BUILDINGS BULLETIN 2008-001
Code Interpretation

Supersedes:	None
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Purpose:	This document is to clarify that accessory spaces used for assembly purposes with occupant loads of less than 75 are not subject to the 10% per story limits and are treated as the main occupancy for code purposes.
Related Code Section(s):	BC 303.1 BC 508.3.1
Subject(s):	Assembly, accessory assembly occupancies Occupancy classification, accessory assembly occupancies

The provisions of Section BC 303.1, Exception 1, provides that:

> "A room or space used for assembly purposes by fewer than 75 persons and accessory to another occupancy shall be included as part of that occupancy."

Therefore, such rooms or spaces shall not be classified as Group A, but are instead classified as the occupancy group of the main occupancy. Accordingly, the provisions of Section 508.3, Mixed Occupancies, are inapplicable, because the occupancy group for the assembly uses and the non-assembly uses are the same.

EXAMPLE: An apartment building includes the following two common use spaces: an indoor swimming pool occupying substantially all of the 10th story, and a recreational roof garden on the roof above the swimming pool. In this case, both the swimming pool and the roof garden are for the use of the residential building tenants – and are therefore subsidiary and accessory to the R-2 occupancy. If the occupant load of the accessory indoor swimming pool is less than 75, then the pool is not classified as A-3 but rather R-2. Similarly, if the occupant load of the roof garden is less than 75, the roof garden is classified as R-2 and not A-3. The effect of their designations as R-2 occupancies is that they are not treated as "Mixed Occupancies" per Section BC 508.3, meaning that they are not subjected to the 10% per story limitation of Section 508.3.1 and are not subject to Group A code requirements.

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