BUILDING OFFICIAL REJECTION – 2907 WEST GULF DRIVE PERMITS: BLDR-2024-017219, BLDR-2024-017228, BLDR-2024-017232, and BLDR-2024-017233

These buildings have been determined as primarily transient in nature and therefore subject to the applicable provisions of the 8th Ed. FBC-Building (FBCB) as R1 occupancies. The 8th Ed. FBC-Accessibility (FBC-A) is applicable to this building or a portion thereof; other buildings; or all buildings at this facility. Accessible features and vertical accessibility must be provided for this building, and other buildings at this facility. Provide accessibility details per FBCB 107.3.5 and the applicable provisions of FBC-A. Permitting and inspection of elevators are in accordance with 399 F.S. Required Sprinklers and life safety devices shall be reviewed by the Fire Marshal. Required accessible communication and mobility features and the quantities and locations must be provided per FBCB 107.2 and FBC-A 224, 206 and 806. 1. "Transient public lodging establishment" R-1 Occupancy means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to quests more than three times in a calendar year for periods of less than 30 consecutive days or which is advertised or held out to the public as a place regularly rented to guests for periods of less than 30 consecutive days Any waivers for providing Accessibility Code provisions for vertical accessibility and accessible features must be provide by the Florida Building Commission per FS 553.512 not the Local Authority having Jurisdiction.

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Chapter 3 Use and Occupancy Classification

SECTION 302 OCCUPANCY CLASSIFICATION AND USE DESIGNATION

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302.1 Occupancy classification.

Occupancy classification is the formal designation of the primary purpose of the building, structure or portion thereof. Structures shall be classified into a groups listed in this section based on the nature of the hazards and risks to building occupants generally associated with the intended purpose of the room or space that is intended to be occupied at different times for different purposes shall comply with all applicable requirements associated with Structures containing multiple occupancy groups shall comply with Section 508. Where a structure is proposed for a purpose that is not specifically listed shall be classified in the occupancy it most nearly resembles based on the fire safety and relative hazard. Occupied roofs shall be classified in the granearly resembles, according to the fire safety and relative hazard involved, and shall comply with Section 503.1.4.

- 1. Assembly (see Section 303): Groups A-1, A-2, A-3, A-4 and A-5.
- 2. Business (see Section 304): Group B.
- 3. Educational (see Section 305): Group E.
- 4. Factory and Industrial (see Section 306): Groups F-1 and F-2.
- 5. High Hazard (see Section 307): Groups H-1, H-2, H-3, H-4 and H-5.
- 6. Institutional (see Section 308): Groups I-1, I-2, I-3 and I-4.
- 7. Mercantile (see Section 309): Group M.
- 8. Residential (see Section 310): Groups R-1, R-2, R-3 and R-4.
- 9. Storage (see Section 311): Groups S-1 and S-2.
- 10. Utility and Miscellaneous (see Section 312): Group U.

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302.2 Use designation.

Occupancy groups contain subordinate uses having similar hazards and risks to building occupants. Uses include, but are not limited to, those functional occupancy group descriptions in Section 302.1. Certain uses require specific limitations and controls in accordance with the provisions of Chapter 4 and e

Chapter 3 Use and Occupancy Classification

SECTION 310 RESIDENTIAL GROUP R

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310.1 Residential Group R.

Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Instit regulated by the Florida Building Code, Residential.

310.2 Definitions.

The following terms are defined in Chapter 2:

BOARDING HOUSE.

CONGREGATE LIVING FACILITIES.

DORMITORY.

GROUP HOME.

GUEST ROOM.

LODGING HOUSE.

PERSONAL CARE SERVICE.

TRANSIENT.

310.3 Residential Group R-1.

Residential Group R-1 occupancies containing sleeping units where the occupants are primarily transient in nature, including:

Boarding houses (transient) with more than 10 occupants

Congregate living facilities (transient) with more than 10 occupants

Hotels (transient)

Motels (transient)

310.4 Residential Group R-2.

Residential Group R-2 occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, includir

Apartment houses

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Chapter 3 Use and Occupancy Classification

310.3 Residential Group R-1.

Residential Group R-1 occupancies containing sleeping units where the occupants are primarily transient in nature, including:

Boarding houses (transient) with more than 10 occupants

Congregate living facilities (transient) with more than 10 occupants

Hotels (transient)

Motels (transient)

310.4 Residential Group R-2.

Residential Group R-2 occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, includir

Apartment houses

Boarding houses (nontransient)

Congregate living facilities (nontransient) with more than 16 occupants

Convents

Dormitories

Fraternities and sororities

Hotels (nontransient)

Live/work units

Monasteries

Motels (nontransient)

Vacation timeshare properties

310.5 Residential Group R-3.

Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

Buildings that do not contain more than two dwelling units

Boarding houses (nontransient) with 16 or fewer occupants

Boarding houses (transient) with 10 or fewer occupants

Care facilities that provide accommodations for five or fewer persons receiving care

Congregate living facilities (nontransient) with 16 or fewer occupants

Congregate living facilities (transient) with 10 or fewer occupants

Owner-occupied lodging houses with five or fewer guest rooms and 10 or fewer occupants

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Codes / Florida / 2023 Florida Building Code, Building, Eighth Edition V **Chapter 9 Fire Protection Systems**

CHAPTER 9 FIRE PROTECTION SYSTEMS

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SECTION 901 GENERAL

901.1 Scope.

The provisions of this chapter shall specify where fire protection systems are required and shall apply to the design, installation and operation of monoxide detection alarms.

901.2 Fire protection systems.

Fire protection systems shall be installed, repaired, operated and maintained in accordance with this code and the Florida Fire Prevention Code.

Any fire protection system for which an exception or reduction to the provisions of this code has been granted shall be considered to be a required

Exception: Any fire protection system or portion thereof not required by this code shall be permitted to be installed for partial or complete pro meets the requirements of this code.

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901.3 Modifications.

Persons shall not remove or modify any fire protection system installed or maintained under the provisions of this code or the Florida Fire Prever. building official.

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Chapter 9 Fire Protection Systems

1. An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1 Condition 1 facilities.

- 2. An automatic sprinkler system is not required where Group I-4 day care facilities are at the level of exit discharge and where every room where ca fewer than one exterior exit door.
- 3. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, an automatic sprinkler system in accordance with be installed on the entire floor where care is provided, all floors between the level of care and the level of exit discharge, and all floors below the level than areas classified as an open parking garage.

[F] 903.2.7 Group M.

An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

- 1. A Group M fire area exceeds 12,000 square feet (1115 m²).
- 2. A Group M fire area is located more than three stories above grade plane.
- 3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
- 4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464 m²).

[F] 903.2.7.1 High-piled storage.

An automatic sprinkler system shall be provided in accordance with the Florida Fire Prevention Code in all buildings of Group M where storage of merchandise storage arrays.

[F] 903.2.8 Group R.

An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

[F] 903.2.8.1 Group R-3.

An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3 occupancies.

[F] 903.2.8.2 Group R-4 Condition 1.

An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-4 Condition 1 occupancies.

[F] 903.2.8.3 Group R-4 Condition 2.

An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in Group R-4 Condition 2 occupancies.

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Chapter 9 Fire Protection Systems [F] 903.3 Instantation requirements.

Automatic sprinkler systems shall be designed and installed in accordance with Sections 903.3.1 through 903.3.8.

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[F] 903.3.1 Standards.

Sprinkler systems shall be designed and installed in accordance with Section 903.3.1.1 unless otherwise permitted by Sections 903.3.1.2 and 903.3.1.3 and code, as applicable.

[F] 903.3.1.1 NFPA 13 sprinkler systems.

Where the provisions of this code require that a building or portion thereof be equipped throughout with an *automatic sprinkler system* in accordance with this s be installed throughout in accordance with NFPA 13 except as provided in Sections 903.3.1.1.1 and 903.3.1.1.2.

[F] 903.3.1.1.1 Exempt locations.

Automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from a room merely because it is damp, construction or contains electrical equipment.

- 1. A room where the application of water, or flame and water, constitutes a serious life or fire hazard.
- 2. A room or space where sprinklers are considered undesirable because of the nature of the contents, where approved by the fire code official.
- 3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resist than 2 hours.
- 4. Rooms or areas that are of noncombustible construction with wholly noncombustible contents.
- 5. Fire service access elevator machine rooms and machinery spaces.
- 6. Machine rooms, machinery spaces, control rooms and control spaces associated with occupant evacuation elevators designed in accordance with Secti

[F] 903.3.1.1.2 Bathrooms.

In Group R occupancies, other than Group R-4 occupancies, sprinklers shall not be required in bathrooms that do not exceed 55 square feet (5 m²) in area individual dwelling units or sleeping units, provided that walls and ceilings, including the walls and ceilings behind a shower enclosure or tub, are of nonc combustible materials with a 15-minute thermal barrier rating.

[F] 903.3.1.2 NFPA 13R sprinkler systems.

Automatic sprinkler systems in Group R occupancies up to and including four stories in height in buildings not exceeding 60 feet (18 288 mm) in height above permitted to be installed throughout in accordance with NFPA 13R.



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Chapter 9 Fire Protection Systems

Attic protection snail be provided as follows:

- 1. Attics that are used or intended for living purposes or storage shall be protected by an automatic sprinkler system.
- 2. Where fuel-fired equipment is installed in an unsprinklered attic, at least one quickresponse intermediate temperature sprinkler shall be installed
- 3. Where located in a building of Type III, Type IV or Type V construction designed in accordance with Section 510.2 or Section 510.4, attics r sprinkler protection shall comply with one of the following if the roof assembly is located more than 55 feet (16 764 mm) above the lowest laccess needed to meet the provisions in Section 503:
 - a. Provide automatic sprinkler system protection.
 - b. Construct the attic using noncombustible materials.
 - c. Construct the attic using fire-retardanttreated wood complying with Section 2303.2.
 - d. Fill the attic with noncombustible insulation.

The height of the roof assembly shall be determined by measuring the distance from the lowest required fire vehicle access road surface adja of the highest pitched roof, the intersection of the highest roof to the exterior wall, or the top of the highest parapet, whichever yields the greate this measurement, required fire vehicle access roads shall include only those roads that are necessary for compliance with the Florida Fire Prever

- 4. Group R-4 Condition 2 occupancy attics not required by Item 1 to have sprinklers shall comply with one of the following:
 - a. Provide automatic sprinkler system protection.
 - b. Provide a heat detector system throughout the attic that is arranged to activate the building fire alarm system in accordance with Section 907
 - c. Construct the attic using noncombustible materials.
 - d. Construct the attic using fire-retardanttreated wood complying with Section 2303.2.
 - e. Fill the attic with noncombustible insulation.

[F] 903.3.1.3 NFPA 13D sprinkler systems.

Automatic sprinkler systems installed in one- and two-family dwellings; Group R-3, Group R-4 Condition 1 and townhouses shall be permitted to be instawith NFPA 13D.

[F] 903.3.2 Quick-response and residential sprinklers.

Where automatic sprinkler systems are required by this code, quick-response or residential automatic sprinklers shall be installed in all of the following are 903.3.1 and their listings:

- 1. Throughout all spaces within a smoke compartment containing care recipient sleeping units in Group I-2 in accordance with this code.
- 2. Throughout all spaces within a smoke compartment containing treatment rooms in ambulatory care facilities.
- 3. Dwelling units and sleeping units in Group I-1 and R occupancies.
- 4. Light-hazard occupancies as defined in NFPA 13.

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Chapter 2 Definitions

- 1. A frame (constructed of plastic, wood, metal or other material) used to hold fabric in place;
- 2. A core material (infill, with the correct properties for the application); and
- 3. An outside layer, composed of a textile, fabric or vinyl, that is stretched taut and held in place by tension or mechanical fasteners via the frame.

[BS] SKYLIGHT, UNIT. A factory-assembled, glazed fenestration unit, containing one panel of glazing material that allows for natural lighting through an opening in the roof assembly while preserving the weather-resistant barrier of the roof.

[BS] SKYLIGHTS AND SLOPED GLAZING. Glass or other transparent or translucent glazing material installed at a slope of 15 degrees (0.26 rad) or more from vertical. Glazing material in skylights, including unit skylights, tubular daylighting devices, solariums, sunrooms, roofs and sloped walls, are included in this definition.

SLEEPING UNIT. A single unit providing rooms or spaces for one or more persons, which can also include permanent provisions for living, eating, sleeping and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

[F]. SMOKE ALARM. A single- or multiple-station alarm responsive to smoke. See "Multiple-station smoke alarm" and "Single-station smoke alarm."

SMOKE BARRIER. A continuous membrane, either vertical or horizontal, such as a wall, floor or ceiling assembly, that is designed and constructed to restrict the movement of smoke.

SMOKE COMPARTMENT. A space within a building separated from other interior areas of the building by smoke barriers, including interior walls and horizontal assemblies.

SMOKE DAMPER. A listed device installed in ducts and air transfer openings designed to resist the passage of smoke. The device is installed to operate automatically, controlled by a smoke detection system, and where required, is capable of being positioned from a fire command center.

[F] SMOKE DETECTOR. A listed device that senses visible or invisible particles of combustion.

SMOKE-DEVELOPED INDEX. A comparative measure, expressed as a dimensionless number, derived from measurements of smoke obscuration versus time for a material tested in accordance with ASTM E84.

SMOKEPROOF ENCLOSURE. An exit stairway or ramp designed and constructed so that the movement of the products of combustion produced by a fire occurring in any part of the building into the enclosure is limited.

SMOKE-PROTECTED ASSEMBLY SEATING. Seating served by means of egress that is not subject to smoke accumulation within or under a structure for a specified design time by means of passive design or by mechanical ventilation.

SMOKE-PROTECTIVE CURTAIN ASSEMBLY FOR HOISTWAY. An automatic-closing smoke and draft control curtain assembly.

SOFT CONTAINED PLAY EQUIPMENT STRUCTURE. A play structure containing one or more components where the user enters a play environment that utilizes pliable materials.

[F] SOLID. A material that has a melting point, decomposes or sublimes at a temperature greater than 68°F (20°C).

SPECIAL AMUSEMENT BUILDING. A special amusement building is any temporary or permanent building or portion thereof that is occupied for amusement, entertainment or educational purposes and that contains a device or system that conveys passengers or provides a walkway along, around or over a course in any direction so arranged that the means **≡** Menu



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Chapter 2 Definitions



THROUGH-PENETRATION FIRESTOP SYSTEM. An assemblage consisting of a fire-resistance-rated floor, floor-ceiling, or wall assembly, one or more penetrating items passing through the breaches in both sides of the assembly and the materials or devices, or both, installed to resist the spread of fire through the assembly for a prescribed period of time.

[BS] TIE-DOWN (HOLD-DOWN). A device used to resist uplift of the chords of shear walls.

[BS] TIE, WALL. Metal connector that connects wythes of masonry walls together.

[BS] TILE, STRUCTURAL CLAY. A hollow masonry unit composed of burned clay, shale, fire clay or mixture thereof, and having parallel cells.

[F] TIRES, BULK STORAGE OF. Storage of tires where the area available for storage exceeds 20,000 cubic feet (566 m³).

[A] TOWNHOUSE. A single-family dwelling unit not exceeding three stories in height constructed in a group of two or more attached units with property lines separating such units in which each unit extends from the foundation to roof and with a yard or public way on not less than two sides.

[F] TOXIC. A chemical falling within any of the following categories:

- A chemical that has a median lethal dose (LD₅₀) of more than 50 milligrams per kilogram, but not more than 500 milligrams per kilogram of body weight when administered orally to albino rats weighing between 200 and 300 grams each.
- 2. A chemical that has a median lethal dose (LD₅₀) of more than 200 milligrams per kilogram, but not more than 1,000 milligrams per kilogram of body weight when administered by continuous contact for 24 hours (or less if death occurs within 24 hours) with the bare skin of albino rabbits weighing between 2 and 3 kilograms each.
- 3. A chemical that has a median lethal concentration (LC₅₀) in air of more than 200 parts per million, but not more than 2,000 parts per million by volume of gas or vapor, or more than 2 milligrams per liter but not more than 20 milligrams per liter of mist, fume or dust, when administered by continuous inhalation for 1 hour (or less if death occurs within 1 hour) to albino rats weighing between 200 and 300 grams each.

TRANSIENT. Occupancy of a dwelling unit or sleeping unit for not more than 30 days.

TRANSIENT AIRCRAFT. Aircraft based at another location and that is at the transient location for not more than 90 days.

[BS] TREATED WOOD. Wood products that are conditioned to enhance fire-retardant or preservative properties

Fire-retardant-treated wood. Wood products that, when impregnated with chemicals by a pressure process or other means during manufacture, exhibit reduced surface-burning characteristics and resist propagation of fire.

Preservative-treated wood. Wood products that, conditioned with chemicals by a pressure process or other means, exhibit reduced susceptibility to damage by fungi, insects or marine borers.

TRIM. Picture molds, chair rails, baseboards, handrails, door and window frames and similar decorative or protective materials used in fixed applications.

[F] TROUBLE SIGNAL. A signal initiated by the fire alarm system or device indicative of a fault in a monitored circuit or component.

[BS] TUBULAR DAYLIGHTING DEVICE (TDD). A non-operable fenestration unit primarily designed to transmit daylight from a roof surface to an interior ceiling via a tubular conduit. The



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Chapter 2 Definitions



Socketed drilled shaft. A drilled shaft with a permanent pipe or tube casing that extends down to bedrock and an uncased socket drilled into the bedrock.

[F] DRY-CHEMICAL EXTINGUISHING AGENT. A powder composed of small particles, usually of sodium bicarbonate, potassium bicarbonate, urea-potassium-based bicarbonate, potassium chloride or monoammonium phosphate, with added particulate material supplemented by special treatment to provide resistance to packing, resistance to moisture absorption (caking) and the proper flow capabilities.

[BS] DRY FLOODPROOFING. A combination of design modifications that results in a building or structure, including the attendant utilities and equipment and sanitary facilities, being water tight with walls substantially impermeable to the passage of water and with structural components having the capacity to resist loads as identified in ASCE 7.

DWELLING. A building that contains one or two dwelling units used, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.

DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

DWELLING UNIT, EFFICIENCY. A dwelling unit where all permanent provisions for living, sleeping, eating and cooking are contained in a single room.

DWELLING UNIT OR SLEEPING UNIT, MULTISTORY. See "Multistory unit."

DWELLING UNIT OR SLEEPING UNIT, TYPE A. Reserved.

DWELLING UNIT OR SLEEPING UNIT, TYPE B. Reserved.

EGRESS COURT. A court or yard which provides access to a public way for one or more exits.

ELECTRICAL CIRCUIT PROTECTIVE SYSTEM. A specific construction of devices, materials, or coatings installed as a fire-resistive barrier system applied to electrical system components, such as cable trays, conduits and other raceways, open run cables and conductors, cables, and conductors.

- [F] ELEVATOR GROUP. A grouping of elevators in a building located adjacent or directly across from one another that responds to common hall call buttons.
- [F] EMERGENCY ALARM SYSTEM. A system to provide indication and warning of emergency situations involving hazardous materials.
- [F] EMERGENCY CONTROL STATION. An approved location on the premises where signals from emergency equipment are received and which is staffed by trained personnel.

EMERGENCY ESCAPE AND RESCUE OPENING. An operable exterior window, door or other similar device that provides for a means of escape and access for rescue in the event of an emergency.

[F] EMERGENCY VOICE/ALARM COMMUNICATIONS. Dedicated manual or automatic facilities for originating and distributing voice instructions, as well as alert and evacuation signals pertaining to a fire emergency, to the occupants of a building.

[F] EMERGENCY POWER SYSTEM. A source of automatic electric power of a required capacity and duration to operate required life safety, fire alarm, detection and ventilation systems in the event of a failure of the primary power. Emergency power systems are required for electrical loads where interruption of the primary power could result in loss of human life or



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Chapter 2 Definitions

Natural barricade. Natural features of the ground, such as hills, or timber of sufficient density that the surrounding exposures that require protection magazine or building containing explosives when the trees are bare of leaves.

[BS] BASE FLOOD. The flood having a 1-percent chance of being equaled or exceeded in any given year.

[BS] BASE FLOOD ELEVATION. The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North Americ or other datum specified on the Flood Insurance Rate Map (FIRM).

[BS] BASEMENT (for flood loads). The portion of a building having its floor subgrade (below ground level) on all sides. This definition of "Basement" is liprovisions of Section 1612.

BASEMENT. A story that is not a story above grade plane (see "Story above grade plane"). This definition of "Basement" does not apply to the provisions of Sei **BEARING WALL STRUCTURE.** A building or other structure in which vertical loads from floors and roofs are primarily supported by walls.

[BS] BED JOINT. The horizontal layer of mortar on which a masonry unit is laid.

BLEACHERS. Tiered seating supported on a dedicated structural system and two or more rows high and is not a building element (see "Grandstand").

BOARDING HOUSE. A building arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit.

IFJ BOILING POINT. The temperature at which the vapor pressure of a liquid equals the atmospheric pressure of 14.7 pounds per square inch (psia) (101 kf Where an accurate boiling point is unavailable for the material in question, or for mixtures which do not have a constant boiling point, for the purposes of percent evaporated point of a distillation performed in accordance with ASTM D86 shall be used as the boiling point of the liquid.

[BS] BRACED WALL LINE. A straight line through the building plan that represents the location of the lateral resistance provided by the wall bracing.

[BS] BRACED WALL PANEL. A full-height section of wall constructed to resist in-plane shear loads through interaction of framing members, sheathing panel's length meets the requirements of its particular bracing method and contributes toward the total amount of bracing required along its braced wall line.

BREAKOUT. For revolving doors, a process whereby wings or door panels can be pushed open manually for *means of egress* travel. **[BS] BRICK.**

Calcium silicate (sand lime brick). A pressed and subsequently autoclaved unit that consists of sand and lime, with or without the inclusion of other m Clay or shale. A solid or hollow masonry unit of clay or shale, usually formed into a rectangular prism, then burned or fired in a kiln; brick is a ceramic prism.

Concrete. A concrete masonry unit made from Portland cement, water, and suitable aggregates, with or without the inclusion of other materials.

[A] BUILDING. Any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING AREA. See "Area, building."

BUILDING ELEMENT. A fundamental component of building construction, listed in Table 601, which may or may not be of fire-resistance-rated construction materials based on the building type of construction.

BUILDING HEIGHT. See "Height, building."

BUILDING-INTEGRATED PHOTOVOLTAIC (BIPV) PRODUCT. A building product that incorporates photovoltaic modules and functions as a component of the BUILDING LINE. The line established by law, beyond which a building shall not extend, except as specifically provided by law.

[A] BUILDING OFFICIAL. The officer or other designated authority charged with the administration and enforcement of this code, or a duly authorized represe

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FLORIDA STATUTES -ACCESSIBILITY

553.513 Enforcement. It shall be the responsibility of each local government and each code enforcement agency established pursuant to Section 553.80 to enforce the provisions of this part. This act expressly preempts the establishment of handicapped accessibility standards to the state and supersedes any county or municipal ordinance on the subject. However, nothing in this section shall prohibit municipalities and counties from enforcing the provisions of this act.

Transient Lodging. A building or facility containing one or more guest room(s) for sleeping that provides accommodations that are primarily short-term in nature. *Transient lodging* does not include *residential dwelling units* intended to be used as a residence, inpatient medical care *facilities*, licensed long-term care *facilities*, detention or correctional *facilities*, or *private buildings or facilities* that contain not more than five rooms for rent or hire and that are actually occupied by the proprietor as the residence of such proprietor.

Florida Building Commission

553.506 Powers of the commission. In addition to any other authority vested in the Florida Building Commission by law, the commission, in implementing this part, may, by rule, adopt revised and updated versions of the Americans with Disabilities Act Standards for Accessible Design in accordance with Chapter 120.

553.512 Modifications and waivers; advisory council. The Florida Building Commission shall provide by regulation criteria for granting individual modifications of, or exceptions from, the literal requirements of this part upon a determination of unnecessary, unreasonable, or extreme hardship, provided such waivers shall not violate federal accessibility laws and regulations and shall be reviewed by the Accessibility Advisory Council (see Section 553.512, Florida Statutes).

- 1.(1)Notwithstanding any other provision of this subsection if an applicant for a waiver demonstrates economic hardship in accordance with 28 C.F.R. s. 36.403(f)(1), a waiver shall be granted. The commission may not consider waiving any of the requirements of Section 553.5041 unless the applicant first demonstrates that he or she has applied for and been denied waiver or variance from all local government zoning, subdivision regulations, or other ordinances that prevent compliance therewith. Further, the commission may not waive the requirement of Section 553.5041(5)(a) and (c)1 governing the minimum width of accessible routes and minimum width of accessible parking spaces.
- 2.(2)The Accessibility Advisory Council shall consist of the following seven members, who shall be knowledgeable in the area of accessibility for persons with disabilities. The secretary of community affairs shall appoint the following: a representative from the Advocacy Center for Persons with Disabilities, Inc.; a representative from the Division of Blind Services; a representative from the Division of Vocational Rehabilitation; a representative from a statewide organization representing the physically handicapped; a representative from the hearing impaired; a representative from the president, Florida Council of

Handicapped Organizations; and a representative of the Paralyzed Veterans of America. The terms for the first three council members appointed subsequent to October 1, 1991, shall be four years; the terms for the next two council members appointed shall be for three years; and the terms for the next two members shall be for two years. Thereafter, all council member appointments shall be for terms of four years. No council member shall serve more than two four-year terms subsequent to October 1, 1991. Any member of the council may be replaced by the secretary upon three unexcused absences. Upon application made in the form provided, an individual waiver or modification may be granted by the commission so long as such modification or waiver is not in conflict with more stringent standards provided in another chapter.

- 3.(3)Members of the council shall serve without compensation, but shall be entitled to reimbursement for per diem and travel expenses as provided by Section 112.061.
- 4.(4)Meetings of the advisory council shall be held in conjunction with the regular meetings of the commission.

History.—s. 3, ch. 78-333; s. 1, ch. 82-46; s. 2, ch. 83-265; s. 25, ch. 86-220; s. 5, ch. 89-97; ss. 1, 5, 6, ch. 91-172; s. 5, ch. 91-429; s. 2, ch. 93-183; s. 10, ch. 97-76; s. 68, ch. 2000-141; s. 61, ch. 2000-154; s. 13, ch. 2002-293.

Florida Law

The Florida Accessibility Code for Building Construction is established by Florida law, Part II, Chapter 553, Florida Statutes, (Sections 553.501 - 553.513, Florida Statutes). The law was amended in 2011 and its resulting requirements are integrated into this code. The revisions are established by chapter 2011-222, Laws of Florida. Laws of Florida and Florida Statutes can be accessed through the Florida Department of State, Division of Library & Information Sciences web site http://dlis.dos.state.fl.us/fqils/government.html.

Waivers

The Florida Building Commission may waive Florida specific requirements of this code. It does not waive requirements of this code to standards below the federal ADA standards on which it is based. Applications for waiver and the criteria for their review are established by Rule Chapter 9N-4, Florida Administrative Code. Current versions of the Rule can be accessed through the Florida Department of State web site http://dlis.dos.state.fl.us/fgils/government.html. Applications can be found on the Florida Building Commission web site www.FloridaBuilding.org.

General Notes

If an official either waives an accessible element or feature or allows a change that does not provide equivalent facilitation, the fact that the Department of Justice has certified the code itself will not constitute rebuttable evidence the facility has been constructed or altered in accordance with the minimum accessibility requirements of the ADA.

Background shaded text and blue print text indicate changes to the 2004 ADA Accessibility Guidelines (ADAAG). Requirements based on Florida law are indicated by gray background shading. Requirements based on the U.S. Department of Justice

regulations 28 CFR, Part 35 and 28 CFR, Part 36 and the U.S. Department of Transportation regulation 49 CFR, Part 37 are indicated in blue print.

553.509 Vertical accessibility.—

- (1) This part and the Americans with Disabilities Act Standards for Accessible Design do not relieve the owner of any building, structure, or facility governed by this part from the duty to provide vertical accessibility to all levels above and below the occupiable grade level, regardless of whether the standards require an elevator to be installed in such building, structure, or facility, except for:
- (a) Elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks, and automobile lubrication and maintenance pits and platforms.
- (b) Unoccupiable spaces, such as rooms, enclosed spaces, and storage spaces that are not designed for human occupancy, for public accommodations, or for work areas.
- (c) Occupiable spaces and rooms that are not open to the public and that house no more than five persons, including, but not limited to, equipment control rooms and projection booths.
- (d) Theaters, concert halls, and stadiums, or other large assembly areas that have stadium-style seating or tiered seating if ss. 221 and 802 of the standards are met.
 - (e) All play and recreation areas if the requirements of chapter 10 of the standards are met.
 - (f) All employee areas as exempted in s. 203.9 of the standards.
 - (g) Facilities, sites, and spaces exempted by s. 203 of the standards.
- (2) However, buildings, structures, and facilities must, as a minimum, comply with the Americans with Disabilities Act Standards for Accessible Design.



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Chapter 2: Scoping Requirements

201.1 Scope.

This code establishes standards for accessibility to places of public accommodation and commercial facilities by individuals with disabilities. This code shall local government facilities pursuant to Section 553.503, F.S.; to private clubs pursuant to Section 553.505, F.S.; and to residential buildings pursuant to Section 5 ADA Standards for Accessible Design. All new or altered public buildings and facilities, private buildings and facilities, places of public accommodation and commodation to this code shall comply with this code.

This code applies to: All areas of newly designed and newly constructed buildings and facilities as determined by the ADA Standards for Accessible Design; port and facilities as determined by the ADA Standards for Accessible Design; a building or facility that is being converted from residential to nonresidential or mixe Florida Building Code where such building or facility must, at a minimum, comply with s. 553.508, F.S., and the requirements for alterations as determined by Accessible Design; buildings and facilities where the original construction or any former alteration or renovation was carried out in violation of applicable permitting.

201.1.1 Vertical accessibility.

Sections 553.501-553.513, F.S., and the ADA Standards for Accessible Design do not relieve the owner of any building, structure or facility governed by those seprovide vertical accessibility to all levels above and below the occupiable grade level regardless of whether the Standards require an elevator to be installed in or facility, except for:

- (1) Elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks and automobile lubrication and maintenance pits and platforms.
- (2) Unoccupiable spaces, such as rooms, enclosed spaces and storage spaces that are not designed for human occupancy, for public accommodations or f
- (3) Occupiable spaces and rooms that are not open to the public and that house no more than five persons, including, but not limited to equipment contrabooths.
- (4) Theaters, concert halls, and stadiums, or other large assembly areas that have stadium-style seating or tiered seating if sections 221 and 802 are met.
- (5) All play and recreation areas if the requirements of chapter 10 are met.
- (6) All employee areas as exempted by 203.9.
- (7) Facilities, sites and spaces exempted by section 203.

Buildings, structures and facilities must, at a minimum, comply with the requirements of the ADA Standards for Accessible Design.

Advisory 201.1 Scope. These requirements are to be applied to all areas of a facility unless exempted, or where scoping limits the number of multiple el accessible. For example, not all medical care patient rooms are required to be accessible; those that are not required to be accessible are not required requirements. However, common use and public use spaces such as recovery rooms, examination rooms, and cafeterias are not exempt from these required accessible.

Florida vertical accessibility requires all levels in all new buildings, structures and facilities and all altered areas of existing buildings, structures and facilities persons with disabilities. All new and altered areas must comply with the ADA Standards for Accessible Design including requirements for accessible of Standards do not require an accessible route to each and every level, the Florida requirement may be waived down to the requirement of the ADA Standards.

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Chapter 1: Application and Administration

Public Entrance. All entrance that is not a service entrance of a restricted entrance.

Public Use. Interior or exterior rooms, spaces, or elements that are made available to the public. Public use may be provided at a building or facility that is priv

Public Way. Any street, alley or other parcel of land open to the outside air leading to a public street, which has been deeded, dedicated or otherwise perma public for *public use* and which has a clear width and height of not less than 10 feet (3050 mm).

Qualified Historic Building or Facility. A building or facility that is listed in or eligible for listing in the National Register of Historic Places, or designated as his State or local law.

Ramp. A walking surface that has a running slope steeper than 1:20.

Readily Achievable. Easily accomplishable and able to be carried out without much difficulty or expense

Residential Dwelling Unit. A unit intended to be used as a residence, that is primarily long-term in nature. Residential dwelling units do not include transient care, licensed long-term care, and detention or correctional facilities.

Resort Condominium. (Section 509.242, F.S.). A resort condominium is any unit or group of units in a condominium, cooperative, or time-share plan which times a calendar year for periods of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place reg less than 30 days or one calendar month, whichever is less (see also, Places of Lodging).

Restricted Entrance. An entrance that is made available for common use on a controlled basis but not public use and that is not a service entrance.

Running Slope. The slope that is parallel to the direction of travel (see cross slope)

Self-Service Storage. Building or facility designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose personal property on a self-service basis.

Service Entrance. An entrance intended primarily for delivery of goods or services.

Shopping Center or Shopping Mall.

- (1) A building housing five or more sales or rental establishments; or
- (2) A series of buildings on a common site, either under common ownership or common control or developed either as one project or as a series o five or more sales or rental establishments. For purposes of this section, places of public accommodation of the types listed in Paragraph (5) of public accommodation" in this code are considered sales or rental establishments. The facility housing a "shopping center or shopping mall" housing at least one sales or rental establishment, or any floor level designed or intended for use by at least one sales or rental establishment.

Site. A parcel of land bounded by a property line or a designated portion of a public right-of-way.

Soft Contained Play Structure. A play structure made up of one or more play components where the user enters a fully enclosed play environment that utili: as plastic, netting, or fabric.

Space. A definable area, such as a room, toilet room, hall, assembly area, entrance, storage room, alcove, courtyard, or lobby.

Specified public transportation. Transportation by bus, rail, or any other conveyance (other than aircraft) provided by a *private entity* to the general public service (including charter service) on a regular and continuing basis.

Story. That portion of a *building* or *facility* designed for human occupancy included between the upper surface of a floor and upper surface of the floor c containing one or more *mezzanines* has more than one floor level.

Structural Frame. The columns and the girders, beams, and trusses having direct connections to the columns and all other members that are essential to the

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Chapter 1: Application and Administration rictogram. A pictorial symbol that represents activities, racilities, or concepts.

Places of Lodging. See "Place of Public Accommodation."

Place of Public Accommodation. A facility, operated by a private entity, whose operations affect commerce and fall within at least one of the following categories:

- (1) Places of lodging. Except for an establishment located within a facility that contains not more than five rooms for rent or hire and that actually is occupied of the establishment as the residence of the proprietor. For purposes of this part, a facility is a "place of lodging" if it is-
 - (i) An inn, hotel, or motel, or
 - (ii) A facility that-
 - (A) Provides guest rooms for sleeping for stays that primarily are short-term in nature (generally 30 days or less) where the occupant does not return to a specific room or unit after the conclusion of his or her stay; and
 - (B) Provides guest rooms under conditions and with amenities similar to a hotel, motel, or inn, including the following-
 - (1) On- or off-site management and reservations service;
 - (2) Rooms available on a walk-up or call-in basis;
 - (3) Availability of housekeeping or linen service; and
 - (4) Acceptance of reservations for a guest room type without guaranteeing a particular unit or room until check-in, and without a prior deposit.

Resort condominiums are considered to be public lodging establishments pursuant to Section 509.242, F.S.;

- (2) Establishments serving food and drink. A restaurant, bar, or other establishment serving food or drink;
- (3) Places of exhibition or entertainment. A motion picture house, theater, concert hall, stadium, or other place of exhibition or entertainment;
- (4) Places of public gathering. An auditorium, convention center, lecture hall, or other place of public gathering;
- (5) Sales or rental establishments. A bakery, grocery store, clothing store, hardware store, shopping center, or other sales or rental establishment:
- (6) Service establishments. A laundromat, dry-cleaner, bank, barber shop, beauty shop, travel service, shoe repair service, funeral parlor, gas station, office of lawyer, pharmacy, insurance office, professional office of a health care provider, hospital, or other service establishment;
- (7) Stations used for specified public transportation. A terminal, depot, or other station used for specified public transportation;
- (8) Places of public display or collection. A museum, library, gallery, or other place of public display or collection;
- (9) Places of recreation. A park, zoo, amusement park, or other place of recreation;
- (10) Places of education. A nursery, elementary, secondary, undergraduate, or postgraduate private school, or other place of education;
- (11) Social service center establishments. A day care center, senior citizen center, homeless shelter, food bank, adoption agency, or other social service center.
- (12) Places of exercise or recreation. A gymnasium, health spa, bowling alley, golf course, or other place of exercise or recreation;

Primary Function. A major activity for which the facility is intended. Areas that contain a primary function include, but are not limited to, the customer services tol dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas in which the activities of the public entity, public accomprivate entity using the facility are carried out. Mechanical rooms, boiler rooms, supply storage rooms, employee lounges or locker rooms, janitorial closets, entrances, not areas containing a primary function. Restrooms are not areas containing a primary function unless the provision of restrooms is a primary purpose of the area, e. stops. Areas of transportation facilities that involve primary functions include, but are not necessarily limited to, ticket purchase and collection areas, passenger wait bus platforms, baggage checking and return areas and employment areas (except those involving non-occupiable spaces accessed only by ladders, catwalks, crawl st passageways, or freight (non-passenger) elevators which are frequented only by repair personnel).

Play Area. A portion of a site containing play components designed and constructed for children.

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Chapter 1: Application and Administration

Specified public transportation. Transportation by bus, rail, or any other conveyance (other than aircraft) provided by a *private entity* to the general | service (including charter service) on a regular and continuing basis.

Story. That portion of a *building* or *facility* designed for human occupancy included between the upper surface of a floor and upper surface of the flo containing one or more *mezzanines* has more than one floor level.

Structural Frame. The columns and the girders, beams, and trusses having direct connections to the columns and all other members that are essential to facility as a whole.

Tactile. An object that can be perceived using the sense of touch.

Technically Infeasible. With respect to an alteration of a building or a facility, something that has little likelihood of being accomplished because existing require removing or altering a load-bearing member that is an essential part of the structural frame; or because other existing physical or site constitution of elements, spaces, or features that are in full and strict compliance with the minimum requirements.

Teeing Ground. In golf, the starting place for the hole to be played.

Theme Park Or Entertainment Complex. (Section 509.0013(9), F.S.). Theme park or entertainment complex means a complex comprised of at least 25 controlled by the same business entity and which contains permanent exhibitions and a variety of recreational activities and has a minimum of 1 million v

Transfer Device. Equipment designed to facilitate the transfer of a person from a wheelchair or other mobility aid to and from an amusement ride seat.

Transient Lodging. A building or facility containing one or more guest room(s) for sleeping that provides accommodations that are primarily short-ter does not include residential dwelling units intended to be used as a residence, inpatient medical care facilities, licensed long-term care facilities, detenti private buildings or facilities that contain not more than five rooms for rent or hire and that are actually occupied by the proprietor as the residence of such

Transition Plate. A sloping pedestrian walking surface located at the end(s) of a gangway.

TTY. An abbreviation for teletypewriter. Machinery that employs interactive text-based communication through the transmission of coded signals across may include, for example, devices known as TDDs (telecommunication display devices or telecommunication devices for deaf persons) or computers we also called text telephones.

Use Zone. The ground level area beneath and immediately adjacent to a play structure or play equipment that is designated by ASTM F 1487 (ir "Referenced Standards" in Chapter 1) for unrestricted circulation around the play equipment and where it is predicted that a user would land when f equipment.

Vehicular Way. A route provided for vehicular traffic, such as in a street, driveway, or parking facility.

Walk. An exterior prepared surface for pedestrian use, including pedestrian areas such as plazas and courts.

Wheelchair. A manually-operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of outdoor locomotion. This definition does not apply to Federal wilderness areas; wheelchairs in such areas are defined in section 508(c)(2) of the ADA, 42 l

Wheelchair Space. Space for a single wheelchair and its occupant.

Work Area Equipment. Any machine, instrument, engine, motor, pump, conveyor, or other apparatus used to perform work. As used in this code, this term that is permanently installed or built-in in employee work areas. Work area equipment does not include passenger elevators and other accessible means of

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224 TRANSIENT LODGING GUEST ROOMS

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224.1 General.

Transient lodging facilities shall provide guest rooms in accordance with 224.

Notwithstanding the requirements of this section, section 201.1.1 shall apply.

Advisory 224.1 General. Certain facilities used for transient lodging, including time shares, dormitories, and town homes may be covered by both th Housing Amendments Act. The Fair Housing Amendments Act requires that certain residential structures having four or more multi-family dwelling un are privately owned or federally assisted, include certain features of accessible and adaptable design according to guidelines established by the U.S. Urban Development (HUD). This law and the appropriate regulations should be consulted before proceeding with the design and construction of residen

Florida vertical accessibility requirements of s.553.509, F.S., as incorporated in section 201.1.1 require vertical access to all levels. Florida requirement ADA Standards requirements.

224.1.1 Alterations.

Where guest rooms are altered or added, the requirements of 224 shall apply only to the guest rooms being altered or added until the number of ς minimum number required for new construction.

Advisory 224.1.1 Alterations. In alterations and additions, the minimum required number of accessible guest rooms is based on the total number of instead of the total number of guest rooms provided in a facility. Typically, each alteration of a facility is limited to a particular portion of the facility. Wh added as a result of subsequent alterations, compliance with 224.5 (Dispersion) is more likely to be achieved if all of the accessible guest rooms are not the facility.

224.1.2 Guest Room Doors and Doorways.

Entrances, doors, and doorways providing user passage into and within guest rooms that are not required to provide mobility features complying with 806

EXCEPTION: Shower and sauna doors in guest rooms that are not required to provide mobility features complying with 806.2 shall not be required to

Advisory 224.1.2 Guest Room Doors and Doorways. Because of the social interaction that often occurs in lodging facilities, an accessible clear doors and doorways to and within all guest rooms, including those not required to be accessible. This applies to all doors, including bathroom door Other requirements for doors and doorways in Section 404 do not apply to guest rooms not required to provide mobility features.



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224.2 Guest Rooms with Mobility Features.

In transient lodging facilities, guest rooms with mobility features complying with 806.2 shall be provided in accordance with Table 224.2.



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TABLE 224.2GUEST ROOMS WITH MOBILITY FEATURES

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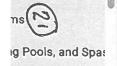
	Minimum Number of Required Rooms Without Roll-in Showers	Minimum Number of Required Rooms With Roll-in Showers	Total Number of Required Rooms
1 to 25	1	0	1
26 to 50	2	0	2
51 to 75	3	1	4
76 to 100	4	1	5
101 to 150	5	2	7
151 to 200	6	2	8
201 to 300	7	3	10
301 to 400	8	4	12
401 to 500	9	4	13
501 to 1000	2 percent of total	1 percent of total	3 percent of total
1001 and over	20 plus 1 for each 100, or fraction thereof, over 1000	10, plus 1 for each 100, or fraction thereof, over 1000	30, plus 2 for each 100, or fraction thereof, over 1000

224.3 Beds.

In guest rooms having more than 25 beds, 5 percent minimum of the beds shall have clear floor space complying with 806.2.3.

224.4 Guest Rooms with Communication Features.

In transient lodging facilities, guest rooms with communication features complying with 806.3 shall be provided in accordance with Table 224.4.



Firing Positions

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Chapter 2: Scoping Requirements

224.4 Guest Rooms with Communication Features.

In transient lodging facilities, guest rooms with communication features complying with 806.3 shall be provided in accordance with Table 224.4.

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TABLE 224.4GUEST ROOMS WITH COMMUNICATION FEATURES

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Total Number of Guest Rooms Provided	Minimum Number of Required Guest Rooms With Communication Features	
2 to 25	2	
26 to 50	4	
51 to 75	7	
76 to 100	9	
101 to 150	12	
151 to 200	14	
201 to 300	17	
301 to 400	20	
401 to 500	22	
501 to 1000	5 percent of total	
1001 and over	50, plus 3 for each 100 over 1000	

224.5 Dispersion.

Guest rooms required to provide mobility features complying with 806.2 and guest rooms required to provide communication features complying with the various classes of guest rooms, and shall provide choices of types of guest rooms, number of beds, and other amenities comparable to the c Where the minimum number of guest rooms required to comply with 806 is not sufficient to allow for complete dispersion, guest rooms shall be d guest room type, number of beds, and amenities. At least one guest room required to provide mobility features complying with 806.2 shall also complying with 806.3. Not more than 10 percent of guest rooms required to provide mobility features complying with 806.2 shall be used to satisf rooms required to provide communication features complying with 806.3.

Advisory 224.5 Dispersion. Factors to be considered in providing an equivalent range of options may include, but are not limited to, room size, bed s such as hot tubs and spas, smoking and nonsmoking, and the number of rooms provided.

ools, and Spas

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Chapter 2: Scoping Requirements

224.6 Places of Lodging.

Places of lodging shall comply with the requirements for transient lodging guest rooms in sections 224 and 806.

EXCEPTION: Alterations to guest rooms in places of lodging where the guest rooms are not owned or substantially controlled by the entity that owns, leases, or operates the overall facility and the physical features of the guest room interiors are controlled by their individual owners are not required to comply with § 36.402 or the alterations requirements in section 224.1.1 of the 2010 Standards.

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224.6.1 Guest rooms.

Guest rooms with mobility features shall be provided as follows: (i) Facilities that are subject to the same permit application on a common site that each have 50 or fewer guest rooms may be combined for the purposes of determining the required number of accessible rooms and type of accessible bathing facility in accordance with table 224.2; (ii) Facilities with more than 50 guest rooms shall be treated separately for the purposes of determining the required number of accessible rooms and type of accessible bathing facility in accordance with table 224.2.

224.6.2 Facilities With Residential Units and Transient Lodging Units.

Residential dwelling units that are designed and constructed for residential use exclusively are not subject to the transient lodging standards.

224.6.3 Buildings, Structures, or Facilities Licensed as a Hotel, Motel, or Condominium Pursuant to Chapter 509, F.S.

All buildings, structures, or facilities licensed as a hotel, motel, or condominium pursuant to chapter 509, F.S., a number of rooms equaling at least 5 percent of the guest rooms minus the Total Number of Required (accessible) Rooms required by Table 224.2 shall provide special accessibility features of 806.4.

