

**1846 Grove Street Proposed Development  
Designation of R-2 or R-3**

The California Building Code Sections 310.4 and 310.5 establish the criteria for residential designations. Higher occupancy structures, such as apartment buildings, boarding houses, congregate residences, convents, dormitories, etc. are classified under §310.4 as residential group R-2.

Lower occupancy structures such as buildings that do not contain more than two dwelling units, boarding houses with 16 or fewer nontransient occupants or boarding houses with 10 or fewer transient occupants, etc. are classified under §310.5 as residential group R-3.

The language of §310.5 “Buildings that do not contain more than two dwelling units” applies to one building per lot. The plural in the word “buildings” applies to the general class of structures and does not mean that multiple buildings can be built on one lot and still be classified as R-3.

If §310.5 were to be interpreted to mean multiple buildings on one lot, there would be no practical distinction between the designations of R-2 and R-3. The California Fire Code, by requiring higher safety standards for R-2 structures, is in conformance to the higher occupancy of R-2 structures. We believe the proper designation for the Proposed Development is R-2.

If the Proposed Development is designated as R-2, then the minimum exit should be 44 inches and the Proposed Development would be non-conforming.

If the Proposed Development is designated as R-3, then stricter ADA requirements would apply and CEQA Class 3 categorical exemption would not apply to this development.