

Congregate living facilities (transient) with 10 or fewer occupants

- ❖ **Group R-3** facilities include all detached one- and two-family dwellings and multiple (three or more) single-family dwellings (townhouses) more than three stories in height. Those buildings three or less stories in height are not classified as Group R-3 and are regulated by the IRC. Each pair of dwelling units in multiple single-family dwellings greater than three stories in height must be separated by fire walls (see Section 706) or by two exterior walls (see Table 602) in order to be classified as Group R-3. (Duplexes, buildings with two dwelling units, must be detached from other structures in order to be regulated by the IRC.) A duplex attached to another duplex would be required to comply with the code and be classified as Group R-2 or R-3, depending on the presence of fire walls.

Buildings that are classified as Group R-3, while limited in height, are not limited in the allowable area as indicated in Table 503.

Buildings that are one- and two-family dwellings and multiple single-family dwellings less than three stories in height and that contain another occupancy (e.g., Groups B, M, I-4) must be regulated as a mixed occupancy in accordance with this code and are not permitted to be regulated by the provisions of the IRC [see Figures 310.5(1) and 310.5(2)]. Some mixed use dwelling units may qualify as live/work units under Section 419 and be classified as a Group R-2 occupancy.

In addition, all congregate living facilities with no more than 16 nontransient occupants or no more than 10 transient occupants, are to be classified as

Group R-3.

R-3 occupancies include small care facilities where care is provided to 5 or fewer persons. The intent is to allow persons to be cared for in a residential, or home, environment, often under the care of family members that is typical within a single-family-type home. Allowances for the Group R-3 classification of smaller care facilities are established in Sections 305.2.3 (Group E), 308.3.1 (Group I-1), 308.4.1 (Group I-2) and 308.6.4 (Group I-4). Because the intent is to accommodate persons who might otherwise be in other group occupancies including I-2, the R-3 care facility is not limited to just persons who are capable of self-preservation. The only limit is the number receiving care, not the total number of occupants in the dwelling unit. If two people are receiving care, and the rest of the family is four people, the total of six occupants of the dwelling does not move this out of being an R-3. See also Section 310.5.1.

310.5.1 Care facilities within a dwelling. 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 with Section P2904 of the *International Residential Code*.

- ❖ Section 310.5 already states that care facilities that accommodate five or fewer persons receiving care can be classified as a Group R-3 occupancy. Sections 305.2.3 (Group E), 308.3.1 (Group I-1), 308.4.1 (Group I-2) and 308.6.4 (Group I-4) each state the option of providing the care of five or fewer persons within a structure regulated under the IRC. The intent is to allow persons to be cared for in a residential, or

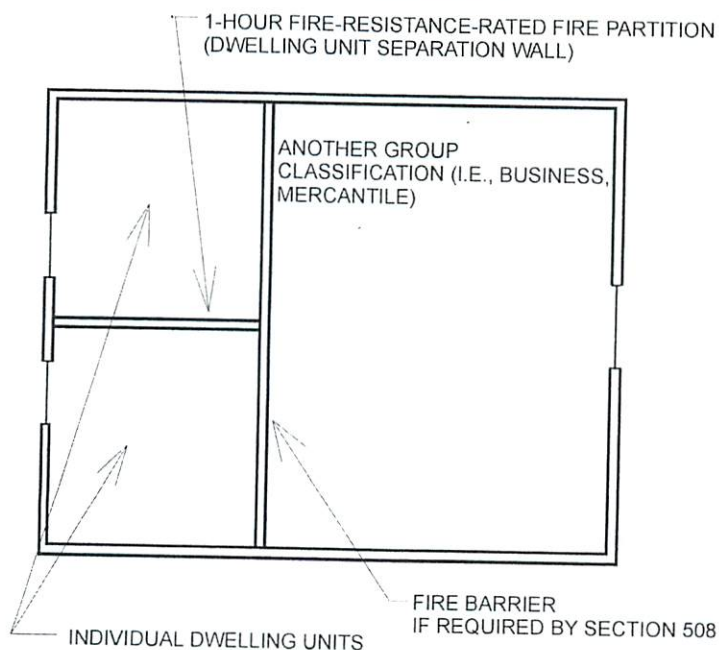


Figure 310.5(1)
GROUP R-3—MIXED OCCUPANCY BUILDING