**Fire Technical Advisory Committee – Comment**

**6th Edition (2017) Florida Building Code, Building/Residential**

F – Comment #1

**Proposed Modification to the Florida Building Code**

**Modification #: Section 553.73, Fla Stat**

**Name: Joseph D, Belcher for Masonry Association of Florida; Florida Independent Concrete and Associated Products Association**

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**Code: FBC-B – Florida Supplement to the 2015 IBC – ICC EDIT VERSION**

**NOTE: PROPOSED CHANGES SHOWN IN RED TEXT. Other changes are as shown in the Florida Supplement.**

**Section #: 310.6**

**Text of Modification [additions underlined; deletions ~~stricken~~]:**

**310.6 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*. The persons receiving care are capable of self-preservation. This group shall include, but not be limited to, the following:**

**Alcohol and drug centers**

**Assisted living facilities**

**Congregate care facilities**

**Convalescent facilities**

***Group homes***

**Halfway houses**

**Residential board and *custodial care* facilities**

**Social rehabilitation facilities**

**Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code or shall comply with the Florida Building Code, Residential provided the building is protected by an automatic sprinkler system installed in accordance with Section 903.2.8.**

**Fiscal Impact Statement [Provide documentation of the costs and benefits of the proposed modifications to the code for each of the following entities. Cost data should be accompanied by a list of assumptions and supporting documentation. Explain expected benefits.]:**

**A. Impact to local entity relative to enforcement of code: No impact. Proposal is to adopt provisions of previous editions of the code which align with requirements of Florida Statute.**

**B. Impact to building and property owners relative to cost of compliance with code: Considerable reduction in cost to comply. The proposal is to adopt provisions of previous editions of the code which align with requirements of Florida Statute. Estimates of $35,000.00 to $40,000.00 additional cost to comply due to changes in the base code were given in a recent Declaratory Statement. The Declaratory Statement involved a six-bedroom community residential home facility licensed and primarily funded by the State of Florida. (DS2016-082). The Florida Building Commission ruled in that case that the facility could be constructed under the provisions of the Florida Building Code-Residential provided fire sprinklers were installed per Florida Building Code-Building §903,8. This proposed change incorporates the decision rendered in DS2016-082.**

**C. Impact to industry relative to cost of compliance with code:** **Considerable reduction in cost to comply. Proposal is to adopt provisions of previous editions of the code which align with requirements of Florida Statute.**

**D. Impact to small business: Considerable reduction in cost to comply. Proposal is to adopt provisions of previous editions of the code which align with requirements of Florida Statute.**

**Rationale [Provide an explanation of why you would like this Proposed Modification to the Florida Building Code.]: The proposal is to adopt provisions of previous editions of the code which align with requirements of Florida Statute. Estimates of $35,000.00 to $40,000.00 additional cost to comply due to changes in the base code were given in a recent Declaratory Statement. The Declaratory Statement involved a six-bedroom community residential home facility licensed and primarily funded by the State of Florida. (DS2016-082). The Florida Building Commission ruled in that case that the facility could be constructed under the provisions of the Florida Building Code-Residential provided fire sprinklers were installed per Florida Building Code-Building §903,8. This proposed change incorporates the decision rendered in DS2016-082.**

**Please explain how the proposed modification meets the following requirements:**

**Has a reasonable and substantial connection with the health, safety, and welfare of the general public: Proposal is to adopt provisions of previous editions of the code which align with requirements of Florida Statute.**

1. **Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction: Updates to the latest edition of the national standard and specification for masonry construction.**
2. **Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities: Does not discriminate.**
3. **Does not degrade the effectiveness of the code: Does not degrade effectiveness of code. Proposal is to adopt provisions of previous editions of the code which align with requirements of Florida Statute.**
4. **The provisions contained in the proposed amendment are addressed in the applicable International Code. Proposal is to adopt provisions of previous editions of the code which align with requirements of Florida Statute.**
5. **The amendment demonstrates by evidence or data that the geographical jurisdiction of Florida exhibits a need to strengthen the foundation code beyond the needs or regional variations addressed by the foundation code, and why the proposed amendment applies to this state. Proposal is to adopt provisions of previous editions of the code which align with requirements of Florida Statute.**
6. **The proposed amendment was submitted or attempted to be included in the foundation codes to avoid resubmission to the Florida Building Code amendment process. Proposal is to adopt provisions of previous editions of the code which align with requirements of Florida Statute.**

**TAC Recommendation:** Mr. Schiffer entered a motion to approve the comment. Mr. Apfelbeck seconded the motion. The motion passed unanimously with a vote of 6 to 0.

**Commission Action:** Commissioner Bahadori entered a motion to approve TAC recommendation. Commissioner Smith seconded the motion. The motion passed unanimously with a vote of 23 to 0 with 1 Commissioner out of the room at time of vote.

F – Comment #2

**Proposed Modification to the Florida Building Code**

**Modification #: Section 553.73, Fla Stat**

**Name: Joseph D, Belcher for the Florida Home Builders Association**

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**Code: FBC-R – Florida Supplement to the 2015 IRC – ICC EDIT VERSION**

**NOTE: PROPOSED CHANGES SHOWN IN RED TEXT. Other changes are as shown in the Florida Supplement.**

**Section #: R202 - DEFINITIONS**

**Text of Modification [additions underlined; deletions ~~stricken~~]:**

**FIRE SEPARATION DISTANCE. The distance measured from the building face to one of the following:**

**1. To the closest interior *lot line*; or**

**2. To the centerline of a street, an alley or public way; or**

**3. To an imaginary line between two buildings on the *lot; or***

**4. For zero lot line developments ~~T~~  to an imaginary line between two buildings on adjacent lots when the exterior wall of one building is located on a zero lot line where zero lot line developments are permitted by local regulations.**

**The distance shall be measured at a right angle from the face of the wall.**

**Fiscal Impact Statement [Provide documentation of the costs and benefits of the proposed modifications to the code for each of the following entities. Cost data should be accompanied by a list of assumptions and supporting documentation. Explain expected benefits.]:**

**A. Impact to local entity relative to enforcement of code: No impact on enforcement of code.**

**B. Impact to building and property owners relative to cost of compliance with code: No fiscal impact, intended as clarification to limit application to zero lot line developments.**

**C. Impact to industry relative to cost of compliance with code: No direct fiscal impact. May reduce costs associated with delays in permitting process.**

**D. Impact to small business: No fiscal impact to small business.**

**Rationale [Provide an explanation of why you would like this Proposed Modification to the Florida Building Code.]: The proposal is intended to clarify that the measurement of fire separation distance between buildings as opposed to from property lines is applicable to zero lot line development only. This intent is consistent with the original intent of the Exception added to the FBC-R, 2007 Edition (2009 Supplement), §R302.1. This change will incorporate the position of the Florida Building Commission on Declaratory Statement DS2016-081.**

**Please explain how the proposed modification meets the following requirements:**

1. **Has a reasonable and substantial connection with the health, safety, and welfare of the general public: The change will clarify the intent of the definition and eliminate confusion in the design and permitting processes. This change will incorporate the position of the Florida Building Commission on Declaratory Statement DS2016-081.**
2. **Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction: The change will clarify the intent of the definition and eliminate confusion in the design and permitting processes. This change will incorporate the position of the Florida Building Commission on Declaratory Statement DS2016-081.**
3. **Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities: The change does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities.**
4. **Does not degrade the effectiveness of the code: The proposed change does not degrade the effectiveness of the code. The change will clarify the intent of the definition and eliminate confusion in the design and permitting processes. This change will incorporate the position of the Florida Building Commission on Declaratory Statement DS2016-081.**
5. **The provisions contained in the proposed amendment are addressed in the applicable International Code. The provisions for zero lot line subdivision are not addressed in the IRC. This change will incorporate the position of the Florida Building Commission on Declaratory Statement DS2016-081.**
6. **The amendment demonstrates by evidence or data that the geographical jurisdiction of Florida exhibits a need to strengthen the foundation code beyond the needs or regional variations addressed by the foundation code, and why the proposed amendment applies to this state. The change will clarify the intent of the section and eliminate confusion in the design and permitting processes. This change will incorporate the position of the Florida Building Commission on Declaratory Statement DS2016-081. The base code does not address the construction of zero lot line subdivisions.**
7. **The proposed amendment was submitted or attempted to be included in the foundation codes to avoid resubmission to the Florida Building Code amendment process. The proponent has not submitted the change to the foundation code process. It is unknown if other parties have done so.**

**TAC Recommendation:** Mr. Schiffer entered a motion to approve the comment. Mr. Apfelbeck seconded the motion. The motion passed unanimously with a vote of 6 to 0.

**Commission Action:** Commissioner Bahadori entered a motion to approve TAC recommendation. Commissioner Smith seconded the motion. The motion passed unanimously with a vote of 23 to 0 with 1 Commissioner out of the room at time of vote.

F – Comment #3

**Proposed Modification to the Florida Building Code**

**Modification #: Section 553.73, Fla Stat**

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**Code: FBC-R – Florida Supplement to the 2015 IRC – ICC EDIT VERSION**

**NOTE: PROPOSED CHANGES SHOWN IN RED TEXT. Other changes are as shown in the Florida Supplement.**

**Section #: R302.1**

**Text of Modification [additions underlined; deletions ~~stricken~~]:**

**R302.1 Exterior walls. Construction, projections, openings and penetrations of *exterior walls* of *dwellings* and accessory buildings shall comply with Table R302.1~~(1); or~~ *~~dwellings~~* ~~equipped throughout with an~~ *~~automatic sprinkler system~~* ~~installed in accordance with Section P2904 shall comply with Table R302.1(2)~~.**

**Exceptions:**

1. **Walls, projections, openings or penetrations in walls perpendicular to the line used to determine the *fire separation distance*.**
2. **Walls of *dwellings* and *accessory structures* located on the same *lot*.**
3. **Detached tool sheds and storage sheds, playhouses and similar structures exempted from permits are not required to provide wall protection based on location on the *lot*. Projections beyond the *exterior wall* shall not extend over the *lot line*. Detached garages accessory to a *dwelling* located within 2 feet (610 mm) of a *lot line* are permitted to have roof eave projections not exceeding 4 inches (102 mm).**
4. **Foundation vents installed in compliance with this code are permitted.**
5. **Screen enclosure walls of insect screening with a maximum of 25-percent solid flexible finishes.**
6. **For zero lot line developments where permitted by local regulations ~~O~~ openings and roof overhang projections shall be permitted on the exterior wall of a building located on a zero lot line when the building exterior wall is separated from an adjacent building exterior wall by a distance of 6 feet or more, and the roof overhang projection is separated from an adjacent building projection by a distance of 4 feet or more, with 1-hour fire resistive construction on the underside of the overhang required, unless the separation between projections is 6 feet or more.**

**Fiscal Impact Statement [Provide documentation of the costs and benefits of the proposed modifications to the code for each of the following entities. Cost data should be accompanied by a list of assumptions and supporting documentation. Explain expected benefits.]:**

**A. Impact to local entity relative to enforcement of code: No impact on enforcement of code.**

**B. Impact to building and property owners relative to cost of compliance with code: No fiscal impact, intended as clarification to limit application to zero lot line developments.**

**C. Impact to industry relative to cost of compliance with code: No direct fiscal impact. May reduce costs associated with delays in permitting process.**

**D. Impact to small business: No fiscal impact to small business.**

**Rationale [Provide an explanation of why you would like this Proposed Modification to the Florida Building Code.]: The proposal is intended to clarify that the measurement of fire separation distance between buildings as opposed to from property lines is applicable to zero lot line development only. This intent is consistent with the original intent of the section when added to the FBC-R, 2007 Edition (2009 Supplement). This change will incorporate the position of the Florida Building Commission on Declaratory Statement DS2016-081.**

**Please explain how the proposed modification meets the following requirements:**

1. **Has a reasonable and substantial connection with the health, safety, and welfare of the general public: The change will clarify the intent of the section and eliminate confusion in the design and permitting processes. This change will incorporate the position of the Florida Building Commission on Declaratory Statement DS2016-081.**
2. **Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction: The change will clarify the intent of the section and eliminate confusion in the design and permitting processes. This change will incorporate the position of the Florida Building Commission on Declaratory Statement DS2016-081.**
3. **Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities: The change does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities.**
4. **Does not degrade the effectiveness of the code: The proposed change does not degrade the effectiveness of the code. The change will clarify the intent of the section and eliminate confusion in the design and permitting processes. This change will incorporate the position of the Florida Building Commission on Declaratory Statement DS2016-081.**
5. **The provisions contained in the proposed amendment are addressed in the applicable International Code. The provisions for zero lot line subdivision are not addressed in the IRC. This change will incorporate the position of the Florida Building Commission on Declaratory Statement DS2016-081.**
6. **The amendment demonstrates by evidence or data that the geographical jurisdiction of Florida exhibits a need to strengthen the foundation code beyond the needs or regional variations addressed by the foundation code, and why the proposed amendment applies to this state. The change will clarify the intent of the section and eliminate confusion in the design and permitting processes. This change will incorporate the position of the Florida Building Commission on Declaratory Statement DS2016-081. The base code does not address the construction of zero lot line subdivisions.**
7. **The proposed amendment was submitted or attempted to be included in the foundation codes to avoid resubmission to the Florida Building Code amendment process. The proponent has not submitted the change to the foundation code process. It is unknown if other parties have done so.**

**TAC Recommendation:** Mr. Apfelbeck entered a motion to approve the comment. Mr. Schiffer seconded the motion. The motion passed unanimously with a vote of 6 to 0.

**Commission Action:** Commissioner Bahadori entered a motion to approve TAC recommendation. Commissioner Smith seconded the motion. The motion passed unanimously with a vote of 23 to 0 with 1 Commissioner out of the room at time of vote.

F – Comment #4

**Proposed Modification to the Florida Building Code**

**Modification #: 6856 Section 553.73, Fla Stat**

**Name: Joseph D, Belcher for the Florida Home Builders Association**

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**Code: FBC-B – Florida Supplement to the 2015 IBC – ICC EDIT VERSION**

**NOTE: PROPOSED CHANGES SHOWN IN RED TEXT. Other changes are as shown in the Florida Supplement.**

**Section #: 202**

**Text of Modification [additions underlined; deletions ~~stricken~~]:**

**202 TOWNHOUSE. A single-family *dwelling unit* not exceeding three stories in height constructed in a group of ~~three~~ two or more attached units with property lines separating such units in which each unit extends from foundation to roof and with a *yard* or public way on not less than two sides.**

**Fiscal Impact Statement [Provide documentation of the costs and benefits of the proposed modifications to the code for each of the following entities. Cost data should be accompanied by a list of assumptions and supporting documentation. Explain expected benefits.]:**

**A. Impact to local entity relative to enforcement of code: None. Proposed language is to make the code language consistent with Florida Statute [Ch.781.203(7)].**

**B. Impact to building and property owners relative to cost of compliance with code: None. Proposed language is to make the code language consistent with Florida Statute [Ch.781.203(7)].**

**C. Impact to industry relative to cost of compliance with code: None. Proposed language is to make the code language consistent with Florida Statute [Ch.781.203(7)].**

**D. Impact to small business: None. Proposed language is to make the code language consistent with Florida Statute [Ch.781.203(7)].**

**Rationale [Provide an explanation of why you would like this Proposed Modification to the Florida Building Code.]: The proponent submitted Mods 6856 modifying the definition for the term Townhouse in the Florida Building Code-Building, 6th Edition. The Mod was recommended for approval by the Fire TAC and was approved by the Florida Building Commission. Part of the rationale was to bring the definition in line with that contained in Florida Statute. Regrettably, in drafting the change, I did not change the three units to two units which creates a divergence between the two documents. The change will bring the code definition in line with the definition contained in Florida Statute.**

**Please explain how the proposed modification meets the following requirements:**

1. **Has a reasonable and substantial connection with the health, safety, and welfare of the general public: Yes, the proposed change will make the definition consistent with that of Florida Statute.**
2. **Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction: Yes, the proposed change will make the definition consistent with that of Florida Statute.**
3. **Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities: No. The proposed change will make the definition consistent with that of Florida Statute.**
4. **Does not degrade the effectiveness of the code: Does not degrade the effectiveness of the code. The proposed change will make the definition consistent with that of Florida Statute.**
5. **The provisions contained in the proposed amendment are addressed in the applicable International Code. No**
6. **The amendment demonstrates by evidence or data that the geographical jurisdiction of Florida exhibits a need to strengthen the foundation code beyond the needs or regional variations addressed by the foundation code, and why the proposed amendment applies to this state. Yes, the proposed change will make the definition consistent with that of Florida Statute.**
7. **The proposed amendment was submitted or attempted to be included in the foundation codes to avoid resubmission to the Florida Building Code amendment process. No.**

Ch. 481.203, F.S. (7) ““Townhouse” is a single‐family dwelling unit not exceeding three stories in height which is constructed in a series or group of attached units with property lines separating such units. Each townhouse shall be considered a separate building and shall be separated from adjoining townhouses by the use of separate exterior walls meeting the requirements for zero clearance from property lines as required by the type of construction and fire protection requirements; or shall be separated by a party wall; or may be separated by a single wall meeting the following requirements:

(a) Such wall shall provide not less than 2 hours of fire resistance. Plumbing, piping, ducts, or electrical or other building services shall not be installed within or through the 2‐hour wall unless such materials and methods of penetration have been tested in accordance with the Standard Building Code.

(b) Such wall shall extend from the foundation to the underside of the roof sheathing, and the underside of the roof shall have at least 1 hour of fire resistance for a width not less than 4 feet on each side of the wall.

(c) Each dwelling unit sharing such wall shall be designed and constructed to maintain its structural integrity independent of the unit on the opposite side of the wall.”

**TAC Recommendation:** Mr. Schiffer entered a motion to approve the comment. Mr. Apfelbeck seconded the motion. The motion passed unanimously with a vote of 6 to 0.

**Commission Action:**

Commissioner Bahadori entered a motion to approve TAC recommendation. Commissioner Smith seconded the motion. The motion passed unanimously with a vote of 24 to 0.

F – Comment #5

**Proposed Modification to the Florida Building Code**

**Modification #: 6856 Section 553.73, Fla Stat**

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**Code: FBC-R – Florida Supplement to the 2015 IRC – ICC EDIT VERSION**

**NOTE: PROPOSED CHANGES SHOWN IN RED TEXT. Other changes are as shown in the Florida Supplement.**

**Section #: R202**

**Text of Modification [additions underlined; deletions ~~stricken~~]:**

**R202 TOWNHOUSE. A single-family *dwelling unit* not exceeding three stories in height constructed in a group of ~~three~~ two or more attached units with property lines separating such units in which each unit extends from foundation to roof and with a *yard* or public way on not less than two sides.**

**Fiscal Impact Statement [Provide documentation of the costs and benefits of the proposed modifications to the code for each of the following entities. Cost data should be accompanied by a list of assumptions and supporting documentation. Explain expected benefits.]:**

**A. Impact to local entity relative to enforcement of code: None. Proposed language is to make the code language consistent with Florida Statute [Ch.781.203(7)].**

**B. Impact to building and property owners relative to cost of compliance with code: None. Proposed language is to make the code language consistent with Florida Statute [Ch.781.203(7)].**

**C. Impact to industry relative to cost of compliance with code: None. Proposed language is to make the code language consistent with Florida Statute [Ch.781.203(7)].**

**D. Impact to small business: None. Proposed language is to make the code language consistent with Florida Statute [Ch.781.203(7)].**

**Rationale [Provide an explanation of why you would like this Proposed Modification to the Florida Building Code.]: The proponent submitted Mods 7028 modifying the definition for the term Townhouse in the Florida Building Code-Residential, 6th Edition. The Mod was recommended for approval by the Fire TAC and was approved by the Florida Building Commission. Part of the rationale was to bring the definition in line with that contained in Florida Statute. Regrettably, in drafting the change, I did not change the three units to two units which creates a divergence between the two documents. The change will bring the code definition in line with the definition contained in Florida Statute.**

**Please explain how the proposed modification meets the following requirements:**

1. **Has a reasonable and substantial connection with the health, safety, and welfare of the general public: Yes, the proposed change will make the definition consistent with that of Florida Statute.**
2. **Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction: Yes, the proposed change will make the definition consistent with that of Florida Statute.**
3. **Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities: No. The proposed change will make the definition consistent with that of Florida Statute.**
4. **Does not degrade the effectiveness of the code: Does not degrade the effectiveness of the code. The proposed change will make the definition consistent with that of Florida Statute.**
5. **The provisions contained in the proposed amendment are addressed in the applicable International Code. No**
6. **The amendment demonstrates by evidence or data that the geographical jurisdiction of Florida exhibits a need to strengthen the foundation code beyond the needs or regional variations addressed by the foundation code, and why the proposed amendment applies to this state. Yes, the proposed change will make the definition consistent with that of Florida Statute.**
7. **The proposed amendment was submitted or attempted to be included in the foundation codes to avoid resubmission to the Florida Building Code amendment process. No.**

Ch. 481.203, F.S. (7) ““Townhouse” is a single‐family dwelling unit not exceeding three stories in height which is constructed in a series or group of attached units with property lines separating such units. Each townhouse shall be considered a separate building and shall be separated from adjoining townhouses by the use of separate exterior walls meeting the requirements for zero clearance from property lines as required by the type of construction and fire protection requirements; or shall be separated by a party wall; or may be separated by a single wall meeting the following requirements:

(a) Such wall shall provide not less than 2 hours of fire resistance. Plumbing, piping, ducts, or electrical or other building services shall not be installed within or through the 2‐hour wall unless such materials and methods of penetration have been tested in accordance with the Standard Building Code.

(b) Such wall shall extend from the foundation to the underside of the roof sheathing, and the underside of the roof shall have at least 1 hour of fire resistance for a width not less than 4 feet on each side of the wall.

(c) Each dwelling unit sharing such wall shall be designed and constructed to maintain its structural integrity independent of the unit on the opposite side of the wall.

**TAC Recommendation:** Mr. Apfelbeck entered a motion to approve the comment. Mr. Schiffer seconded the motion. The motion passed unanimously with a vote of 6 to 0.

**Commission Action:** Commissioner Bahadori entered a motion to approve TAC recommendation. Commissioner Smith seconded the motion. The motion passed unanimously with a vote of 23 to 0 with 1 Commissioner out of the room at time of vote.