



INTERPRETATION OF DEVELOPMENT CODE

REF. #000090 092506

CODE SECTION: 20.20 Definitions

QUESTION:

What does the term “detached” mean as commonly used in chapter 20 of the Municipal Code?

DISCUSSION:

Throughout chapter 20 of the Municipal Code references are made to “detached” structures or buildings.

There is no specific definition of “detached” in subchapter 20.20

Section 20.10.060 states:

Where terms are not specifically defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster’s International Dictionary of the English Language shall be considered in determining ordinarily accepted meanings.

The definition of detached in the referenced dictionary is:

Standing by itself: SEPARATE, UNCONNECTED, ISOLATED

The historical perspective on requiring structures to be detached is two-fold. One, most zoning and land use regulations attempt to minimize the mass of a structure or group of structures on a site by providing open space and limits on lot coverage. Additionally, for consistency with the

early fire and life safety provisions relative to building and structure location enumerated in building codes, setbacks from buildings and property lines were incorporated into the land use regulations. This was done primarily to promote the passage of fire personnel and equipment between buildings.

The International Residential Code and International Building Code provide for an assumed property line between buildings. This assumed line is the starting-point for determining fire protection requirements for a structure. If a structure encroaches into the “setback” area defined by the building code, fire protection is required or the structures could be considered to be one building on the same site. If several buildings were to be considered as one then the land use setbacks would be applied to the entire “building”. The property line concept provides a convenient means of protecting one building from another as far as exposure is concerned. Exposure is the potential for heat to be transmitted from one building to another during a fire. Radiation is the primary means of heat transfer.

DECISION:

In consideration of the historical rationale for setbacks and open space and for the purpose of defining “detached” as used in the various sections in chapter 20 of the Municipal Code, to be considered “detached” the structures must be separated by the minimum fire separation distance detailed in the appropriate building code. For the purpose of determining whether a structure qualifies as being “detached” the separation distance cannot be reduced through the use of mitigation provided in the building or fire codes.

The purpose of this decision is to address those structures that are to be considered “detached” for the purpose of applying various criteria and exemptions identified in chapter 20 of the Municipal Code. This decision should not be construed to imply that if a structure does not meet the provisions for “detached” that it should be considered “attached”.

Original signed by Joe Tovar

9/25/06

Joseph W. Tovar
Director

Date