

2023 Oregon Residential Specialty Code Amendments

Summary: This amendment includes attached stacked two-family dwellings with increased fire separation at the vertical demising walls between each stacked two-family dwelling. This amendment was adopted by temporary rule effective Jan. 31, 2025 and then adopted by permanent rule effective April 1, 2025.

The following amendments are adopted as part of the 2023 Oregon Residential Specialty Code (ORSC).

The changes are denoted as follows:

- Blue/underline = Added code language
~~Red/strikethrough~~ = Deleted code language

SECTION R101—SCOPE AND GENERAL REQUIREMENTS

R101.2.1 Application. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use, occupancy and location of the following:

1. Detached one- and two-family dwellings and townhouses classified as Group R-3, not more than three stories above grade plane in height, and their *accessory structures*.
2. Stacked two-family dwellings attached only to other stacked two-family dwellings in accordance with Section R302.3.3, not more than two stories above grade plane in height, and their accessory structures.

(The rest of Section R101.2.1 is renumbered)

SECTION R202—DEFINITIONS

STACKED TWO-FAMILY DWELLING. A vertically stacked, two-family dwelling where one of the dwelling units is located above the other dwelling unit and access to a yard, street, alley or public way is provided on not fewer than two sides.

SECTION R302—FIRE-RESISTANT CONSTRUCTION

R302.3 Two-family dwellings. *Dwelling units* in two-family dwellings shall be separated from each other by wall and floor assemblies having not less than a 1-hour fire-resistance rating where tested in accordance with ASTM E119, UL 263 or Section 703.2.2 of the *Building Code*. Fire-resistance-rated floor/ceiling and wall assemblies shall extend to and be tight against the exterior walls and vertical fire-resistance-rated separation walls separating attached stacked two-family dwellings where applicable, and wall assemblies separating the two adjacent dwelling units of a single detached two-family dwelling shall extend from the top of the lowest floor sheathing to the underside of the roof sheathing.

Exceptions: *(Remains unchanged)*

R302.3.3 Attached stacked two-family dwellings. Stacked two-family dwellings are permitted to be attached to other stacked two-family dwellings in accordance with this section, and shall not be attached to townhouses or one-family dwellings. Each stacked two-family dwelling shall independently comply with the applicable two-family dwelling requirements of Section R302.3 and the requirements for townhouses in this code. Each stacked two-family dwelling shall be considered a separate building.

Exception: Attached stacked two-family dwellings are not required to comply with Section R302.2, except where Section R302.3.3.1.1 is applicable.

R302.3.3.1 Stacked two-family dwelling separation. Stacked two-family dwellings shall be separated from other stacked two-family dwellings in accordance with this section and shall comply with Section R302.3.3.1.1, Section R302.3.3.1.2, or Section R302.3.3.1.3.

R302.3.3.1.1 Common “modified” 2-hour fire-resistance-rated wall. Each stacked two-family dwelling shall be separated from other stacked two-family dwellings by a common “modified” 2-hour fire-resistance-rated wall in accordance with Section R302.2.1 Item 2, as applicable.

R302.3.3.1.2 Double walls. Each stacked two-family dwelling shall be separated from other stacked two-family dwellings by two 1-hour fire-resistance-rated wall assemblies tested in accordance with ASTM E119, UL 263 or Section 703.2.2 of the *Building Code*.

R302.3.3.1.3 Common walls. Common walls separating stacked two-family dwellings from other stacked two-family dwellings shall be a 2-hour fire-resistance-rated assembly tested in accordance with ASTM E119, UL 263 or Section 703.2.2 of the Building Code, and shall be rated for fire exposure from both sides. Common walls shall extend to and be tight against the exterior sheathing of the exterior walls, or the inside face of exterior walls without stud cavities, and the underside of the roof sheathing. The common wall shared by stacked two-family dwellings shall be constructed without plumbing or mechanical equipment, ducts or vents, other than water-filled fire sprinkler piping in the cavity of the common wall. Electrical installations shall be in accordance with the Electrical Code. Penetrations of the membrane of common walls for electrical receptacle boxes shall be in accordance with Section R302.4.

Exception: Common walls are permitted to extend to and be tight against the inside of the exterior walls if the cavity between the end of the common wall and the exterior sheathing is filled with a minimum of two 2-inch nominal thickness wood studs.

R302.3.3.1.4 Continuity. The fire-resistance-rated wall or assembly separating stacked two-family dwellings from other stacked two-family dwellings shall be continuous from the foundation to the underside of the roof sheathing, deck or slab. The fire-resistance rating shall extend the full length of the wall or assembly, including wall extensions through and separating attached enclosed accessory structures.

R302.3.3.1.5 Parapets at the separation. Parapets constructed in accordance with Section R302.3.3.1.5 shall be constructed for stacked two-family dwellings as an extension of exterior walls or common walls separating stacked two-family dwellings from other stacked two-family dwellings in accordance with the following:

1. Where roof surfaces adjacent to the wall or walls are at the same elevation, the parapet shall extend not less than 30 inches (762 mm) above the roof surfaces.
2. Where roof surfaces adjacent to the wall or walls are at different elevations and the higher roof is not more than 30 inches (762 mm) above the lower roof, the parapet shall extend not less than 30 inches (762 mm) above the lower roof surface.

Exception: A parapet is not required in the preceding two cases where the roof covering complies with a minimum Class C rating as tested in accordance with ASTM E108 or UL 790 and the roof decking or sheathing is of noncombustible materials or fire-retardant-treated wood for a distance of 4 feet (1219 mm) on each side of the wall or walls, or one layer of 5/8-inch (15.9 mm) Type X gypsum board is installed directly beneath the roof decking or sheathing, supported by not less than nominal 2-inch (51 mm) ledgers attached to the sides of the roof framing members, for a distance of not less than 4 feet (1219 mm) on each side of the wall or walls and any openings or penetrations in the roof are not within 4 feet (1219 mm) of the common walls. Fire-retardant-treated wood shall meet the requirements of Sections R802.1.5 and R803.2.1.2.

3. A parapet is not required where roof surfaces adjacent to the wall or walls are at different elevations and the higher roof is more than 30 inches (762 mm) above the lower roof. The common wall construction from the lower roof to the underside of the higher roof deck shall have not less than a 1-hour fire-resistance rating. The wall shall be rated for exposure from both sides.

R302.3.3.1.6 Parapet construction. Parapets shall have the same fire-resistance rating as that required for the supporting wall or walls. On any side adjacent to a roof surface, the parapet shall have noncombustible faces for the uppermost 18 inches (457 mm), to include counter-flashing and coping materials. Where the roof slopes toward a parapet at slopes greater than 2 units vertical in 12 units horizontal (16.7-percent slope), the parapet shall extend to the same height as any portion of the roof within a distance of 3 feet (914 mm), and the height shall be not less than 30 inches (762 mm).

R302.3.3.1.7 Structural independence. Each stacked two-family dwelling shall be structurally independent.

Exceptions:

1. Stacked two family dwellings separated by a common wall as provided in Section R302.3.3.1.2.
2. Foundations supporting exterior walls or common walls.
3. Structural roof and wall sheathing from adjacent stacked two-family dwellings fastened to the common wall framing.
4. Nonstructural wall and roof coverings.
5. Flashing at termination of roof covering over common wall.
6. Crickets.
7. Porches and exterior stairs.
8. Porch and patio covers.

R302.3.3.2 Stacked two-family dwelling accessibility. Stacked two-family dwellings shall be accessible in accordance with Section R320.3.

R302.3.3.3 Automatic sprinkler system. Where three or more stacked two-family dwellings are attached and separated in accordance with Section R302.3.3.1, each stacked two-family dwelling shall be protected throughout with an automatic sprinkler system in accordance with NFPA 13D.

R302.3.3.4 Utilities for stacked two-family dwellings. Separate utility services shall be supplied to each individual stacked two-family dwelling. Utilities serving an individual stacked two-family dwelling shall not run beneath, through, or otherwise be attached to, a separate stacked two-family dwelling.

R302.3.3.5 Sound transmission. Wall and floor-ceiling assemblies separating *dwelling units* shall provide airborne sound insulation for walls, and both airborne and impact sound insulation for floor-ceiling assemblies in accordance with Appendix K.

R302.3.3.6 Mixed occupancies. Mixed occupancies are not permitted in stacked two-family dwellings. Such buildings shall be designed and constructed in accordance with the requirements set forth for mixed occupancies or live/work units in the *Building Code*.

R302.3.4 Shared accessory rooms. Shared accessory rooms shall be separated from each individual *dwelling unit* in accordance with Table R302.3.4. Openings between the shared accessory room and dwelling unit shall comply with Section R302.3.4.1. Shared accessory rooms shall only serve a single *stacked two-family dwelling* and shall not be used as trash enclosures. Continuity of required dwelling unit separations specified by Section R302.3 shall be maintained independently from the accessory room separations specified herein.

TABLE R302.3.4—DWELLING-SHARED ACCESSORY ROOM SEPARATION	
SEPARATION	MATERIAL
From the dwelling units and attics	Not less than 1/2-inch gypsum board or equivalent applied to the accessory room side wall
From habitable space above or below the shared accessory room	Not less than 5/8-inch Type X gypsum board or equivalent
Structures supporting floor/ceiling assemblies used for separation required by this section	Not less than 1/2-inch gypsum board or equivalent
For SI: 1 inch = 25.4 mm.	

R302.3.4.1 Opening protection. Openings from a shared accessory room or area directly into a room used for sleeping purposes shall not be permitted. Other openings between the shared accessory room or area and *dwelling units* shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches (35 mm) in thickness, or a fire door assembly with a 20-minute fire-protection rating.

R302.3.4.1.1 Duct penetration. Ducts penetrating the walls or ceilings separating the dwelling from the shared accessory room shall be constructed of sheet steel not less than No. 26 gage (0.48 mm) or other approved material and shall not have openings into the shared accessory room.

R302.3.4.1.2 Other penetrations. Penetrations through the walls, ceiling and floor-level separation required in Section R302.3.4 shall be protected as required by Section R302.11, Item 4.

SECTION R320—ACCESSIBILITY

R320.3 Attached stacked two-family dwellings. Where a *stacked two-family dwelling* is attached to another *stacked two-family dwelling*, the *covered multifamily dwelling* requirements of the Fair Housing Act and Chapter 11 of the *Building Code* apply. Accessible design shall be provided in accordance with the *Building Code*, as required for Group R-3 occupancies.

For questions about the 2023 ORSC, visit the division website to [contact a building code specialist](#).