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## 2010 Oregon Residential Specialty Code Commentary

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### Q&A: Accessory Structures regulated under the Oregon Residential Specialty Code

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For questions regarding the 2008 ORSC please contact: **Mike Ewert** at [mike.d.ewert@state.or.us](mailto:mike.d.ewert@state.or.us) / (503) 373-7529 or **Richard Rogers** at [richard.rogers@state.or.us](mailto:richard.rogers@state.or.us) / (503) 378-4472

1. Does the Oregon Residential Specialty Code (ORSC) establish a maximum area for structures which are accessory to one or two-family dwellings and townhouses?

*Yes. ORSC Section R202 defines "ACCESSORY STRUCTURE" as:*

*"A structure not greater than 3,000 square feet (279 m<sup>2</sup>) in floor area, and not over two stories in height, the use of which is customarily accessory to and incidental to that of the dwelling(s) and which is located on the same lot."  
(reference question 9)*

2. If the accessory structure is larger than 3000 sq. ft., is compliance with the Oregon Structural Specialty Code (OSSC) required?

*Yes. If the accessory structure is larger than 3,000 sq. ft., it is outside the scope of the ORSC and must comply with the OSSC.*

3. Does the definition of accessory structure include attached garages?

*Yes. In addressing this definition, the 2006 IRC Commentary states in part:*

*"These structures are commonly used as garages, carports, cabanas, storage shed, tool sheds, playhouses and garden structures."*

4. If a garage greater than 3,000 sq. ft is attached to a dwelling, what specialty code is applicable?

*The OSSC. In that a garage greater than 3,000 sq. ft is outside the scope of the ORSC, the entire building becomes a mixed occupancy structure regulated under the OSSC.*

5. Does the ORSC limit the number of accessory structures on a single parcel?

*No. However, local land use laws should be consulted. (reference question 9)*

6. Using the ORSC, can multiple 3,000 sf. ft. accessory structures share a common wall?

*Generally no. However, an alternate method using the guidance of OSSC 406.1.2 where each structure is separated by "fire walls" complying with OSSC 705 may be appropriate subject to review and approval by the local building official.*

**Additional questions:**



7. Can an accessory structure as defined in ORSC, Section R202 be used for a commercial purpose?

*Generally no. The ORSC definition for accessory structure indicates that “the use ...is customarily accessory and incidental to the dwelling.” (reference question 9)*

8. If compliance with the OSSC is required for an accessory structure over 3,000 sq. ft., what Chapters and Sections are applied?

*Full compliance with the OSSC is expected including but not limited to the following considerations:*

- a) *OSSC 406.1.2 limits the area of a Group U occupancy to 3,000 square feet subject to certain parameters when used for the storage of private or pleasure-type motor vehicles where no repair work is completed or fuel is dispensed.*
  - b) *Garages greater than 3,000 square feet would most likely be classified as a group “S-2” parking garage.*
  - c) *Height and area limitations in Chapter 5.*
  - d) *Compliance with the occupancy separation requirements of Table 508.3.3.*
  - e) *Fire protection requirements of chapter 9.*
  - f) *Accessibility: In order to be an “Affected Building” the structure must fall within the parameters of ORS 447.210(11) for a “Public Accommodation.” The statute provides that in order to be considered a public accommodation facilities operations must affect commerce and fall within at least one of several categories. A true accessory structure would generally not affect commerce and compliance with OSSC chapter 11 would not be required.*
  - g) *Per section 106.3.5(10) a Fire, Life-Safety plan review is required for Group S and U occupancies over 4,000 s.f. or more that 20 feet in height, or with a basement.*
  - h) *Per Oregon Attorney General opinion, the Fire Service has authority for apparatus access and water supply.*
9. Should local land use laws be consulted in conjunction with accessory structures?

*Yes. Local land use laws may limit the size or number of accessory structures on a single lot and/or impose specific setback requirements. In addition, local land use laws may allow limited home business use.*

10. Is there information available regarding OSSC exemptions for equine facilities and agricultural buildings located on farms?

*Yes. For **equine facilities** please see the following link:*

*[www.bcd.oregon.gov/programs/structural/interps/20080709\\_455-315\\_equine.pdf](http://www.bcd.oregon.gov/programs/structural/interps/20080709_455-315_equine.pdf)*

*For **agricultural buildings** please see the following link:*

*[www.bcd.oregon.gov/programs/structural/interps/20080709\\_455-315\\_ag.pdf](http://www.bcd.oregon.gov/programs/structural/interps/20080709_455-315_ag.pdf)*