

**SECTION 310
RESIDENTIAL GROUP R**

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 Institutional Group I or when not regulated by the *California Residential Code*. Residential occupancies shall include the following: <

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

Boarding houses (transient)

Hotels (transient)

Motels (transient)

[HCD 1] Efficiency dwelling units (transient)

Congregate living facilities (transient) or *congregate residences* (transient) with 10 or fewer occupants are permitted to comply with the construction requirements for Group R-3. ||

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

Apartment houses

Boarding houses (nontransient)

Convents

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Dormitories
Fraternities and sororities
Hotels (nontransient)
Live/work units
Monasteries
Motels (nontransient)
Vacation timeshare properties

[HCD 1] Efficiency dwelling units (nontransient)

Congregate living facilities or congregate residences with 16 or fewer occupants are permitted to comply with the construction requirements for Group R-3.

R-2.1 This occupancy shall include buildings, structures or parts thereof housing clients, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services.

This occupancy may contain more than six nonambulatory and/or bedridden clients. (See Section 425 Special Provisions for Licensed 24-Hour Care Facilities in a Group R-2.1, R-3.1 or R-4 Occupancy). This group shall include, but not be limited to, the following:

Assisted living facilities such as:

Residential care facilities,
Residential care facilities for the elderly (RCFEs),
Adult residential facilities,
Congregate living health facilities,
Group homes,
Residential care facilities for the chronically ill,
Congregate living health facilities for the terminally ill.

Social rehabilitation facilities such as:

Halfway houses,
Community correctional centers,
Community correction reentry centers,
Community treatment programs,
Work furlough programs,
Alcoholism or drug abuse recovery or treatment facilities.

R-3 Residential occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-2.1, R-3.1, R-4 or I, including:

Buildings that do not contain more than two dwelling units.
Adult care facilities that provide accommodations for six or fewer clients of any age for less than 24 hours. Licensing categories that may use this classification include, but are not limited to: Adult Day Programs.

Child care facilities that provide accommodations for six or fewer clients of any age for less than 24 hours. Licensing categories that may use this classification include, but are not limited to:

Day-Care Center for Mildly Ill Children,
Infant Care Center and School Age Child Day-Care Center.

Family Day-Care Homes that provide accommodations for 14 or fewer children, in the provider's own home for less than 24-hours.

Congregate living facilities or congregate residences with 16 or fewer persons.

Adult care and child care facilities that are within a single-family home are permitted to comply with the California Residential Code.

R-3.1 [HCD 1] This occupancy group may include facilities licensed by a governmental agency for a residentially based 24-hour care facility providing accommodations for six or fewer clients of any age. Clients may be classified as ambulatory, nonambulatory or bedridden. A Group R-3.1 occupancy shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in Section 425 Special Provisions For Licensed 24-Hour Care Facilities in a Group R-2.1, R-3.1 or R-4 Occupancy. This group may include:

Adult residential facilities
Congregate living health facilities
Foster family homes
Group homes
Intermediate care facilities for the developmentally disabled habilitative
Intermediate care facilities for the developmentally disabled nursing
Nurseries for the full-time care of children under the age of six, but not including "infants" as defined in Section 310
Residential care facilities for the elderly
Small family homes and residential care facilities for the chronically ill

Exception: Group Homes licensed by the Department of Social Services which provide nonmedical board, room and care for six or fewer ambulatory children or children two years of age or younger, and which do not have any nonambulatory clients shall not be subject to regulations found in Section 425.

Pursuant to Health and Safety Code Section 13143 with respect to these exempted facilities, no city, county or public district shall adopt or enforce any requirement for the prevention of fire or for the protection of life and property against fire and panic unless the requirement would be applicable to a structure regardless of the special occupancy. Nothing shall restrict the application of state or local housing standards to such facilities if the standards are applicable to residential occupancies and are not based on the use of the structure as a facility for ambulatory children. For the purpose of this exception, ambulatory children does not include relatives of the licensee or the licensee's spouse.

R-4 Residential occupancies shall include buildings arranged for occupancy as residential care/assisted living facilities including more than six ambulatory clients, excluding staff.

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code or shall comply with the California Residential Code provided the building is protected by an automatic sprinkler system installed in accordance with Section 903.2.8.

This occupancy classification may include a maximum six nonambulatory or bedridden clients (see Section 425 Special Provisions for Licensed 24-Hour Care Facilities in a Group

R-2.1, R-3.1 or R-4 Occupancy). Group R-4 occupancies shall include the following:

Assisted living facilities such as:

- Residential care facilities,*
- Residential care facilities for the elderly (RCFEs),*
- Adult residential facilities,*
- Congregate living health facilities,*
- Group homes.*

Social rehabilitation facilities such as:

- Halfway houses,*
- Community correctional centers,*
- Community correction reentry centers,*
- Community treatment programs,*
- Work furlough programs,*
- Alcoholism or drug abuse recovery or treatment facilities.*

310.2 Definitions. The following words and terms shall, for the purposes of this section and as used elsewhere in this code, have the meanings shown herein.

AGED HOME OR INSTITUTION. A facility used for the housing of persons 65 years of age or older in need of care and supervision. (See definition of "care and supervision")

BEDRIDDEN PERSON. A person, requiring assistance in turning and repositioning in bed, or being unable to independently transfer to and from bed, except in facilities with appropriate and sufficient care staff, mechanical devices if necessary, and safety precautions as determined in Title 22 regulations, by the Director of Social Services or his or her designated representative.

The Director of Social Services or his or her designated representative shall make the determination of the bedridden status of persons with developmental disabilities, in consultation with the Director of Developmental Services or his or her designated representative.

The Director of Social Services or his or her designated representative shall make the determination of the bedridden status of all other persons with disabilities who are not developmentally disabled.

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

CARE AND SUPERVISION. Any one or more of the following activities provided by a person or facility to meet the needs of the clients:

- Assistance in dressing, grooming, bathing and other personal hygiene.*
- Assistance with taking medication.*
- Central storing and/or distribution of medications.*
- Arrangement of and assistance with medical and dental care.*
- Maintenance of house rules for the protection of clients.*
- Supervision of client schedules and activities.*
- Maintenance and/or supervision of client cash resources or property.*
- Monitoring food intake or special diets.*
- Providing basic services required by applicable law and regulation to be provided by the licensee in order to obtain and maintain a community-care facility license.*

CATASTROPHICALLY INJURED. As termed, means a person whose origin of disability was acquired through trauma or nondegenerative neurologic illness, for whom it has been determined by the Department of Health Services Certification and Licensing that active rehabilitation would be beneficial.

CHILD-CARE CENTER. Any facility of any capacity other than a large or small family day-care home as defined in these regulations in which less than 24-hour-per-day nonmedical supervision is provided for children in a group setting.

CHILD OR CHILDREN. A person or persons under the age of 18 years.

CHRONICALLY ILL. See "Terminally ill."

CONGREGATE LIVING HEALTH FACILITY (CLHF). As termed, is a residential home with a capacity of no more than six beds, which provides inpatient care, including the following basic services: medical supervision, 24-hour skilled nursing and supportive care, pharmacy, dietary, social recreational, and at least provides services for persons who are diagnosed with a terminal illness or who are catastrophically and severely disabled.

CONGREGATE LIVING FACILITIES. A building or part thereof that contains sleeping units where residents share bathroom and/or kitchen facilities.

CONGREGATE RESIDENCE. Any building or portion thereof that contains facilities for living, sleeping and sanitation, as required by this code, and may include facilities for eating and cooking, for occupancy by other than a family. A congregate residence may be a shelter, convent, monastery, dormitory, fraternity or sorority house, but does not include jails, hospitals, nursing homes, hotels or lodging houses.

DAY CARE. For the purposes of these regulations, mean the care of persons during any period of a 24-hour day where permanent sleeping accommodations are not provided.

Note: "Daycare" shall not be construed to preclude the use of cots or mats for napping purposes, provided all employees, attendants and staff personnel are awake and on duty in the area where napping occurs.

DAY-CARE HOME, FAMILY. A home that regularly provides care, protection and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, and is either a large family day-care home or a small family day-care home.

DAY-CARE HOME, LARGE FAMILY. A provider's own home which is licensed to provide day care for periods less than 24 hours per day for nine to 14 persons, including children under the age of 10 years who reside at the home.

DAY-CARE HOME, SMALL FAMILY. A home which provides family day-care to eight or fewer children, including children under the age of 10 years who reside at the home, in the provider's own home, for periods of less than 24 hours per day. Small family day-care homes are exempted from state fire and life safety regulations other than those state and local standards applicable to Group R-3 occupancies. (See Health and Safety Code, Section 13143 (b).)

DORMITORY. A space in a building where group sleeping accommodations are provided in one room, or in a series of

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closely associated rooms, for persons not members of the same family group, under joint occupancy and single management, as in college dormitories or fraternity houses.

FULL-TIME CARE. *Shall mean the establishment and routine care of persons on an hourly, daily, weekly, monthly, yearly or permanent basis, whether for 24-hours per day or less, and where sleeping accommodations are provided.*

INFANT. *For the purpose of these regulations, shall mean any child who because of age only, is unable to walk and requires the aid of another person to evacuate the building. In no case shall the term "infant" mean a child 2 years of age or older.*

MENTALLY RETARDED PERSONS, PROFOUNDLY OR SEVERELY. *Shall mean any retarded person who is unable to evacuate a building unassisted during emergency conditions.*

Note: The determination as to such incapacity shall be made by the Director of the State Department of Public Health or his or her designated representative pursuant to Health and Safety Code Section 13131.3.

NONAMBULATORY PERSONS. *Persons unable to leave a building unassisted under emergency conditions. It includes, but is not limited to, persons who depend on mechanical aids such as crutches, walkers and wheelchairs and any person who is unable to physically and mentally respond to a sensory signal approved by the state fire marshal or an oral instruction relating to fire danger.*

The determination of ambulatory or nonambulatory status of persons with developmental disabilities shall be made by the Director of Social Services or his or her designated representative, in consultation with the director of Developmental Services or his or her designated representative. The determination of ambulatory or nonambulatory status of all other disabled persons placed after January 1, 1984, who are not developmentally disabled shall be made by the Director of Social Services or his or her designated representative.

RESIDENTIAL CARE FACILITY FOR THE CHRONICALLY ILL (RCF/CI). *As termed, means a housing arrangement with a maximum capacity of 25 residents that provides a range of services to residents who have chronic, life-threatening illnesses.*

RESIDENTIAL CARE FACILITY FOR THE ELDERLY (RCFE). *As defined in Health and Safety Code Section 1569.2, shall mean a facility with a housing arrangement chosen voluntarily by persons 60 years of age or over, or their authorized representative, where varying levels and intensities of care and supervision, protective supervision or personal care are provided, based on their varying needs, as determined in order to be admitted and to remain in the facility. Persons under 60 years of age with compatible needs, as determined by the Department of Social Services in regulations, may be allowed to be admitted or retained in a residential-care facility for the elderly.*

Pursuant to Health and Safety Code Section 13133, regulations of the state fire marshal pertaining to Group R, Division 2 Occupancies classified as residential facilities (RF) and residential-care facilities for the elderly (RCFE) shall apply uniformly throughout the state and no city, county, city and county, including a charter city or charter county, or fire protection

district shall adopt or enforce any ordinance or local rule or regulation relating to fire and panic safety which is in consistent with these regulations. A city, county, city and county, including a charter city or charter county may pursuant to Health and Safety Code Section 13143.5, or a fire protection district may pursuant to Health and Safety Code Section 13869.7, adopt standards more stringent than those adopted by the state fire marshal that are reasonably necessary to accommodate local climate, geological, or topographical conditions relating to roof coverings for residential-care facilities for the elderly.

RESIDENTIAL FACILITY (RF). *As defined in Section 1502 of the Health and Safety Code, shall mean any family home, group care facility or similar facility determined by the director of Social Services, for 24-hour nonmedical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual. Such facilities include small family homes and social rehabilitation facilities.*

Pursuant to Health and Safety Code Section 13133, regulations of the state fire marshal pertaining to Group R Occupancies classified as residential facilities (RF) and residential-care facilities for the elderly (RCFE) shall apply uniformly throughout the state and no city, county, city and county, including a charter city or charter county, or fire protection district shall adopt or enforce any ordinance or local rule or regulation relating to fire and panic safety which is in consistent with these regulations. A city, county, city and county, including a charter city or charter county may pursuant to Health and Safety Code Section 13143.5, or a fire protection district may pursuant to Health and Safety Code Section 13869.7, adopt standards more stringent than those adopted by the state fire marshal that are reasonably necessary to accommodate local climate, geological, or topographical conditions relating to roof coverings for residential-care facilities for the elderly.

TERMINALLY ILL. *As termed for an individual, means the individual has a life expectancy of six months or less as stated in writing by his or her attending physician and surgeon.*

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

310.3 Large Family Day-Care Homes. *See Section 445.*

SECTION 311 STORAGE GROUP S

311.1 Storage Group S. *Storage Group S occupancy includes, among others, the use of a building or structure, or a portion thereof, for storage that is not classified as a hazardous occupancy.*

311.2 Moderate-hazard storage, Group S-1. *Buildings occupied for storage uses that are not classified as Group S-2, including, but not limited to, storage of the following:*

- Aerosols, Levels 2 and 3
- Aircraft hangar (storage and repair)
- Bags: cloth, burlap and paper
- Bamboos and rattan