LIVE WORK / APPLICATIONS IN SAUSALITO

Defined:

A Live Work space is designed to house a resident and their business. This concept has been a vital part of the redevelopment of major downtown cities inner cores. The concept of cutting costs on space, travel and more is essential in the live/work space.

Lofts are apartments that are generally built from former <u>industrial</u> buildings. When industrial developments are developed into <u>condominiums</u> instead of apartments, they may be called **loft condominiums**. The general term **warehouse-to-loft conversions** may sometimes be used for development of industrial buildings into apartments and condominiums. "Loft-style" may also refer simply to developments where a street-level business occupies the first floor while apartment "lofts" are placed **above** the first floor."

Sometimes, lofts are one component of municipal <u>urban renewal</u> initiatives that also include renovation of industrial buildings into <u>art galleries</u> and <u>studio space</u> as well as promotion of a new part of the city as an "<u>arts district</u>."

Originally popular with <u>artists</u>, they are sometimes sought after by other bohemians, and the gentrification of the former manufacturing sectors of large cities is now a familiar pattern. One such sector is Manhattan's Meatpacking District. The adoption of the Adaptive Reuse Ordinance (2001) in the City of Los Angeles (primarily the Arts District) is another example of such legislation to encourage the conversion of no longer economically viable industrial and commercial buildings to residential loft communities. Such is the demand for these spaces among the well-off that real estate developers have taken to creating ready-made "lofts" in urban areas that are gentrifying or that seem primed to do so. While some of these units are created by developers during the extensive and costly renovation of old buildings, a number of them are included in the floor plans of brand new developments. Both types of pre-fab loft offer buyers or renters the proximity to urban amenities afforded by traditional lofts, but without the perceived safety risks of living in economically depressed industrial areas. Detractors argue that these ready-made units are neither produced nor consumed in the spirit of traditional loft living but serve to gentrify the areas they are placed in.

San Francisco's South of Market Plan was conceived to thwart residential gentrification by removing profit housing from the allowable mix of uses. Instead only senior, low-income and 'artist live work' were allowed. The language of the South of Market Plan allowed live work lofts to be built in both converted industrial and in new structures. With few monitoring mechanisms in the Plan, thousands of Live Work units were built and sold to anybody willing to purchase the loft and obtain a business license stating he/she was an 'artist'.

A Moratorium was passed in San Francisco in 2001 to further study the effects of live work development under the South of Market Plan.

SAUSALITO APPLICATIONS:

"Live work" is a zoning use definition found in many communities today which seek to address and allow the growing integration of work and live functions in zero commute settings. Such applications could be useful in the Marinship and Waterfront areas to retain and encourage more growth of existing arts and marine crafts uses, among others. There is much to learn from ordinances which have been passed to preserve industrial uses while allowing new live work development. If properly thought through and well-written, a live work ordinance allowing development in certain areas of the Marinship and Waterfront might provide spaces for the existing artist / marine craftsperson without following the fate of live work ordinances in San Francisco and New York. Live work could be a useful zoning tool to create a public / private benefit.

CITY OF BERKELEY - LIVE WORK ORDINANCE:

Article 2. Live/Work Occupancies 19.28.040 Section 313 Live/work occupancies.

A new section is added to Chapter 3 Use and Occupancy Classification, as follows:

313.1 Live work occupancies defined.

Group LW occupancies shall be: Live/work and work/live uses located outside of residential zoning districts where artists, artisans and similarly situated individuals occupy joint living and work quarters. When the combined live and work area within a unit exceeds 1500 square feet such unit shall be classified by the building official as a work/live occupancy and shall be included in the B/M/F occupancy group that its use most nearly resembles as set forth in Chapter 3 of the California Building Code. When the combined live and work area within a unit is 1500 square feet or less such unit shall be classified as live/work R occupancy under the CBC.

313.2 Requirements for live/work occupancies.

A. General Requirements.

- 1. Any building which contains a live/work or work/live occupancy shall comply with the latest edition of the CBC except as provided for herein. Each live/work and work/live occupancy shall comply with the standards of habitability set forth in the California Building Code.
- 2. Buildings or parts of buildings containing live/work or work/live occupancies shall be equipped with fire sprinklers and fire alarms designed and installed in accordance with the requirements of Chapter 9 of the latest edition of the CBC, the latest edition of the California Fire Code (CFC) and other application regulations of the Fire Department, which may vary, depending upon the use, size of the structure and location of the structure.
- 3. Live/work or work/live units shall be separated from each other

and from the rest of the building by not less than one-hour fire resistive occupancy separations.

B. Living Space and Accessory Uses. Any workroom or area within a live/work unit shall be deemed an accessory use to the primary residential occupancy. Any residential area within a work/live unit shall be deemed an accessory use to the primary non-residential occupancies. In no case shall there be less than 120 square feet of living area exclusive of kitchen, bath, closets and hallways in any live/work or work/live

occupancy. For purposes of calculating this 120 square foot requirement, the living room, dining room, family room, sleeping area or other area designated for a similar use of a residential nature shall be deemed as living area. All other habitable rooms except kitchens shall have an area of not less than 70 square feet. Single room residential areas (efficiency dwelling units) shall comply with the requirements of CBC Section 310.7).

- C. Electrical, Mechanical, and Plumbing Requirements. Except as otherwise stated herein, all electrical, mechanical, and plumbing work in any building which contains any live/work and or work/live occupancies shall satisfy the latest edition of the California Plumbing, Mechanical and Electrical Codes as amended by the Berkeley Municipal Code.
- **D.** Energy Conservation. Buildings or parts of buildings containing live/work or work/live occupancies shall comply with the Title 24 energy efficiency standards for residential buildings, unless otherwise determined by the building official.

Exception: Where an occupancy separation within an individual unit is installed between live and work areas, the Title 24 energy standards for the respective occupancies may apply.

- E. Disabled Access.
- 1. Buildings with three or more work/live or live/work units shall comply with the residential disabled access requirements of Chapter 11A of the CBC.

2. Regardless of the number of units, any area within work/live or live/work occupancies, where such area is available for use by clients, employees or the general public, shall in addition comply with commercial disabled access requirements of the most recent edition of the CBC.

Exception: In lieu of an accessible public bathroom in each work/live or live/work unit, fully accessible bathroom facilities may be provided in common areas located on an accessible route of travel within a reasonable distance of accessible units.

- 3. Any live/work or work/live occupancies shall also comply with the accessibility requirements of the California, Plumbing, Mechanical, and Electrical Codes.
- F. Occupancy Requirements, Exiting, and Area Separations.
- 1. Any building or part of building which contains one or more work/live occupancies shall satisfy the following requirements:
- a. Any building or part of building shall comply with the applicable provisions of the CBC requirements for the respective occupancy group, as defined by CBC Section 301.
- b. The living area of each unit containing any work/live occupancy shall be provided with at least one exit which does not require persons to exit through the work area.
- 2. Any building or part of building which contains live/work occupancies shall satisfy the following requirements:
- a. Building or part of building containing one or two live/work units shall comply with the requirements for R-3 occupancy.
- b. Building or part of building containing three or more live/work units shall comply with the requirements for R-1 occupancy.
- 3. Any building containing floor area in excess of 10,000 square feet shall be permitted if and only if they are subdivided with area

separation walls into portions of no more than 10,000 square feet in accordance with Section 504.6 of the most recent edition of the CBC.

Exception: Such area separation walls shall not be required in buildings where fire sprinklers are required pursuant to Section 19.28.130(A) and not required by any other provision of this Code or the Uniform Fire Code.

- 4. Buildings which contain both live/work and work/live occupancies shall comply with the most restrictive applicable requirements of Sections 19.28.130(F) 1 and 2 above.
- **G. Mixed uses and other uses in live/work.** Mixed use occupancies shall be classified by the building official in accordance with this code and shall comply with all of the requirements of this code including, but not limited to, occupancy separation, allowable area and independent exits as required by this code of the proposed occupancy.
- H. Relationship to other code requirements. Except with respect to those requirements, standards and provisions specifically imposed by this Chapter, construction materials and methods of construction shall be governed by and in accordance with the CBC. In the event there is a conflict between any requirement, standard or provision imposed by this Chapter and any other provision, standard or requirement of state law, the more restrictive standard shall apply. (Ord. 7005-NS § 1, 11/27/2007)

Are live-work units an answer to the Bay Area's housing crisis?

Limits on Home Building Raise Prices for All

Brett Gladstone

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ANYBODY WHO THINKS that live- work units (colloquially known as lofts) are not a part of the answer to the Bay Area housing crisis does not understand the free-market system and does not believe in the law of supply and demand. Limiting any kind of potential housing, whether dwelling units or live- work units, decreases the supply. In the past 10 years, only 8,500 units have been developed in San Francisco, while 60,000 new residents have arrived. Is it surprising that housing prices have soared?

Advocates of limits on live-work units in San Francisco and Oakland believe that the loss of industry in these cities is due to the competition between live- work unit developers and industrial users for limited land, ignoring completely the more obvious reasons for loss of industrial jobs in the larger cities: higher wages, stricter environmental laws, poor industrial transportation resources (at least in San Francisco), and lack of housing for industrial-wage earners.

San Francisco and Oakland are mistakenly perceived as islands. In fact, we benefit from a regional economy that contains many locations that are more advantageous for some kinds of industry. Both Mayors Brown understand that jobs are not ``lost" if they move to another part of the region. Jim Chappell, president of the nonprofit San

Francisco Planning and Urban Research Association (SPUR), has said, ``As long as we have an economic system with free flows of capital and goods, industry will move in search of cheaper labor and cheaper land costs unless there is a significant reason it benefits by being located within a big city."

Limiting the supply of live-work units actually increases the gentrification of the more affordable residential areas: When people with purchasing power cannot afford a place in the neighborhood they prefer, they'll go to the next less economically strong neighborhood down the line, pushing out existing residents with less money. That's why more affluent people are moving into San Francisco neighborhoods like the Mission District and why there is a loss of affordable housing in those areas. Live-work units contribute to ``smart growth" -- the current buzz term for the antithesis of sprawl -- as much or more than most dwelling units do. Smart growth to some means living close enough to your workplace that you can walk or take public transit to work. A 1999 San Francisco State University study indicates that 27 percent of loft dwellers work in the lofts in which they live. These people do not have to commute to work, thereby reducing pressures on public transit, onstreet parking and highways. The added benefit is that these workers are not competing for office, business-service and light-industrial space and thus help to keep the supply of such space greater and the cost lower.

While there is no limit on how much of a live-work unit can

be used for work, most planning codes require that no more than 25 percent of space in a dwelling unit be used for commercial purposes. Thus, dwelling units are less ``smart'' (a concept whose premise is that living very near the workplace is important). Finally, even though not every live-work unit may have a ``work'' use conducted in it, enough do that in limiting the live- work units, we would be limiting the number of affordable locations where incubator businesses in such new industries as digital media can be nurtured.

Developers of dwelling units compete for former industrial land just as much as developers of live-work units. Should we impose a moratorium on the development of dwelling units as well? Some, have answered ``yes;" now San Francisco has a moratorium on creating both dwelling units and live-work units in newly designated ``industrial protection zones." The moratorium is scheduled to end in November, however it is expected that its interim status will be extended.

Reducing the number of new live-work units would leave loft aficionados competing with large extended families for the two-bedroom residences, which are now the most commonly produced kind of units. If the concern is to increase units for children and family elders, and to increase housing density, then let's create incentives to build more three-bedroom dwelling units rather than reducing the number of live-work units. San Francisco has committed to increasing bus lines to the areas with live-work units; but if

live-work units are still not being built near public transit corridors, then let's create financial incentives to build them along such corridors.

In short, let's not fight the free-market system; let's use financial incentives to exploit it!

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