



CITY OF BETHLEHEM

BUREAU OF PLANNING AND ZONING

10 East Church Street, Bethlehem, Pennsylvania 18018-6025

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July 3, 2024

Marco Andretti
Spinozzi 2, LLC



RE: **(24-003 Sketch Plan Review) – 24060006– 817 and 821-823 WEST BROAD STREET – SKETCH PLAN REVIEW – Ward 12, Zoned CL, plans dated May 9, 2024.**

Dear Sir:

The purpose of this letter is to provide overall planning and guidance to the applicant. A Sketch Plan lacks much of the information necessary for a thorough evaluation and has been reviewed only for general conformance to City of Bethlehem standards to the extent permitted by the limited detail provided. Additional comments will be provided when a more detailed plan is submitted for review.

Comments regarding the Site Plan Review requirements specified in Article 1322.01 and 1322.02 of the Zoning Ordinance (attached) and the Sketch Plan requirements found in Section 1345.03 of the SALDO are as follows:

SITE PLAN REVIEW

1. The review is predicated upon the City's understating that the applicant proposes to convert 817 W. Broad Street from mixed use, commercial office and one dwelling into four dwellings, thereby eliminating the commercial use; convert 821-823 W. Broad Street from a 14 room boarding house into eight dwellings and construct a four-story, 38'-3" in height, as measured from grade to the top of fascia and approximately 44'-6" in height, as measured from grade to the ridge of the hipped roof, building addition to 821-823 W. Broad Street, and containing 18 dwellings, for a total of 30 dwellings, no commercial space and 25 off-street parking spaces. The City acknowledges and appreciates the applicant's intent to restore and maintain the existing structures, and their distinctive features, and specifically front porches, fenestration and roof lines, as well as proposing an addition to the rear of the property.
2. It should be noted that the sketch plan submission included only Sheet L0.1, Proposed Sketch Plan, and the architectural plans, Sheets T-1, L-1, A-1.2 thru A-2.2 were submitted as part of a preliminary plan review meeting, and therefore, the architectural plans *may* be subject to change from their issuance date of March 14, 2024, and to the date of the Planning Commission Meeting.
3. 1322.02(d)(2), Building Arrangement.
 - a. Analysis.
 - i. Neighborhood context. To the west includes a two-and-one-half story single-family detached dwelling at 827 W. Broad St., and a two-story single-family detached dwelling at 540 Eighth Ave.; to the south includes a two-and-one-half story single-family detached dwelling at 534 Eighth Ave and a two-story place of worship (n/f New Vision Church) at 527 Seventh Ave.; to the east includes a two-and-one-half story, mixed-use structure (n/f Inner Resources Counseling) at 807 W Broad St and a two-and-one-half story, mixed use structure (n/f Fibromyalgia Pain Management Center and JTS Nail Studio) at 801 W. Broad St.; and to the north various two-and-one-half story structures

containing residential and commercial uses. The massing of the proposed addition, as viewed from Schaffer Street (alley), is split vertically by a setback in the building floor plates and visually by storefront glass demarking a stair tower. There are no horizontal changes in materials or setbacks, and therefore the height reads as a sheer wall four-story structure with hipped roofs.

- ii. The proposed site plan excludes the required 8' wide buffer yards for multi-family dwellings.
- b. Recommendation.
 - i. Due to the overall height of the addition, approximately 44'-6", and the overall length of the addition, approximately 119', the Applicant should also consider a sun study to demonstrate the effects of shadowing on adjacent properties. The results of this study should also guide recommended building setbacks along the western and southern lot lines.
 - ii. In addition, due to the overall length of the building, the applicant should consider a variety of architectural elements or materials to break up the length of the façade.
- 4. Zoning Relief. The Applicant shall submit an Appeal Application for the following relief:
 - a. A Variance to waive the requirement for a commercial use on the front street level; Ref. 1305.01(a) Footnote 1.
 - b. A Dimensional Variance to reduce the lot area per dwelling, 1,200 SF / dwelling, or 18 dwellings permitted, and 747 SF / dwelling, or 30 dwellings proposed; Ref. 1306.01(b)(2) and 1306.01(a)(4).
 - c. A Variance to reduce the minimum width of buffer yards, 8' required along side and rear lot lines, approximately 2'-6" proposed along side and rear lot lines; Ref. 1318.23.
 - d. A Special Exception to reduce the minimum required off-street parking, 45 spaces required, 25 spaces proposed; Ref. 1319.01(a)(1)(ii), 1319.02(b).

Additional comments to be addressed at the Subdivision & Land Development Plan review stage are attached.

This plan will be placed on the July 11, 2024 Planning Commission agenda. Please let us know who will be attending in person. As a sketch/site plan submission, no formal action is required from the Planning Commission; however, the Planning Commission may make recommendations to the Zoning Hearing Board regarding the overall plan.

Sincerely,

Darlene L. Heller, AICP
Assistant Director of Planning and Zoning

C.	Basel Yandem	Craig Baer	Gary Lader, AIA
	Geoffrey Karanja	Mike Halbfoerster	4/4 Architecture
	Emanuel Machado	Greg Cryder	
	Olivia Teel	Robert Taylor	

Enc.

Additional Comments Related to the Overall Land Development

PUBLIC WORKS

Engineering

1. Existing and proposed features, including, but not limited to, utilities, profiles, landscaping, lighting and details shall be shown on separate plans.
2. Submit a legal description for each parcel proposed for consolidation as shown on submitted plan set.
3. Existing and proposed impervious coverage areas shall be shown. A stormwater fee may be charged for increase in impervious area.
4. Any deficient sidewalk along the frontage of the properties must be removed and replaced. Curb may also be required to be replaced and will be evaluated at the time of land development review.
5. In accordance with Ordinance No. 4342, at the time of execution of the developer's agreement, a sanitary sewer tapping fee of \$2,527 per EDU will need to be paid. The total amount will be determined when a sanitary sewer facilities planning module application is submitted. A cover letter, describing the project, and a utility plan shall be included in the planning module submittal. Please note that building permits cannot be issued until the Planning Module is reviewed and approved by the Pennsylvania Department of Environmental Protection.
6. The following notes are required on the land development plans:
 - a. By submission of these plans the engineer on record certifies that these plans are complete conformance with the City of Bethlehem Storm Water Management Ordinance.
 - b. In order to maintain continuity between plan revisions, any changes to previous plan submission shall be flagged with a triangle. Any changes not flagged may be considered not approved. Flagged changes shall be referenced to the appropriate revisions date in the revision block.
 - c. Accurate as-built plans shall be kept up to date during the construction process. At the completion of the project record drawings shall be developed from the as-built plans and be submitted to the City Engineer's Office. All final drawings shall show North American Datum (NAD) 1983 State Plane Feet Coordinates in feet (Pennsylvania South, FIPS Zone 3702) and the digital file shall be in State Plane Feet Coordinates as applicable. The hard copy of the record drawings shall be in the form of a Mylar copy. The engineer of record shall certify (i.e., P.E. stamped and signed) that the record drawings comply substantially with the approved plan and that they conform to industry standards. All digital files shall reside on a USB flash drive containing the digital representation of the final plan as presented on the twenty-four (24) inch by thirty-six (36) inch sheets. The digital map shall be AutoCAD compatible. All layers included in the digital maps shall be standardized layers prepared and utilized by the City of Bethlehem to ensure compatibility with the City's existing CAD standards and as described in Appendix A of the City's Subdivision and Land Development Ordinance.
 - d. Prior to any work within the Right-of-Way, permits must be obtained from the City Engineering Office.

Traffic

1. At the submission of the Preliminary/Final Land Development Plan, provide traffic counts, as per the 9th Edition of the ITE Trip Generation Manual.
2. At the submission of the Preliminary/Final Land Development Plan, if a traffic study is required, then provide an escrow fee in the amount of \$2,500; Ref. Resolution No. 14,589, adopted April 5, 2005.

Forestry

1. Submit a landscape plan for comment/review to include calculations and planting schedule. See also Zoning Comment 7.

RECYCLING

1. The plans do not provide any details on how the property owner will maintain trash and recycling services for the apartment units. Provide specific details such as location of where trash and recycling materials will be stored and/or collected, the type of container(s), the number of containers and the frequency of service for both trash and recycling materials.

FIRE

The City of Bethlehem Fire Department currently enforces the 2018 Edition of the International Fire Code in its entirety including Appendices, with local amendments, as adopted in Article 1501 of the Codified Ordinances of the City of Bethlehem, Ordinance 2022-15.

A condensed version of Article 1501/Ordinance 2022-15 listing the common items that affect Land Development Projects is attached at the end of this document for reference. For a copy of the full ordinance please visit <https://www.bethlehem-pa.gov/CityOfBethlehem/media/BFDMedia/Fire-Code.pdf>

1. The architect/engineer must confirm Fire Department vehicles have the required turning space to access all areas. Contact the Fire Department for turning radius information for Fire Department vehicles and submit a turning plan drawing.
2. A Knox Box for City of Bethlehem Fire Department access shall be installed. Add a note to the plans and with the location TBD.
3. Indicate if the building is to be sprinklered. If the building is to be sprinklered, then indicate the proposed location of all Fire Department Connections (FDC). Fire department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise *approved* by the Fire Marshal. Add note to the plan stating, "Any change in the location of the Fire Department Connection must be approved by the City of Bethlehem Fire Department."
4. All 'Fire Lanes' or "Fire Department Access Roads" must be identified and properly marked. (Refer to International Fire Code, 2018 ed., Section 503 and Appendix D for additional information. Locations for signs and markings can be determined as the project progresses.)
5. The proposed building height measures 38'-3" to the top of fascia; not including the sloped roofs. All buildings less than 30 feet in height must have 20 foot wide, minimum, access road(s). All buildings 30 feet or greater in height must have 26 foot wide, minimum, access road(s) and must accommodate a fire apparatus weighing 84,000lbs (Refer to International Fire Code, 2018 ed., Section 503 and Appendix D for additional information). At least one of the required access roads meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building (Refer to International Fire Code, 2018 ed., Section 503 and Appendix D for additional information).
6. The architect/engineer must confirm Fire Department apparatus will be able to drive on all road surfaces without contacting the driving surface. Check angles of approach and departure to confirm the front or rear apparatus bumpers will not contact the driving surface. Also confirm the middle of the truck will not contact the driving surface of humps or crowns such as on speed bumps (Refer to International Fire Code, 2018 ed., Section 503 and Appendix D for additional information and contact us for detailed vehicle information).
7. Add a note to the plan acknowledging that Chapter 33 of the IFC "Fire Safety During Construction and Demolition" will be enforced for the duration of the construction project.
8. 905.4.1 If standpipe systems are required, fire hydrants must be less than 100' to the FDC. In every required interior exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, when present, unless otherwise approved by the fire code official
9. 905.3.9. The City requires Class I standpipes to access any portion of a building's interior which is more than 250 feet from the nearest approved point of fire department access or the nearest Class I standpipe connection. This distance shall be measured along a path of travel where fire hose can be deployed for fire suppression activities.
10. The following drawings are required to be submitted for Fire Department Review of Land Development Plans:
 - a. Utility plan including water supply showing fire hydrants on or near property,
 - b. Turning Plan,
 - c. Site Plan,
 - d. Grading Plan
 - e. Elevation Plan

Additional drawings may be required based on the individual project.

Contact the City of Bethlehem Fire Department office at 610-865-7143 and request Fire Marshal Craig Baer, cbaer@bethlehem-pa.gov, or Chief Fire Inspector Michael Reich, mreich@bethlehem-pa.gov, with any questions or to obtain any documents required to complete the submittal for review.

ZONING

1. 1322.02(c)(1)(i), Provide a Statement of Intent. The statement shall include consolidation of two parcels into one ~0.5144 acres or ~22,409 SF parcel; the reuse of two existing structures for residential uses and the construction of a four-story addition, with at grade parking and residential uses on the upper floors for a total density of 30 multi-family dwellings (apartments). Also include the number of one- and two-bedroom dwellings, the number of off-street parking spaces and a brief description of site amenities.
2. Provide clear site triangles on plan per 1318.06.
3. Indicate the location(s) for refuse collection, and if applicable, provide construction details for dumpster enclosures per 1318.26(a).
4. Provide a photometrics plan for the parking lot and other exterior lighting per 1318.25.
5. Provide a note on the record plan, "The current landowner shall be responsible to ensure that the hitch, rack or locker continues to be available and is well maintained and is replaced if damaged or removed. If the hitch, rack or locker is within a street Right of Way, a City encroachment permit shall be required."
6. Provide a landscaping plan and landscaping chart reflecting Zoning Section 1318.23 Buffer Yards and 1319.02(j) Street Trees and Parking Lot Trees and SALDO Section 1349.08 Plantings.

GENERAL

1. A recreation fee of \$43,500 will be required at the time of execution of the developer's agreement (The fee is based upon the applicant proposing 29 new dwelling units and credits one existing dwelling unit located within 817 W. Broad St.).
2. The final land development submission shall also include a separate sheet for subdivision (Lot consolidation) and zoning data for each parcel and the consolidated parcel.
3. Environment Advisory Council (EAC) comments will be included at the time of submission of Preliminary/Final Land Development Plans.
4. Lehigh and Northampton Transportation Authority (LANTA) comments will be included at the time of submission of Preliminary/Final Land Development Plans.
5. The project should generally comply with the goals and objectives of the City's Climate Action Plan for new development, including energy efficient construction, provisions for safe walking and biking, green development and other various provisions.
6. The project is on a parcel currently designated as eligible for Enterprise Zone (EZ) Tax Credit benefits. Eligible program activities include rehabilitation, expansion, improvement to a building(s), improvement to land, engineering, architecture, and acquisition. To discuss whether the project would qualify for a tax credit, please contact the Dept. of Community & Economic Development, 610.865.7085.
7. The adaptive reuse of the existing structures into 12 dwellings plus the proposed addition accommodating 18 dwellings totals 30 dwelling units. Bethlehem has been approaching new developments with a substantial number of units to include 10% as affordable units, making them available to renters at 80% of AMI. Providing this number of affordable units is a realistic goal, the City is asking all proposed multifamily projects for assistance in the provision of affordable units at an amount of ten percent. With that goal in mind, we suggest that 3 units meet all the guidelines of affordability for residents at 80% of AMI.



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Department of Fire
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BILL NO. 15-2022

ORDINANCE NO. 2022-15

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
ARTICLE 1501 OF THE CODIFIED ORDINANCES OF
THE CITY OF BETHLEHEM TITLED
FIRE SAFETY AND CODE ENFORCEMENT INSPECTION FEES

THE COUNCIL OF THE CITY OF BETHLEHEM HEREBY ORDAINS AS FOLLOWS:

SECTION 1. That Article 1501 of the Codified Ordinances of the City of Bethlehem, titled "Fire Safety and Code Enforcement Inspection Fees" as presently enacted is hereby restated and re-enacted as follows:

ARTICLE 1501

FIRE SAFETY AND CODE ENFORCEMENT INSPECTION FEES

- 1501.01 Authority
- 1501.02 Permits Required
- 1501.03 Inspection
- 1501.04 Adoption
- 1501.05 Modifications to 2018 International Fire Code

CROSS-REFERENCES

2018 International Fire Code - International Code Council
Article 150 of the Codified Ordinances of the City of Bethlehem - Codes Board of Appeals
Article 746 of the Codified Ordinances of the City of Bethlehem - Consumer Fireworks
DOT 49 CFR Parts 100-185 - United States Department of Transportation regulations
Optional Third Class City Charter Law Act of July 15, 1957, P.L. 901, as amended
Pennsylvania Uniform Construction Code 34 Pa.Code § 403

1501.01 AUTHORITY.

The City of Bethlehem Fire Department, Bureau of Inspections is hereby charged with the enforcement of this Article.

1501.02 PERMITS REQUIRED.



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Permits required by the International Fire Code (current edition) shall be obtained from the Fire Code Official. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the Fire Code Official.

A fee for each permit shall be paid in accordance with the fee schedule as is set forth by resolution of Council of the City of Bethlehem, Pennsylvania.

1501.04 ADOPTION

The 2018 International Fire Code (hereafter "IFC") published by the International Code Council, which is part of the Pennsylvania Uniform Construction Code pursuant to 34 Pa.Code § 403.21(a)(8), is hereby adopted in its entirety and made part of this Article subject to the modifications implemented hereinafter and/or by subsequent ordinance(s) of the City of Bethlehem (~~strikeouts~~ identify proposed deletions and underlined text identify proposed insertions to the 2018 IFC).

101.1 Title These regulations shall be known as the *FIRE CODE* of The City of Bethlehem, hereinafter referred to as "this code".

101.2.1 Appendices B, C, D, E, F, H, I, L, are adopted as part of this code.

1501.05 MODIFICATIONS TO 2018 INTERNATIONAL FIRE CODE.

(b) § 105.6.15 of the IFC shall be amended to read as follows:

105.6.15 Fire hydrants and valves. Approval from the Bethlehem Water Authority or its designee is required to use or operate fire hydrants or valves intended for fire suppression purposes which are installed on water systems and accessible to a fire apparatus access road that is open to or generally used by the public.

Exception: A permit is not required for authorized employees of the Bethlehem Water Authority or its designee that supplies the system or the fire department to use or operate fire hydrants or valves.

(d) § 105.6.39 of the IFC shall be amended to read as follows:

105.6.39 Private fire hydrants. Approval from the Bethlehem Water Authority and the Fire Code Official is required for the removal from service of private fire hydrants.

Exception: Approval from the Bethlehem Water Authority and the Fire Code Official is not required for private industry with trained maintenance personnel, private fire brigade or fire departments to maintain, test and use private hydrants.

Bethlehem Fire Department



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(g) § 105.7.19 of the IFC shall be amended to read as follows:

105.7.19 Private Fire Hydrants. A construction permit is required for the removal or modification of private fire hydrants. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

(k) § 109.1 of the IFC shall be amended to read as follows:

109.1 Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, the Board of Appeal identified in Article 150 of the Codified Ordinances of the City of Bethlehem and/or occasionally known as the "Codes Board of Appeals" shall have exclusive jurisdiction, subject to any right of further appeal therefrom.

(m) The definition of the term "approved" found in IFC § 202 relating to General Definitions shall be amended to read as follows:

Approved. Acceptable to the fire code official, as evidenced by his/her written approval.

(o) The definition of the term "fire code official" found in IFC § 202 relating to General Definitions shall be amended to read as follows:

FIRE CODE OFFICIAL. The fire chief or other designated authority, including the Fire Marshal of the City of Bethlehem, charged with the administration and enforcement of the code, or a duly authorized representative. The terms "Fire Marshal of the City of Bethlehem" and "Fire Code Official" shall be interchangeable in this and any other ordinance or resolution of the City of Bethlehem.

(z) Add the following subsection to the IFC:

505.1.1 Only addresses approved and verified by the Department of Public Works Bureau of Engineering will be acceptable.

(aa) § 507.3 of the IFC shall be amended to read as follows:

507.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method determined by Department of Water and Sewer Resources.

507.3.1 Fire flow testing. The fire code official, Department of Water and Sewer Resources or its designees shall be notified prior to conducting fire flow testing. Fire flow tests shall be witnessed by the fire code official, Department of Water and Sewer Resources or its designees and approved documentation of the test and results shall be provided to the Department of Water and Sewer Resources.



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(bb) §507.4 of the IFC shall be amended to read as follows:

507.4 Water supply test. The fire code official and Department of Water and Sewer Resources or its designees shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official and Department of Water and Sewer Resources or its designees or approved documentation of the test shall be provided to Department of Water and Sewer Resources prior to final approval of the water supply system.

507.4.1 The property owner is responsible for installation and maintenance of water supply for construction projects until the water system is accepted/approved by the Department of Water and Sewer Resources, and responsibility for the system is formally turned over to the Department of Water and Sewer Resources.

(cc) § 507.5.1 of the IFC shall be amended to read as follows:

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official and the Department of Water and Sewer Resources

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall not be greater than 500 feet (152.4 m).

2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall not be greater than 500 feet (152.4 m).

(dd) Insert 901.6.3.2, 901.6.3.2.1, 901.6.3.2.2

901.6.3 Records. Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be provided by the company performing the inspection(s) to the Office of the Fire Marshal, unless an alternate designee is specified by Resolution approved by the City Council of the City of Bethlehem.

Insert 901.6.3.2.1 Records shall be provided per City of Bethlehem Resolutions 2018-214 and 2018-222

Insert 901.6.3.2.2 Records shall be provided within 30 days of the date of inspection, testing, or maintenance

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(ee) § 903.4.2 of the IFC is deleted in its entirety and replaced with the following:

903.4.2 Alarms. Approved audible devices shall be connected to every automatic sprinkler system. Such sprinkler waterflow alarm devices shall be activated by waterflow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. In automatic sprinkler systems where multiple sprinkler risers are required, and the risers are located in separate areas within the building, an outside visible alarm notification appliance shall be required for each riser. Such appliance shall be a white strobe (minimum 95 candela strobe rating) placed in an approved location on the exterior wall, as close as practicable, to each sprinkler riser. The strobe will activate when the water flow alarm for its respective riser is activated.

(ff) The following subsection is added:

905.3.9. Large Area Buildings: The City requires Class I standpipes to access any portion of a building's interior which is more than 250 feet from the nearest approved point of fire department access or the nearest Class I standpipe connection. This distance shall be measured along a path of travel where fire hose can be deployed for fire suppression activities.

(gg) 905.4.1 Shall be modified to read:

905.4.1 In every required interior exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, when present, unless otherwise approved by the fire code official

(hh) § 906.1 of the IFC shall be amended to read as follows:

906.1 Where required, portable fire extinguishers shall be installed in the following locations.

1. In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies without exception.