



INFORMATION BULLETIN / PUBLIC - BUILDING CODE

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SECTION 311.2.2.1 GROUP S-3 WITH A-3, B, M, R-1 OR R-2 OCCUPANCY ABOVE

This bulletin supersedes the following:

Title of previous memo:	Date	Approved by
Accessory uses in B1 parking garages for apartments	Sept. 25, 1991	Robert Harder
Wood stair construction in Type I - B1 garage	Nov. 7, 1990	Richard Holguin

INTRODUCTION

The construction industry is using this code provision to maximize the number of stories for residential/commercial development without the penalty of sacrificing one story for the parking. By providing a horizontal occupancy separation between the parking levels below and the development above, the parking levels can be considered as a separate building for the purpose of area limitations, limitation of number of stories and type of construction. Since an area separation is strictly a wall without horizontal offsets by definition, this special code provision is the only exception that allows a horizontal occupancy separation to serve as an area separation.

HISTORY

The concept of separate buildings with a horizontal separation between the parking garage and the residential on the upper levels was expanded in the 1998 edition of UBC to permit entry lobbies to be located in the parking garage. Shortly after, office and retail occupancies were added to the list in the 1991 edition. Now, all assembly uses with an occupant load of less than 300 without a legitimate stage are also allowed.

OBJECTIVE:

The reasons for this bulletin are:

1. To clarify the four conditions that must be met in order to take advantage of this provision, including an often-forgotten requirement that the overall height of both buildings shall not exceed the height limits set forth in Table 5-B for the least type of construction (as shown in the attached diagram). Additionally, limiting the location of the separation to be no higher than the first story restricts the construction below the separation to one story or one story with basement.
2. To clarify that all A-3 occupancies are permitted to be located above the horizontal separation.

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3. To clarify that all A-3 occupancies are permitted to be located below the horizontal separation. However, extra safety measurements must be provided as per L.A. City amendment (see drawing #3).

Therefore, effective immediately, the aforementioned code section is clarified and shall be enforced as follows:

Other provisions of this code notwithstanding, a basement or first story of a building may be considered as a separate and distinct building for the purpose of area limitations, limitation of number of stories and type of construction, when all the following conditions are met:

1. The basement or first story is of Type I construction and is separated from the building above with a three-hour occupancy separation. See section 302.3
2. The building above the three-hour occupancy separation contains only Group A-3, Group B, Group M, Group R-1 or R-2 occupancies.
3. The building below the three-hour occupancy separation is a Group S-3 occupancy used exclusively for the parking and storage of private or pleasure-type motor vehicles.

Exceptions:

1. *Entry lobbies, mechanical rooms and similar uses incidental to the operation of the building.*
2. *Group A-3, Group B office, drinking and dining establishments, and Group M retail occupancies in addition to those uses incidental to the operation of the building (including storage areas), provided that:*
 - a. *The entire structure below the occupancy separation is protected throughout by an automatic sprinkler system.*
 - b. *Exits from areas above the occupancy separation shall be constructed and maintained independently from those required for the A-3 occupancies below.*
 - c. *Mechanical equipment necessary for the operation of the Group A-3 occupancy shall be designed and maintained without connecting to like systems servicing other portions of the building.*
3. The maximum building height in feet shall not exceed the limits set forth in Table 5-B for the least type of construction involved.

ZONING

The commercial uses such as retail and restaurant shall comply with the use regulations for the zone.

STAIR

A wood stair is permitted to extend into the Type I basement provided:

1. Stairways shall be the only combustibile construction to extend into the basement except for the items listed in Section 601.5.
2. Stairways must be protected with a 3-hour fire rated shaft from the basement area.

OPENINGS

Per section 302.3, all openings in the horizontal occupancy separation shall be protected by vertical shaft enclosures extending above and below such openings. Such enclosure shall be no less than two-hour fire-resistive construction and all opening therein shall be protected by a fire assembly having a 1 ½ hour fire-protection rating.

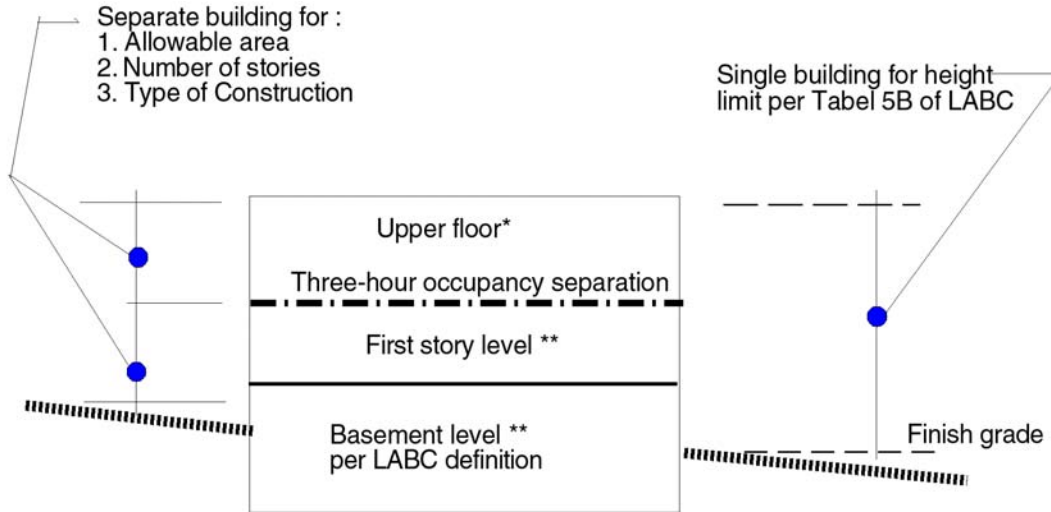
Additionally, an alternate method of protecting the openings is added in the latest code. When the structure above the horizontal separation is less than 4 stories and is not required to be a type I or II F.R. construction, the vertical enclosures may have one-hour fire protection rating above the horizontal separation provided that the portion below the horizontal separation is protected with a three-hour occupancy separation from the basement. (See drawing #2)

Here are some hints for plan checking:

1. *Can the basement level be higher than 12 ft. above grade?*
No, any basement more than 12 feet above grade at any point shall be considered as a story. Therefore, this level will be the first story and the horizontal separation shall be placed no higher than this level.
2. *Can this provision be used for an apartment with a child care (E3) facility to be located either above or below the three-hour occupancy separation?*
No, this provision does not allow "E" occupancies or any occupancies other than those listed under 91.0311.2.2.1.
3. *Can this provision be used for an auto dealership with car repair service (H4) to be located above or below the three-hour occupancy separation?*
No, this provision does not allow "H" occupancies.
4. *Do the basements need to be protected throughout by an automatic sprinkler system in order to use this provision?*
Basements outside of the Fire District 1 and 2 are not required to be sprinklered throughout provided that:
 - a. No other use is permitted except for the parking and storage of private or pleasure-type motor vehicles, entry lobbies, mechanical rooms or similar uses incidental to the operation of the building, and;
 - b. Basement complies with the opening requirements for exterior walls per Section 904.2.2.

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- c. The residential use above the occupancy separation is less than 16 units per Section 904.2.8. When the residential use above the occupancy separation is more than three stories, the entire building including the levels below the occupancy separation must be protected throughout by an automatic sprinkler system per Fire Department.
5. *Can living quarters be located on levels below the occupancy separation?*
No. However, there may be special cases under which such a condition could be allowed under an administrative approval. Please read "UBC Handbook."
6. *Is there any restriction as to which type of A3 is permitted above the horizontal separation?*
All types "A3" occupancies are permitted to be located above the horizontal separation.
7. *Is there any restriction as to which type of A3 is permitted below the horizontal separation?*
All types of "A3" occupancies are permitted to be located below the horizontal separation; in addition, extra safety measurements must be provided as per L.A. City amendment.
8. *Is there any limitation on percentage of floor area to be used other than parking?*
No. The 10% limitation of floor area to be used for non-parking as mentioned in previous memo is no longer enforceable since the UBC expands to allow other uses besides parking; however, in order to be described as a "S3" occupancy, the majority of the floor area to be used for parking shall be maintained.
9. *Is the occupancy separation required between different uses per table 5b?*
Yes
10. *Can occupants within the commercial uses exit through the parking area?*
No. Exits from the commercial uses must not pass through the parking area unless it is protected from the parking area with an occupancy separation.
11. *If the proposed project is not utilizing this provision, should we include the basement in the floor area calculation?*
Per section 504.5, a basement need not be included in the total allowable area, provided such basement does not exceed the area permitted for a one-story building. (UBC does not permit any story to exceed that permitted for a one-story building, a basement should also be limited to the same area).



* Upper floor : Uses are limited to A3 , B , M , R1 and R2 occupancies

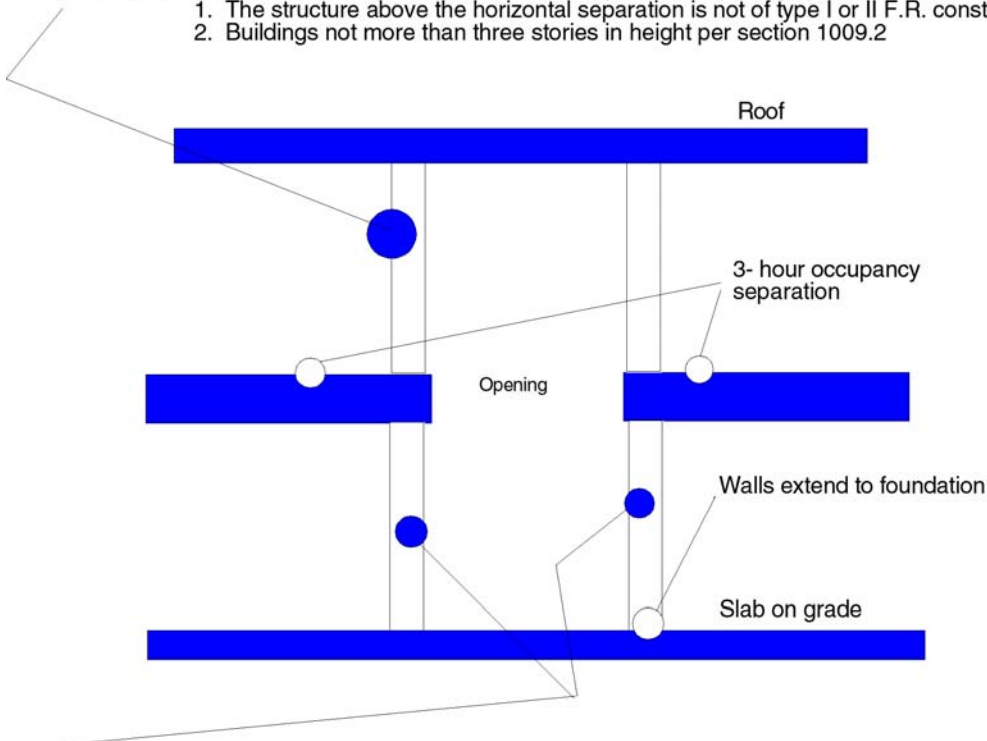
- ** First floor and Basement level : Type I construction exclusively used for
1. Parking, entry lobbies, mechanical rooms and similar uses incidental to the operation of building
 2. Retail, offices including conference room, drinking and dining establishments , all assembly uses with an occupant load of less than 300 occupants without a legitimate stage , or any combinations provided that the entire structure below the occupancy separation is protected by an automatic sprinkler system. (See additional conditions for the A3 occupancies)

Three-hour occupancy separation shall not be located higher than the first story level

Drawing #1 - Section 311.2.2.1 of LABC

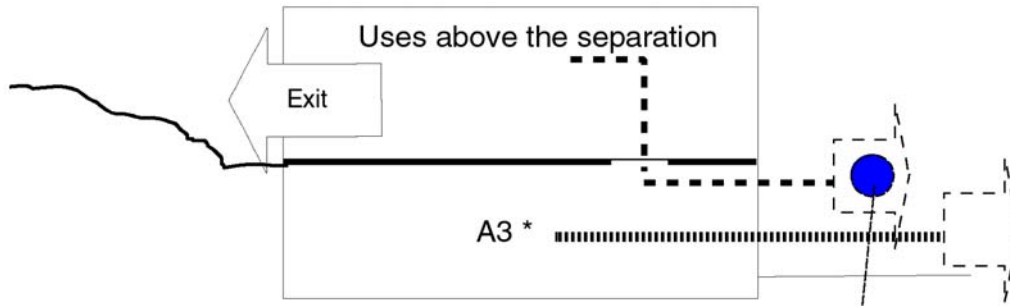
Drawing #2 - Occupancy separations

- Alternate 1: Two hour construction shaft with one and half hour protected openings
 Alternate 2: One hour construction shaft with one hour protected openings provided that :
1. The structure above the horizontal separation is not of type I or II F.R. construction
 2. Buildings not more than three stories in height per section 1009.2



- Alternate 1: Walls of two hour rated construction with one and half hour protected openings
 Alternate 2: Walls of three hour rated construction with three hour protected openings

Drawing #3



Exit shall be constructed and maintained independently from those required for the "A3" occupancies below the separation

* Sprinkler throughout