

STATE BUILDING CODE OPINION 24-June06

CODE: 20241 Washington State Residential Code

SECTION: R302.3 Two Family Dwellings

QUESTION: Is a newly constructed residential unit consisting of a primary dwelling unit and an accessory dwelling unit considered a two-family dwelling?

ANSWER: Yes, any building that contains two dwelling units providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation is considered a two-family dwelling.

QUESTION: Is it the intent of this section to allow an accessory dwelling unit to be constructed within a new single-family dwelling at initial build-out without providing one-hour fire-rated separation between the primary residence and the accessory dwelling unit by providing interconnected smoke alarms only?

ANSWER: No, Exception #2 to Section 302.3.1 states "Where an accessory dwelling unit is added within an existing single-family residence to create a two-family dwelling, fire-rated separation between the accessory dwelling unit and the primary dwelling unit is not required when all required smoke alarms 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."

QUESTION: Does R302.3.1, exception 2 apply to a new addition containing an accessory dwelling Unit?

ANSWER: No, the exception stipulates that the new accessory dwelling unit is added within an existing SFR.

QUESTION: Accessory Dwelling Units often share spaces (entrances, laundry facilities, etc.) with the main portion of the dwelling. If the code requires the building to be regulated as a two-family dwelling, are these shared spaces required to be separated from only the ADU portion or from both dwelling units?

ANSWER: Section 302.2 stipulates dwelling unit separation is required. A dwelling unit is not required to have the features such as entry ways or laundry rooms. As long as the required elements of each dwelling unit are separated the exact location of the separation would be up to the designer.

QUESTION: Is it the intent of this code to allow for the creation of a maximum of two connected units (i.e., existing One-Family Dwelling adding an ADU to result in a Two-Family Dwelling) under the provisions of the Residential Code or does this code section allow for an existing Two-Family Dwelling to add a connected ADU, resulting in a 3-unit building, still under the provisions of the Residential Code rather than the Building Code?

ANSWER: In order to stay within the International Residential Code a structure with three units would need to conform to the definition of a Townhouse. Townhouse units must extend from the foundation to the roof and have a yard on at least two sides extending at least 50% of the length of the two sides.

SUPERSEDES: None

REQUESTED BY: Cities of Bellevue and Everett