



Thomas Dolan Architecture : Building Issues

Summary

Regulators classify different uses of buildings as "occupancies;" examples are Residential, Commercial, Institutional, and Hazardous. Live/work is by nature a "mixed occupancy." Normally, building codes require such combinations of different occupancies--residential and commercial in the case of live/work--to be separated by a fire rated wall or "floor/ceiling assembly." Since putting a wall between living and working portions of a live/work space would negate one of its primary benefits -- wide open, unpartitioned space -- a way must be found to achieve an equivalence for this required separation. This can be achieved in two ways: either by reducing the hazard level of the work activity or by providing a substitution which gives protection equivalent to that provided by a fire wall. The hazard level of the work portion can be reduced by specifying the types of activities permitted or the quantity of less hazardous activities permitted (usually expressed in floor area or number of employees) . Devices such as a sprinkler system, fire alarm systems, or augmented exiting requirements (e.g. separate exit paths for residential and commercial portions of units) can substitute for fire walls.

In the case of certain more hazardous work activities, when it is difficult to predict the work activity, or to avoid the substitutions noted above, it may be appropriate to include a separation between living and working spaces. This creates a unit called live-nearTM. Even further separation, such as down a hall or staircase outside the unit, or across a courtyard, is called live-nearbyTM. The work uses that occur in live/work spaces can vary wildly. Their level of hazard and impact is the primary determinant of whether a unit is live/work or work/live, and furthermore whether live-withTM is permissible (or desirable) or whether the space should be live-nearTM or live-nearbyTM.



One of the primary tasks that one faces in creating live/work building codes is simply sorting out which parts of the residential and which parts of the commercial codes apply. However, there are aspects of the hybrid that makes up live/work which are unique; that is, they have little in common with either single use commercial or residential. Staff of The Live/Work Institute participated in the writing of the Oakland Live/Work Building Code, adopted in that California city in 1996. This document is written to be entirely congruent with the 1994 Uniform Building Code. A Plain English version of this new code is in preparation now by Thomas Dolan, founder of The Live/Work Institute.

Further interpretive judgments (read: relaxations) are often necessary to make conversion of existing commercial or industrial structures to live/work possible. While many jurisdictions, including Oakland, view a conversion to live/work to be a "change of use" -- necessitating upgrade of all building features to current code requirements -- relaxation of the following elements has been employed as justifiable exceptions to a full code upgrade: energy conservation requirements (saves window replacement and insulation), and seismic retrofit standards (reduced to some percentage of current standards, say 75%--similar to Historic Building Codes). Certain features may be allowed in renovations that are not normally permitted under the Model Codes, such as ladder-accessed sleeping lofts and bedroom emergency escape openings across work spaces or out into fire-rated corridors, rather than directly to the outdoors as is normally required.

A word about handicap access: ADA is federal law, actionable through civil suits by those who feel they are being denied access. Any truly commercial space must provide an accessible (level-in) entry and accessible bathrooms at a minimum. In live/work, the line has logically been drawn by most jurisdictions at public access and use, which means



employees or -- especially -- walk-in trade. Thus a work/live space (as defined elsewhere) would typically be required to be fully accessible. Live/work spaces typically would only have client visits by appointment, and few if any employees. Therefore it seems more appropriate that residential standards apply: this means that such spaces are usually not required to be made accessible-- if they are "flats" (without lofts) on ground or elevator-accessed floors, in which case they are typically required to be made "adaptable."