PROPOSAL TO THE 7th EDITION OF FLORIDA FIRE PREVENTION CODE

PART I

TRANSMIT TO:
Division of State Fire Marshal
Casia Sinco
200 E. Gaines Street
Tallahassee, FL 32399-0342

Fax: 850/414-6119
E-mail: casia.sinco@myfloridacfo.com

NOTE: If you need further information on this process, please contact the Fire Prevention Bureau at 850/413-3619.

Please review the evaluation criteria (Part II) and Fiscal Impact Statement before completing this proposal. A separate submittal is required for each proposed amendment.

Type or print legibly in black ink

Date: June 25, 2019 Proponent: Karen V McIntyre Tel. No. 407-830-1400

E-Mail: kmcintyre@forumarchitecture.com

Company: Forum Architecture & Interior Design, Inc

Street Address: 237 S. Westmonte Drive, Suite 220

City: Altamonte Springs State: FL Zip: 32714

Organization Represented (if any): none

Local Ordinance No. Jurisdiction Section/Paragraph

Section/Paragraph Section 7.2.2.6.3 and 30.2.2.3

Indicate One (Designate by “X” at the end of the line):
1. Revise section to read: X 3. Delete section without substitution:
2. Add new section to read: 4. Delete section and substitute the following:

Proposal (underline proposed new wording or strike-through the wording to be deleted):

7.2.2.6.3.1

(6) Where specifically permitted for individual occupancies by Chapters 11 through 43, outside stairs serving four or fewer stories shall be permitted to be unprotected if connected to each end of an open-ended corridor that is an interior exit access corridor on each end with no intervening doors or separation from the corridor, provided the following requirements are met:

(a) The building, including open-ended corridors, and stairways and ramps, shall be equipped throughout with an approved, supervised automatic sprinkler system in accordance with Section 9.7.

(b) The open-ended corridors otherwise comply with applicable requirements for exit access corridors.

(c) At any location in an open-ended corridor where a change of direction exceeding 45 degrees (0.79 rad) occurs, a clear opening of not less than 35 square feet (3.3 m²) or an outside stair shall be provided. Where clear openings are provided, they shall be located so as to minimize the accumulation of smoke or toxic gases.

30.2.2.3.5

Outside stairs complying with 7.2.2.6.3.1 exception (6) shall be permitted.
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Statement of Problem and Substantiation for Proposal (Note: State the problem that will be resolved by your recommendation; give the specific reason for your comment including copies of tests, research papers, fire experience, etc. If more than 200 words provide an abstract and describe the source document) (Must be filled in to be considered):

The problem is three- and four-story multi-family residential breezeway building designs (outside stairs on open-ended corridors) are not clearly and holistically addressed within the Codes that govern vertical building design and construction in the State of Florida. This product type is a housing staple in Florida and many other States and is currently addressed in the Florida Building Code as well as the basis of the FBC; International Building Code (note, the International Fire Code concurs with IBC). The inconsistency between Florida Fire Prevention Code and the Florida Building Code means this type of building, both existing and under construction are not protected consistently by the current building and fire Codes of Florida.

We recommend adding a section(s) to this next edition of the Florida Fire Prevention Code that would address these building types, which are allowed by the Florida Building Code, but not addressed in the Florida Fire Prevention Code, this addition would reconcile the FFPC with the FBC.

Should the codes not be reconciled we continue to:
- knowingly issue a building code and fire code that are not in alignment with each other. Without alignment there is greater potential of a design that may fall into a grey area and may not offer crystal clear code interpretation, compliance or adequate life safety to the users of a building
- request the Fire Reviewer of any AHJ to accept the accept the language found in FBC 1027.6, exception 3 for “safe harbor” or to use FFPC 7.2.2.6.3.1. exception (1), which is questionable.

Karen V McIntyre
Signature (Required)

Karen V. McIntyre, AIA
Printed Name

To be considered, proposals must be received by July 1, 2019
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PART II

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<th>FLORIDA FIRE PREVENTION CODE</th>
<th>EVALUATION CRITERIA</th>
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The base codes for the Florida Fire Prevention Code shall be **NFPA-1, 2018** and **NFPA-101, 2018**

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<tr>
<th>IMPACT (select one)</th>
<th>STATEWIDE: X</th>
<th>COUNTY:</th>
<th>CITY:</th>
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Describe the geographical area of impact: The entire State of Florida

1. The proposal shall identify the code section or local ordinance to be modified.
2. The proposal (Part I and Part II) along with Financial Impact Statement may be submitted electronically; however, a hard copy is required as follow-up.

Submit this evaluation with each proposed amendment.

1. How does the proposal strengthen the base code to enhance safety in Florida?

This proposed amendment would better reconcile requirements between the FBC Building and the FFPC. Safety is enhanced by clarifying consistent requirements between the Codes and provide consistency from Jurisdiction to Jurisdiction, project to project and design professional to design professional.

2. Is the proposal easy to understand and how does it contribute to a user-friendly code?

This proposed amendment requests the use of language already established in the FBC based upon the IBC Building and IBC Fire codes. Aligning the FFPC with what is already established in FBC eliminates confusion and lack of clarity or support of certain prototypical breezeway building designs that have been widely in use throughout the country for at least 40 years.

3. Document the proposal’s technical merit and how it is supported by a scientific basis?

An internet search has no yielded any research or tests on this building typology. This may suggest that three- and four-story multi-family residential breezeway building designs with NFPA 13R fire sprinkler system, NFPA 14 standpipes (where applicable), smoke and/or smoke/carbon monoxide detectors and fire alarm systems are no less safe than those buildings with enclosed corridors and separated exit stairs. These types of buildings have performed safely for decades and are likely even safer today because of better enforcement of construction practices, fire rated assemblies, active safety protection systems and alarms.

See the following sample letter that has been successfully used in various Jurisdictions to demonstrate that the proposed language, which is similar to FBC 1027.6 Exception 3 language provides for equivalent life safety performance to the FFPC.

4. Describe how will the proposal be enforceable?

Not Applicable

5. How does the proposal affect Florida’s diverse conditions such as climate, construction and population?

Proposed amendment seeks to ensure that three- and four-story multi-family apartment buildings designed with "unexposed" stairs located on an opened corridor can continue to be approved by Building and Fire departments in all Florida jurisdictions without conflict. This prototypical "garden" apartment is appropriate in the Florida climate, understood in the multi-family construction industry and continues to be one of the most cost-efficient methods to provide housing that is affordable to our diverse population.
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Fiscal Impact Statement

Provide the estimated cost of the proposed amendment to the Florida Fire Prevention Code for each of the following questions. Cost data should be accompanied by a list of assumptions and support documentation.

1. Will the proposed amendment have an impact on the local entity relative to the implementation and enforcement of the proposed amendment?

X  None

_____ Minimal, Provide a brief explanation:

_____ Other, provide an explanation for estimate and methodology used:

2. Will the proposed amendment have an impact on the business/property owner relative to the cost of compliance with the proposed amendment?

X  None

_____ Minimal, Provide a brief explanation:

_____ Other, provide an explanation for estimate and methodology used:

3. Will the proposed amendment have an impact on small counties or small cities? (A "small city" is defined by section 120.52, F.S., as any municipality that has an un-incarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by section 120.52, F.S., as any county that has an un-incarcerated population of 75,000 or less according to the most recent decennial census.)

X  No adverse impact on small cities or small counties

_____ Minimal, Provide a brief explanation:

_____ Other, provide an explanation for estimate and methodology used:

Provide a good faith estimate of the number and types of affected persons/entities:

(1) The number of individuals and entities likely to be required to comply with the rule:

- All Jurisdictions in the State of Florida
- Residents residing in or looking to reside in multi-family apartments
- Developers of multi-family apartment structures

(2) A general description of the types of individuals likely to be affected by the rule:

- All Authority(s) having Jurisdiction would have clear Code language upon which to make determination to approve construction of three- and four-story multi-family apartment buildings designed with open-ended corridors and unseparated stairs.
- Clearly define in our Codes acceptance of the "breezeway" building type, thereby protect via consistent Codes what is considered one of the most cost-effective building typologies.
- Provide assurance that this cost-effective building type is allowed by code so as to ensure the ability to provide affordable housing for all residents in Florida.
June 25, 2019

RE: SEPARATION OF OUTSIDE STAIRS

To Whom it May Concern,

This letter seeks to demonstrate a code pathway for acceptance of typical three- or four-story breezeway-style garden apartment buildings with open non-separated stairs that is equivalent in life safety performance to separation of stairs as required by the Florida Fire Prevention Code (FFPC).

FFPC 7.2.2.6.3.1 requires outside stairs to be separated from the interior of the building in new construction unless they serve an exterior egress balcony (exception 1) or they serve no more than 2 adjacent stories (exception 2). However, the current Florida Building Code (FBC) provides an exception for buildings of up to six stories, specifically 1027.6 Exception 3, which states *(notes added in italic):*

3. Separation from the open-ended corridor of the building is not required for exterior exit stairways or ramps, provided that Items 3.1 through 3.5 are met:

3.1. The building, including open-ended corridors, and stairways and ramps, shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 *(NFPA 13)* or 903.3.1.2 *(NFPA 13R)*.

3.2. The open-ended corridors comply with Section 1020. *(meet requirements for corridors)*

3.3. The open-ended corridors are connected on each end to an exterior exit stairway or ramp complying with Section 1027.

3.4. The exterior walls and openings adjacent to the exterior exit stairway or ramp comply with Section 1023.7. *(wall ratings and protection of openings within those walls)*

3.5. At any location in an open-ended corridor where a change of direction exceeding 45 degrees occurs, a clear opening of not less than 35 square feet or an exterior stairway or ramp shall be provided. Where clear openings are provided, they shall be located so as to minimize the accumulation of smoke or toxic gases.

While it seems counter-intuitive to allow this exception and provide equivalent life safety performance, it is when examining the impact to the overall means of egress. With a separated stair, an egressing occupant within a dwelling unit exits the unit through a fire barrier with opening protective into a corridor that is separated from all spaces it serves by fire barriers. That occupant is now within the exit access and continues to an exit, which must be within the allowable travel distance.

Allowable travel distance in apartment projects protected by NFPA 13R sprinkler systems is 250’ from the most remote point of a unit to the nearest exit, per FBC 1017.2. The FBC travel distance requirement is more stringent than the FFPC requirements for the same, as 30.2.6.1 through 30.2.6.4 allow 75’ within the unit itself and another 200’ from the unit to the exit (275’ total).

In an apartment project with separated stairs, the protected door entering the stair from the corridor defines the exit and is the point to which the travel distance is measured. Travel along the stairs between the exit and exit discharge is not considered, as the egressing occupant is determined to be protected within the protected stair enclosure.
In an apartment project with non-separated stairs terminating open-ended corridors, as provided via the FBC exception cited on the previous page, the stair is no longer an exit but instead serves as vertical continuity and a component of the exit access, and as such counts against the allowable travel distance. The exit and exit discharge occur at the same point as the egressing occupant leaves the building. The NFPA recognizes this concept via FFPC 7.6.3.

As set forth herein, it is the experienced opinion of Forum Architecture and Interior Design that typical breezeway-style garden apartment buildings with open non-separated stairs provide equivalent life safety performance when compared to similar designs with separated stairs and enclosed corridors. We acknowledge the FFPC does not explicitly allow such a configuration, but as demonstrated by the fact that most low-rise apartment designs permitted within the last 40 years are of this basic configuration, most fire reviewers acknowledge that the FBC exception provides equivalent life safety protection. Additionally, the International Fire Code (IFC) supports the FBC exception and is accepted as a life safety code in 41 states, albeit not in Florida.

In light of the above, we respectfully request you take into consideration our proposed pathway to equivalent life safety performance for the referenced project. We understand you have the authority to enforce the code however you determine appropriate from a life safety standpoint, even if that exceeds the code itself, so we sincerely respect whatever your final decision may be. Thank you for considering our position.

Sincerely,

FORUM ARCHITECTURE & INTERIOR DESIGN, INC.