

WASHINGTON STATE BUILDING CODE COUNCIL
APPLICATION FOR REVIEW OF A PROPOSED STATEWIDE AMENDMENT
TO THE WASHINGTON STATE BUILDING CODE
2012 Code Adoption Cycle

Log # _____
(office use only)

PLEASE FOLLOW INSTRUCTIONS ON PAGE FIVE

1. State Building Code to be Amended:

- | | |
|--|---|
| <input type="checkbox"/> International Building Code | <input type="checkbox"/> State Energy Code |
| <input checked="" type="checkbox"/> International Residential Code | <input type="checkbox"/> International Mechanical Code |
| <input type="checkbox"/> ICC ANSI A117.1 Accessibility Code | <input type="checkbox"/> International Fuel Gas Code |
| <input type="checkbox"/> International Fire Code | <input type="checkbox"/> NFPA 54 National Fuel Gas Code |
| <input type="checkbox"/> Uniform Plumbing Code | <input type="checkbox"/> NFPA 58 Liquefied Petroleum Gas Code |

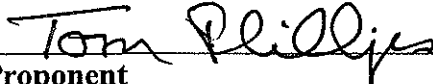
Section R202

Page 11 and 15

2. Applicant Name (Specific local government, organization or individual):

City of Kirkland

3. Signed:

 _____ Proponent	Building Official Title	2/28/2012 Date
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4. Designated Contact Person:

Tom Phillips Name	Building Official Title
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Address: 123 5th Ave
Kirkland, WA 98296

Office Phone: (425) 5867-3604 Cell: (206) 786-4802 Fax: () _____

E-Mail address: tphillips@kirklandwa.gov

5. Proposed Code Amendment. Use 'legislative format' including both old and new language. See instructions on page five for specific details. Please use a separate sheet for each separate proposal.

Code IRC

Section R202

Page 11

Amend section R202 with the addition of a new definition to read as follows:

Accessory Dwelling Unit. A secondary dwelling unit added to, created within, or detached from a dwelling unit that provides basic requirements for living, sleeping, eating, cooking and sanitation.

Are additional pages attached?

Yes

No

Please note number of additional pages: 1

6. **Proposed Code Amendment.** Use 'legislative format' including both old and new language. See instructions on page five for specific details. Please use a separate sheet for each separate proposal.

Code IRC

Section R202

Page 15

Amend section R202, 'Dwelling Definition' as amended by the State Building Code to read as follows:

DWELLING UNIT. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. Dwelling units may also include the following uses:

1. Adult family homes, foster family care homes and family day care homes licensed by the Washington state department of social and health services.
2. Offices, mercantile, food preparation for off-site consumption, personal care salons or similar uses which are conducted primarily by the occupants of the dwelling unit and are secondary to the use of the unit for dwelling purposes, and which do not exceed 500 square feet (46.4 m²).
3. Owner-occupied dwellings with 5 or fewer guest rooms.
4. One accessory dwelling unit, which need not be considered a separated dwelling unit, provided:
 - a. The accessory dwelling unit is constructed within an existing dwelling unit.
 - b. Either the accessory dwelling unit or primary dwelling unit is owner-occupied.
 - c. All required smoke alarms in the accessory dwelling unit and the primary dwelling unit are interconnected in such a manner that the actuation of one alarm will activate all alarms in both the primary dwelling unit and the accessory dwelling unit.

Supporting Data for Statewide Amendment Proposals. This information is required for all statewide amendment proposals. **Attach supporting documentation, as necessary; incomplete proposals will not be accepted.**

The SBCC requires supporting data on any amendment proposal to show:

1. That it meets basic criteria – See Part I to specify how this proposal meets the criteria for code amendment.
2. The intended effect—See Part II to describe the purpose of the proposed amendment, including the benefits and the problems addressed.
3. The potential impacts or benefits to business—See Part III/Types of Construction, to explain how methods in construction businesses, industries and services would be affected.
4. The potential impact on enforcement procedures, See Part III/Types of Services Required, to provide some analysis of the impacts on code enforcement in local jurisdictions.
5. Economic costs and benefits – Use the Table in Part IV of this form to estimate the costs and benefits of the proposal on construction practices, users and/or the public, the enforcement community, and operation and maintenance.

Part I ❖ Background information on amendment.

Code References: None Title: _____
Related codes: No (Does this amendment change other related codes?)
Proponent: Tom Phillips Phone: 425-587-3604 Date: 2/16/2012

NOTE: State-wide and emergency state-wide amendments to the state building code must be based on one of the following criteria; please indicate the pertinent rationale for the proposed amendment by selecting from the list below:

- (1) The amendment is needed to address a critical life/safety need.
- (2) The amendment is needed to address a specific state policy or statute.
- (3) The amendment is needed for consistency with state or federal regulations.
- (4) The amendment is needed to address a unique character of the state.
- (5) The amendment corrects errors and omissions.

Part II ❖ Amendment Benefit:

PROBLEM(S) ADDRESSED (Describe the intended effect of the proposed code amendment):

This amendment will eliminate the difficulty of creating a one hour fire separation between an Accessory Dwelling Unit (ADU) and the primary unit in an existing dwelling. This also eliminated the requirement to separate HVAC systems in existing dwellings. Life/safety concerns will be mitigated through the requirement for interconnected smoke alarms and the requirement for one of the units to be owner occupied.

PRIMARY REASON FOR AMENDMENT: (Describe how the amendment meets one of the criteria listed above)

ADUs have been used by many jurisdictions for the past 15 years to meet GMA goals of affordable housing in existing neighborhoods. A typical example of an ADU would be to convert the basement of an existing single family home to a separate dwelling unit that can be rented to a tenant. The high cost of separating the units by a one hour fire wall and separating the HVAC systems prevents some ADUs from being built.

TYPE OF BENEFITS PROJECTED:

ADUs constructed within existing dwellings may be more affordable.

Part III ❖ Amendment Impacts or Benefits:

TYPES OF CONSTRUCTION: New Construction Alteration/Tenant Improvement/Repair
 Residential-Single Family Residential-Multi Family Commercial Industrial

List businesses/industries affected by amendment:

Manufacturers: _____
 Specific Construction Contractors & Trades: _____
 Construction Supply Industry: _____
 Specialty Trades: _____
 Types of Buildings: _____
 Fire Protection Industry: _____

TYPES OF SERVICES REQUIRED:

Reporting. Brief Description _____

Record Keeping. Brief Description _____

Other. Brief Description _____

Indirect Cost to Industry. Indicate whether there are multiple sources to obtain the equipment, material or service required by this proposal. If not, provide a justification of the benefit versus small business impact.

Part IV ❖ Amendment Costs and Benefits

Building Type	Construction ¹			Enforcement ²			Operations & Maintenance ³		
	Costs	% impact ⁴	Benefits ⁵	Costs	% impact	Benefits	Costs	% impact	Benefits
Residential	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Single family	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Multi-family	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Commercial/Retail	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Industrial	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Institutional	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

¹ \$ / square foot of floor area or other cost. Attach data. Construction costs are costs prior to occupancy, and include both design and direct construction costs that impact the total cost of the construction to the owner/consumer.

² Cost per project plan. Attach data. Enforcement costs include governmental review of plans, field inspection, and mediated litigation required for enforcement.

³ Cost to building owner/tenants over the life of the project.

⁴ Cost differential over a specific size project or range of projects as determined by the proponent. Provide sufficient cost and benefit detail to clarify the impact to the Council. All data should be created and referenced to third party reputable sources for verification.

⁵ Note sectors with measurable benefit from Part II, including benefits to a) the user, b) the public, c) the industry, and/or d) the economy; use e) for all of the above.