed/certified for the intended use is acceptable for the project in question.

To question “should a waiver be required for a design that apparently meets code requirements?” The answer is no. A waiver application is not necessary for the project in question.