



# City of Monterey Park

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## **BUILDINGS ON SAME PROPERTY**

(updated 11/1/2014)

CBC Section 503.1.2 provides that buildings on the same property and court walls of buildings over one story shall be assumed to have a property line between them for the purpose of determining the fire protection requirement of exterior walls and openings. This bulletin offers an interpretive guideline when applying the provision to an open-mall mixed-use project. The same guideline can apply to similar situations in other types of project as well.

When the early U. S. building codes were developed during the turn of the last century, a major objective was to set up some sort of fire barriers between buildings or "building modules" so that catastrophic quick spreading of fires as in the 1866 Chicago fire and the 1906 San Francisco fire can be avoided. The fire barrier or firebreak could be a fire-resistive wall or a physical distance between buildings, or a combination of the two methods. Within the grids of such firebreaks each "building module" is limited to a certain size as stipulated in Section 503.

To be fair to the owners of both adjacent properties, the code use legal property lines as a reference to measure the fire distance between buildings on adjacent lots. For buildings on the same lot, an "assumed" property line is used for measuring the fire distance. Location of an assumed property line need not be the centerline between two buildings. The designer should have the flexibility of defining the location of assumed property lines and design the exterior walls accordingly.

The code does allow the assumed property line to be ignored if the aggregate area of such buildings on the same lot does not exceed the allowable building area stipulated in Section 503. This is consistent with the purpose of 503 which is to limit the building area surrounded by firebreaks to within certain size. The exception allows for unprotected storefronts on narrow open malls that would have otherwise required fire-rated storefronts based on the fire distance.

In a mixed-use project, the upper floors are often separated from the base (which usually consists of the ground floor and the basement) with a 3-hour horizontal fire separation and treated as separate buildings for the purpose of calculating the allowable building area and building height per Section 503. This articulation scheme allows the designer to use a less restrictive, and hence less expensive "Type of Construction" for the upper portion of the structure.

The code dictates the base portion in such an articulation scheme to be of Type I construction, which has unlimited allowable building area per Section 503.1.3. Storefronts on the ground floor therefore would qualify for the exception to ignore the assumed property line. "Buildings" (as for the purpose of calculating the allowable area) above the 3-hour horizontal separation, however, must be examined case by case to determine whether an assumed property line should apply between each two buildings. An assumed property line that applies between two upper buildings does not affect the exempt base building.

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While the assumed property line may not apply to the open mall of base building, other requirements in the code may require the storefronts to be protected under circumstances. For example, the mall typically serves as an exit court and would require the storefronts to be fire-protected where the mall is less than 10 feet in width. Another example is that storefronts below and within 10 feet of an exterior stairway serving a building over two stories in height also need to be protected.

An open mall, which is a component of exit-discharge, should not be considered a hallway, which is a component of exit-access. An open mall is an outdoor area (or a “yard” in building code terminology) that is open to the sky, and thus need not comply with many restrictions of a hallway such as distance of travel, intervening room and fire-resistive construction when serving more than 10 occupants involving occupancies. On the other hand, a hallway is always a part of a building, while an open mall could potentially separate two buildings from each other as far as allowable building area is concerned. A hallway therefore has no “assumed property line” issue, while an open mall does.