

Building Code Change Proposal

Date: 9/17/25
Title: IRC Dwellings
Topic: Middle Housing
Code Section: (2024) IRC R101.2; R202; R302.1.1
(2024) IBC 101.2; 202; 313

Description

This proposal amends the International Residential Code (IRC) to expand its scope to include small multifamily housing – specifically, three- and four-family dwellings. It also establishes a minimum distance below second floor emergency escape/rescue openings necessary for ladder operations.

Background

On May 21, 2024, Governor Katie Hobbs signed HB 2721, a legislative initiative to promote middle housing construction in Arizona. The bill mandates that major municipalities permit triplexes and fourplexes in and around the central business district without requiring adherence to commercial codes or the installation of an automatic fire sprinkler system.

Current Code Limitations

Under Tucson's current building code provisions:

- Only one- or two-family dwellings may be constructed using the International Residential Code (IRC). IRC structures may be constructed without the use of automatic sprinkler systems.
- Townhouses, while permitted under the IRC, are underutilized, which may be a result of restrictive lot and parcel requirements.

Opportunity

Expanding the scope of the IRC offers a path to increase housing options while maintaining fire and life safety. Providing new definitions and applying existing provisions applicable to other building types will support small-scale multifamily housing without triggering commercial construction requirements.

Key Building Code Qualifiers

- Detached:
IRC Section R101.2 requires buildings to be either detached or constructed as *townhouses*. *Townhouses* may be constructed in unlimited quantities but may not be stacked. Townhouses also require structural independence from each other and must include no less than two-hour fire-rated assemblies between units.
- Independent Means of Egress:
R101.2 explicitly requires each unit to have a separate means of egress. Code provisions for rated corridors, exit stairways, and similar criteria only exist in the International Building Code (IBC).

- **Fire Suppression:**
IRC buildings that exceed 3,600 square feet require a fire flow review to assess the available resources for the fire department. Many of the residential buildings that exceed this building footprint are required to include automatic fire sprinklers per the adopted fire code. Certain uses within IRC buildings also require sprinklers such as care facilities and lodging houses per R101.2.

Licensed Professionals

- Arizona's residential contractor license traditionally applies to one- and two-family dwellings. The AZ Registrar of Contractors (ROC) has indicated they will not require a commercial contractor's license for three- and four-family dwellings if they fall within the city's definition of residential. This amendment would expand the scope of work residential contractors are allowed perform in Tucson.
- A.R.S. Title 32 and the AZ Board of Technical Registration allow non-registrants to design buildings up to 3,000 square feet. This amendment does not change the requirement for a registered architect for buildings that exceed 3,000 sf but does allow non-registrants to design small multifamily dwellings below that threshold.

Proposal

- Introduce new definitions in both the IBC and IRC to accommodate middle housing.
- Replace all references for *one and two family* with the new occupancy *Group IRC*.
- Add a new *occupancy group* in the IBC titled *Middle Housing Group IRC*

Implications and Benefits

- **Increased Housing Options:** Supports development of triplexes and fourplexes.
- **Cost Efficiency:** Reduces design and construction costs by avoiding commercial building standards and sprinklers systems in most cases.
- **Expanded Workforce Participation:** Allows both residential contractors and non-registered designers to engage in middle housing projects.
- **Fire and Life Safety:** Proposes clear use of fire-rated assemblies in lieu of sprinklers.

Proposed Amendments (IRC)

- I. ADD new IBC Section 101.1.1 as follows:

Replace all references of the term "one- and two-family" and the term "one- or two-family" with the term "Group IRC" in this code and other codes adopted by the City of Tucson in accordance with IBC Section 313 Middle Housing Group IRC.

- II. REVISE the Exception in IBC Section 101.2 as follows:

Exception: Detached one- and two-family *dwellings not more than three stories above grade plane in height, detached three- and four-family dwellings not more than two stories above grade plane in height*, and townhouses not more than three stories above

grade plane in height with separate *means of egress*, and their accessory structures not more than three *stories above grade plane* in height, shall comply with this code or the *International Residential Code*.

III. ADD a new IBC Section 313 as follows:

Section 313 Middle Housing Group IRC. *Residential dwellings and their accessory structures that qualify to be constructed in accordance with the International Residential Code, including the following:*

- *One- and two-family dwellings that do not exceed three stories above grade plane in height*
- *Three- and four-family dwellings that do not exceed two stories above grade plane in height*
- *Townhouses that do not exceed three stories above grade plane in height*
- *Accessory structures that are on the same property and serve dwelling units that comply with the International Residential Code*

IV. REVISE IRC Section R101.2 as follows:

R101.2 Scope. The provisions of this code shall apply to the construction, *alteration*, movement, enlargement, replacement, *repair*, equipment, use and occupancy, location, removal and demolition of detached one- ~~and, two-, three-, and four-~~family dwellings and townhouses ~~and their accessory structures referred to herein as “Group IRC.”~~ ~~Not more than three stories above grade plane in height with~~ Each dwelling unit shall have a separate means of egress. ~~and their accessory structures~~ ~~One- and two-family dwellings and townhouses shall be~~ not more than three stories above grade plane in height. ~~Three- and four-family dwellings and accessory structures shall be not more than two stories above grade plane in height.~~

Exception: The following shall be permitted to be constructed in accordance with this code where provided with an automatic sprinkler system complying with Section P2904:

1. Live/work units located in *townhouses* and complying with the requirements of Section 508.5 of the *International Building Code*.
2. Owner-occupied *lodging houses* with five or fewer *guestrooms*.
3. A care facility with five or few *persons* receiving custodial care within a *dwelling unit*.
4. A care facility with five or fewer persons receiving medical care within a *dwelling unit*.
5. A day care facility for five or fewer *persons* of any age receiving care within a *dwelling unit*.

V. REVISE the following Definitions in IRC Section R202 and IBC Section 202.

Dwelling: Any building that contains one ~~or two or more~~ *dwelling units* used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.

Townhouse: A *building* that contains ~~three two~~ or more attached *townhouse units*.

VI. ADD the following Definitions to IRC Section R202.

Four-family dwelling: A detached *dwelling* up to two stories *above grade plane* in height that includes four *dwelling units*.

Fourplex: Four *dwelling units* on the same parcel or lot in attached or detached arrangements.

Three-family dwelling: A detached *dwelling* up to two stories *above grade plane* in height.

Triplex: Three *dwelling units* on the same parcel or lot in attached or detached arrangements.

Two-family dwelling: A detached *dwelling* up to three stories *above grade plane* in height.

VII. ADD new IRC Section R302.1.1 as follows.

R302.1.1 Fire separation distance for upper floors. Where a stacked *dwelling unit* does not have emergency escape and rescue openings on the grade plane level, windows serving as the emergency escape rescue opening per R319 shall have no less than six (6) feet (1.8m) *fire separation distance* provided below the window for ladder access measured perpendicular to the exterior wall on the same property as the window.

VIII. REVISE IRC Section R302.3 as follows:

R302.3 Two-, three-, and four-family dwellings. Dwelling units ~~in two-family dwellings~~ shall be separated from each other in accordance with Section R302.3.1 through R 302.3.5, regardless of whether a lot line exists between ~~two the~~ dwelling units.

Summary

These proposed amendments expand the scope of the IRC to support small multifamily housing by introducing new definitions and enabling the use of compartmentalization in place of physical separation or automatic fire sprinkler systems. Note, the state bill defines triplexes and fourplexes as being attached, detached, or semi-detached which conflicts with the building code. This proposal defines three- and four-family dwellings independently of the definitions for triplex and

fourplex as found in SB2721 to avoid conflicting definitions between zoning and building regulations. While buildings with a shared means of egress must still follow the IBC, these amendments allow non-licensed designers to prepare plans for small IRC-compliant projects, encouraging broader participation in middle housing development.

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