

**BUILDING CODE ACTION COMMITTEE
IBC GENERAL COMMITTEE
2024 PLANNING**

Monograph ccp #	Related Change	CAH Results	Topic	Public Comment Submitted	Result	Notes
G130 PART 1		AS	IBC - Efficiency dwelling units		AS	
G130 PART 2		D	IPMC - Efficiency dwelling units	BCAC AMPC	D	

G130-18 Part I

IBC®: 1207.4

Proponents: Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org)

THIS IS A 2 PART CODE CHANGE PROPOSAL. PART I WILL BE HEARD BY THE GENERAL CODE DEVELOPMENT COMMITTEE. PART II WILL BE HEARD BY THE PROPERTY MAINTENANCE CODE COMMITTEE. SEE THE TENTATIVE HEARING ORDERS FOR THESE COMMITTEES.

2018 International Building Code

Revise as follows:

1207.4 Efficiency dwelling units. An efficiency ~~living-dwelling~~ unit shall conform to the requirements of the code except as modified herein:

- 1.The unit shall have a living room of not less than ~~220-190~~ square feet (~~20.4-17.6~~ m²) of floor area. An additional ~~100-70~~ square feet (~~9.3-6.5~~ m²) of floor area shall be provided for each occupant of such unit in excess of two.
- 2.The unit shall be provided with a separate closet.
- 3.~~The~~ For other than Accessible, Type A and Type B dwelling units, the unit shall be provided with a kitchen sink, cooking appliance and ~~refrigeration facilities~~, refrigerator, each having a clear working space of not less than 30 inches (762 mm) in front. Light and *ventilation* conforming to this code shall be provided.
- 4.The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.

Reason: The market is trending toward smaller living areas in multi-family R-2 structures particularly in urban areas. US Census statistics show that in 2000, app. 46,000 rental units built were less than 1,000 sq.ft. In 2015, 114,000 units and in 2016, 99,000 units were less than 1,000 sq.ft. The Urban Land Institute reported in 2013 that major Municipalities including New York City, San Francisco, Boston, Dallas and Philadelphia are allowing smaller apartments with Seattle and Portland (OR) having no minimum sizes. The proposed reduction allows for a modest decrease (13.6%) in the required living room area and (30%) in the floor area for each occupant of such unit in excess of two. Code Professionals are receiving proposals for dwelling units in R2 structures that are nonconforming with the minimum standards in the IBC. The Room Area standard for dwelling units in BOCA and SBBC as well as the 2000 edition of IBC required that one room must have a minimum floor area of 150 sq.ft. This was reduced to 120 sq.ft in the 2003 IBC and remains today. The minimum living room area for efficiency units in the 2000 IBC is the same as the 2018 IBC. No reduction has been proposed even though the overall dwelling unit room area standard has been reduced. The proposal complies with the current language in IBC Section 1207.3. which requires that habitable rooms be at least 120 sq.ft.

IBC 1207.4: The change from "living unit" to "dwelling unit" is to use a defined term to describe these efficiency apartments. The change in Item 3 corrects potential existing conflicts with Chapter 10 of ICC A117.1. which requiring a clear working space of 40 inches in front of the kitchen sink, cooking appliance and refrigerator for Accessible, Type A or B units. The change from "refrigeration facilities" to "refrigerator" is to use a more clearly understood term, and eliminate someone believing that another type of fixture, such as a beer cooler, would be sufficient.

IPC 404.6: The changes to the IPC are for coordination with the revisions to the IBC for efficiency apartments.

This proposal is submitted by the ICC Building Code Action Committee (BCAC). BCAC was established by the ICC Board of Directors in July 2011 to pursue opportunities to improve and enhance assigned International Codes or portions thereof. In 2017 the BCAC has held 3 open meetings. In addition, there were numerous Working Group meetings and conference calls for the current code development cycle, which included members of the committee as well as any interested party to discuss and debate the proposed changes. Related documentation and reports are posted on the BCAC website at: <https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-code-action-committee-bcac>.

Cost Impact: The code change proposal will decrease the cost of construction

This proposal could decrease the cost of construction where efficiency apartments are built to the lower minimum sizes required by the text that is proposed.

IBC - General

2018 Group A - Report of the Committee Action Hearing Results

G130-18 Part I

THIS IS A 2 PART CODE CHANGE PROPOSAL. PART I WAS HEARD BY THE IBC GENERAL CODE DEVELOPMENT COMMITTEE. PART II WAS HEARD BY THE PROPERTY MAINTENANCE CODE COMMITTEE.

Committee Action:

As Submitted

Committee Reason: This proposal addresses the increasing real need for smaller dwelling units. This proposed language is useable and enforceable. (Vote: 8-6)

Assembly Motion:

None

Online Vote Results:

Failed - Support 0% (0) Oppose 0% (0)

G130-18 Part I

G130-18 Part II

G130-18 Part II

Proposed Change as Submitted

Proponents: Ed Kulik, representing ICC Building Code Action Committee (bcac@iccsafe.org)

2018 International Property Maintenance Code

Revise as follows:

404.6 Efficiency unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

- 1.A unit occupied by not more than one occupant shall have a minimum clear floor area of 120 square feet (11.2 m²). A unit occupied by not more than two *occupants* shall have a minimum clear floor area of ~~220-190~~ square feet (~~20.4-17.6~~ m²). A unit occupied by three *occupants* shall have a minimum clear floor area of ~~320-260~~ square feet (~~29.7-24.1~~ m²). These required areas shall be exclusive of the areas required by Items 2 and 3.
- 2.The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a minimum clear working space of ~~30-40~~ inches (~~762-990~~ mm) in front. Light and *ventilation* conforming to this code shall be provided.

Exception: Dwelling units not required to be Accessible units, Type A units and Type B units shall have a clear working space of not less than 30 inches (762 mm) in front of the kitchen sink, cooking appliance and refrigerator.

- 3.The unit shall be provided with a separate *bathroom* containing a water closet, lavatory and bathtub or shower.
- 4.The maximum number of *occupants* shall be three.

Reason: The market is trending toward smaller living areas in multi-family R-2 structures particularly in urban areas. US Census statistics show that in 2000, app. 46,000 rental units built were less than 1,000 sq.ft. In 2015, 114,000 units and in 2016, 99,000 units were less than 1,000 sq.ft. The Urban Land Institute reported in 2013 that major Municipalities including New York City, San Francisco, Boston, Dallas and Philadelphia are allowing smaller apartments with Seattle and Portland (OR) having no minimum sizes. The proposed reduction allows for a modest decrease (13.6%) in the required living room area and (30%) in the floor area for each occupant of such unit in excess of two. Code Professionals are receiving proposals for dwelling units in R2 structures that are nonconforming with the minimum standards in the IBC. The Room Area standard for dwelling units in BOCA and SBBC as well as the 2000 edition of IBC required that one room must have a minimum floor area of 150 sq.ft. This was reduced to 120 sq.ft in the 2003 IBC and remains today. The minimum living room area for efficiency units in the 2000 IBC is the same as the 2018 IBC. No reduction has been proposed even though the overall dwelling unit room area standard has been reduced. The proposal complies with the current language in IBC Section 1207.3. which requires that habitable rooms be at least 120 sq.ft.

IBC 1207.4: The change from "living unit" to "dwelling unit" is to use a defined term to describe these efficiency apartments. The change in Item 3 corrects potential existing conflicts with Chapter 10 of ICC A117.1. which requiring a clear working space of 40 inches in front of the kitchen sink, cooking appliance and refrigerator for Accessible, Type A or B units. The change from "refrigeration facilities" to "refrigerator" is to use a more clearly understood term, and eliminate someone believing that another type of fixture, such as a beer cooler, would be sufficient.

IPC 404.6: The changes to the IPC are for coordination with the revisions to the IBC for efficiency apartments.

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Cost Impact: The code change proposal will decrease the cost of construction. This proposal could decrease the cost of construction where efficiency apartments are built to the lower minimum sizes required by the text that is proposed.

Public Hearing Results

Committee Action:

Disapproved

Committee Reason: Referencing accessible units in the IPMC will cause confusion as most property maintenance inspectors can not be expected to identify accessible units and therefore may misapply the provisions. (Vote: 7-2)

Assembly Action:

None

Individual Consideration Agenda

Public Comment 1:

IPMC®: 404.6

Proponents: Ed Kullik, representing ICC Building Code Action Committee (bcac@iccsafe.org) requests As Modified by Public Comment

Modify as follows:

2018 International Property Maintenance Code

404.6 Efficiency unit. Nothing in this section shall prohibit an efficiency dwelling unit from meeting the following requirements:

1. A unit occupied by not more than one occupant shall have a minimum clear floor area of 120 square feet (11.2 m²). A unit occupied by not more than two *occupants* shall have a minimum clear floor area of 190 square feet (17.6 m²). A unit occupied by three *occupants* shall have a minimum clear floor area of 260 square feet (24.1 m²). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a minimum clear working space of ~~40-30 inches (990-762 mm)~~ in front. Light and *ventilation* conforming to this code shall be provided:
 - Exception:** Dwelling units not required to be Accessible units, Type A units and Type B units shall have a clear working space of not less than 30 inches (762 mm) in front of the kitchen sink, cooking appliance and refrigerator.
3. The unit shall be provided with a separate *bathroom* containing a water closet, lavatory and bathtub or shower.
4. The maximum number of *occupants* shall be three.

Commenter's Reason: This public comment restores the minimum clear working space in front of the kitchen facilities in an efficiency unit to 30 inches and deletes the exception that refers to Accessible units, Type A units and Type B units. The 40 inch clearance is required for a new building constructed in accordance with the IBC and the A117.1 standard, but is not necessarily required for an existing building. For an existing building, increasing the clear working space to 40 inches would only be required if the unit were altered or added to. Ordinary maintenance and repairs would not trigger a need to bring the clear working space into compliance.

The typical activity that would be required of a tenant or owner cited under the IPMC to bring the unit up to minimum health and safety standards is most likely the repair or replacement of a non-working appliance, or the repair or replacement of deteriorated floor, wall or ceiling finishes. The IPMC in turn requires such work (or any other work to correct conditions cited by the property maintenance inspector) to be in accordance with the IEBC. Unless the work was extensive enough to qualify as a Level 2 Alteration under the IEBC, an upgrade for accessibility would not be required. If such a level of work is needed, the IEBC would likely require the owner or their authorized agent (e.g. architect, contractor or other professional hired by the owner) to apply for a building permit and submit construction documents. Presumably, either the owner's authorized agent or the building official would catch the need to increase the clear working space.

The primary reason the IPMC committee voted to disapprove G130, Part II was over concerns the typical property maintenance inspector would not necessarily be familiar with ICC A117.1, ADA or the Fair Housing Act Design Guidelines,

and therefore not know what Accessible Units, Type A units and Type B units are. The BCAC agrees with the committee that it isn't necessary for the property maintenance inspector to know when the clearance needs to be increased, as that would be triggered by work done under the IEBC and reviewed by the building department, and has removed the language of concern. As there were no other objections to the proposal, the BCAC asks the Committee Action of Disapprove be overturned and this Public Comment be considered.

Cost Impact: The net effect of the public comment and code change proposal will not increase or decrease the cost of construction

The net effect of the public comment and code change proposal will not increase or decrease the cost of construction because the resulting change is simply to allow smaller areas for efficiency units.