

WASHINGTON STATE BUILDING CODE COUNCIL
APPLICATION FOR REVIEW OF A PROPOSED LOCAL AMENDMENT
TO THE WASHINGTON STATE BUILDING CODE

1. State Building Code to be Amended.

International Building Code	International Residential Code
International Mechanical Code	International Fire Code
Uniform Plumbing Code	ICC ANSI A117.1 Accessibility Code
International Fuel Gas Code	NFPA 54 National Fuel Gas Code
NFPA 58 Liquefied Petroleum Gas Code	State Energy Code

Section _____

Page _____

2. Type of Local Amendment

Preproposal

Final Adoption

Reconsideration

3. Applicant:

4. Local Jurisdiction Adoption

Ordinance or Resolution No.

Date Adopted

5. Signed:

~~Chief Executive Officer~~

Title

Date

6. Contact Person:

Name

Title

Address: _____

Phone: (____) _____

Fax: (____) _____

E-mail: _____

7. Proposed Code Amendment (Underline all added words, strike through deleted words) Additional pages may be attached.

Code _____ **Section** _____ **Page** _____

Amend section to read as follows:

AV107.1 Fire sprinklers. An approved automatic fire sprinkler system shall be installed in new one-family and two-family dwellings and townhouses in accordance with Appendix U when any one of the following applies:

1. The residential dwelling is proposed to be used as a Hospitality Commercial Establishment - Transient Residence per the Unified Development Code Section 23.08.220 (c);
2. The residential dwelling exceeds 3,600 square feet of covered area and cannot meet fire flow requirements per NFPA 1142 and the County Fire District firefighting capabilities;
3. The residential dwelling is determined to be non-accessible for firefighting due to the access exceeding 10% grade and its remote location.

8. Background information on amendment.

Local government residential amendments submitted to the Council for approval should be based on:

- (1) Climatic conditions unique to the jurisdiction.
- (2) Geologic or seismic conditions unique to the jurisdiction.
- (3) Environmental impacts, such as noise, dust, etc., unique to the jurisdiction.
- (4) Life, health or safety conditions unique to the jurisdiction.
- (5) Other special conditions unique to the jurisdiction.

INSTRUCTIONS

1. Check the code or codes for which amendments are being proposed.
2. If only Council review and comment are requested, it is a pre-proposal amendment. If the amendment is being proposed for implementation statewide, it is a statewide amendment. If the amendment has been adopted by a local government for local implementation and enforcement, and only effects single and multifamily buildings as defined by RCW 19.27.015, it is a local government residential amendment. If the amendment has been rejected by the Council, it is for reconsideration.
3. Provide the name of the local government, organization, or individual proposing the code change.
4. Ordinance or resolution number and date official action was taken for local government residential amendment. Amendments affecting 1-4 unit residential buildings should be adopted contingent upon approval by the State Building Code Council.
5. When the application is for approval of a local amendment, it shall be signed by the Chief Executive Officer of a city or county, City Mayor, Chair of County Board of Commissioners, or County Executive.
6. Provide the name, address, and phone number of the contact person designated to work with the Council and staff to supply information on the proposed changes as needed.
7. The specific section for which an amendment is proposed should be listed. The **entire section** should be reproduced, including the proposed amendatory language.

All added words should be underlined, all deleted words should be struck through. Any separate new sections added should be inserted in the appropriate place in the code in order to continue the established numbering system of the code. If more than one section is proposed for amendment or more than one page is needed for reproducing the affected section of the code, additional pages may be attached.
8. Provide background information on the code amendment to include need or reason for the amendment, as well as any other information appropriate to assist the Council in a clear understanding of the issue.
9. Mail the completed application to:

State Building Code Council
Post Office Box 42525
Olympia, Washington 98504-2525
Phone: (360) 725-2966

NOTE: REPRODUCE THIS FORM AND ADD ADDITIONAL PAGES AS NEEDED.



GRANT COUNTY DEVELOPMENT SERVICES

P.O. Box 37 - 264 WEST DIVISION AVENUE
EPHRATA, WA 98823
(509) 754-2011 EXT 3001

June 12, 2023

WA State Building Code Council (SBCC)
Washington State Department of Enterprise Services
1500 Jefferson St. SE
Olympia, WA 98501

Regarding: Proposed Residential Code Amendment

Dear SBCC,

Grant County Washington would like to adopt an amended version of Appendix V as part of the 2021 State Code implementation. Appendix V Fire Sprinklers is not mandatory unless specifically referenced in the adopting ordinance. Grant County proposes to adopt Appendix V as part of its adopting ordinance, as amended below.

PROPOSED AMENDMENT TO APPENDIX AV:

AV107.1 Fire sprinklers. An approved automatic fire sprinkler system shall be installed in new one-family and two-family dwellings and townhouses in accordance with Appendix U when any one of the following applies:

1. The residential dwelling is proposed to be used as a Hospitality Commercial Establishment - Transient Residence per the Unified Development Code Section 23.08.220 (c);
2. The residential dwelling exceeds 3,600 square feet of covered area and cannot meet fire flow requirements per NFPA 1142 and the County Fire District firefighting capabilities;
3. The residential dwelling is determined to be non-accessible for firefighting due to the access exceeding 10% grade and its remote location.

WAC 51-04-030 (5) requires appendices not adopted by the council that effect single-family residential buildings to be submitted to the council for consideration as local amendments. The statute also requires that proposed local amendments be accompanied by findings and facts that would justify the proposed local amendment based on the criteria outlined in the statute.

FINDINGS AND FACTS:

WAC 51-04.030 (4) (d) Life, health, and safety conditions that are unique to Grant County.

Grant County is located in Eastern Washington, is 2,791 square miles with a population of approximately 100,000 people. Most of our single-family residential development is occurring in the rural, unincorporated areas of the county. There are 11 Fire Districts that cover the 2,791 square miles, of which the majority are volunteer fire companies and we permitted 190 single-family dwellings in 2022 and anticipate similar numbers in 2023. Many of these homes are substantial in size, exceeding 3,000 square feet with driveways that exceed 1,000 feet due to the size of the lots and their rural proximity. Grant County is also prone to wildfires due to its dry hot climate during the late spring to late fall season.

We conduct a fire flow analysis on all single-family dwellings that exceed 3,600 square feet to establish the required fire flow needed to protect the structure if it is involved in fire. We also evaluate the responding fire districts resource capabilities based on location and access. If a P2904 Fire Sprinkler System was installed, the required fire flow could be reduced by 50% and the need for costly water tanks could be mitigated. Grant County also has a lot of development along the Coulee Corridor where the dwellings are situated on top of the basalt cliffs and where the access is considered non-accessible due grades exceeding 10% for a substantial distance. This precludes fire district access for fire fighting purposes even if the fire district can transport water via tanker trucks.

These unique situations pose a substantial burden for our responding fire districts and fire personnel and an unknowing risk to our residents who may be under the impression that they are adequately protected. Grant County is therefore requesting to amend and adopt Appendix AV to require a P2904 Fire Sprinkler System for single-family residences that exceed 3,600 square feet and exceed the capabilities of the responding fire district. The sprinkler requirement would offset the required fire flow by 50%, saving the customer money on static water sources that are not readily accessible. The P2904 Fire Sprinkler System requirement would save lives and property when appropriate in these circumstances.

WAC 51-04-030 (4) (e) Other special conditions that are unique to Grant County.

Grant County is considered a tourist destination due to its unique beauty and amenities such as, the Coulee Corridor, Columbia River, Moses Lake, The Dunes, Fishing and Hunting, and much more. We anticipate approximately 600 residential dwellings that are being utilized as short-term rentals. The County's Unified Development Code classifies short-term rentals as Transient Commercial Hospitality Establishments (see code in Appendix A).

Hospitality Commercial Establishments are allowed within Rural Recreational Areas, otherwise known as LAMIRDS (Limited Areas of More Intense Rural Development). Many of these areas are located within the rural remote recreational areas of the county that are mentioned above. Due to the Land Use Code classifying these as commercial uses they are required to be

permitted under the WA State Building Code, which require fire sprinklers, ADA accessibility and other arduous requirements even though they are typically single-family dwelling units that are being used as short-term rentals. Grant County would like to allow these structures to be regulated by the Residential Code and simply require P2904 Fire Sprinkler Systems and the other requirements that are regulated by RCW 64.37. Currently, the WA State Residential Code requires Lodging Homes constructed under the IRC to contain a P2904 Fire Sprinkler System for Owner-occupied lodging homes with three to five guestrooms. The short-term rentals are not owner-occupied so they cannot be considered lodging homes and this conclusion is supported by the definitions within the RCW (see Appendix B).

Our customers could design and construct single-family residential dwellings using the IRC for a Transient Rental (short-term rental) if the county can amend and adopt Appendix AV.

It is for these reasons that Grant County is requesting the approval of the State Building Code Council to amend and adopt Appendix AV of the 2021 Residential Code and require P2904 Fire Sprinkler Systems as proposed when the 2021 Codes become effective (anticipated November 1, 2023).

Sincerely,



Christopher Young
Director and Building Official
Grant County Development Services
264 West Division Avenue
Ephrata, WA 98823
cyoung@grantcountywa.gov
509-237-9735 (3019)

APPENDIX A

23.08.220 Hospitality Commercial Establishments

(c) Transient Residence or Transient Guest House: The following standards apply to all short-term (less than 30 days) transient rentals of single-family residential units and guest houses or portions thereof:

- (1) No more than three (3) guests per bedroom shall be accommodated at any one time;
- (2) The transient residence or guest house shall be operated in a way that will prevent unreasonable disturbance to area residents;
- (3) At least one additional off-street parking space shall be provided for the transient use in addition to the parking required for the residence or guest house. All parking spaces shall meet the standards of GCC § 23.12.130;
- (4) If any food service is to be provided the requirements for a bed and breakfast residence shall be met;
- (5) No outdoor advertising signs are allowed;
- (6) Where there are both a principal residence and a guest house, the owner or lessee shall reside on the premises; and
- (7) Transient accommodations shall meet all local and state regulations, including those pertaining to business licenses and taxes.

APPENDIX B

(b) "Short-term rental" does not include any of the following:

- (i) A dwelling unit that is occupied by the owner for at least six months during the calendar year and in which fewer than three rooms are rented at any time;
- (ii) A dwelling unit, or portion thereof, that is used by the same person for thirty or more consecutive nights;