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RE: Live / Work Units

As requested, I have prepared a brief scope of requirements from the Building Division as well as the process of a Building Permit Application for such units.

When an application is made for a development containing a Live / Work Unit, the Building Division, in conjunction with the Planning Division, coordinates the review based on the requirements of the current Oregon Structural Specialty Code as adopted by the State of Oregon and the Oregon City Municipal Code Chapter 17. Prior to the release of any permits, approval is required from both divisions, ensuring the respective requirements have been met.

In regards to the building review, Live/Work units have a specific section in the 2019 edition of the Oregon Structural Specialty Code. Section 419 contains nine subsections which each state the minimum requirement or directs to an additional section of the code. The italic font is my explanation of the code section and not specific code language.

- 419 Live / Work
  - General
    - Limitations
  - Occupancies
  - Means of Egress
    - Egress Capacity
    - Spiral Stairways
  - Vertical Openings
  - Fire Protection
  - Structural
  - Accessibility
  - Ventilation
  - Plumbing

While items have their own level of purpose to be complied with, I wanted to provide some of the more specific items that could have impacts on the project.

419.1.1 Limitations:

1. The live/work unit is permitted to be not greater than 3,000 square feet in area;

2. The nonresidential area is permitted to be not more than 50 percent of the area of each live/work unit;

3. The nonresidential area function shall be limited to the first or main floor only of the live/work unit; and

4. Not more than five nonresidential workers or employees are allowed to occupy the nonresidential area at any one time.

*These provisions were meant to apply strictly to small businesses associated with dwelling and sleeping units. In fact, the intent is that the main occupancy of the building is residential, with some business activity within the building. The code limits the nonresidential aspect to a maximum of 50 percent of the area of each unit. In addition, the total area of the live/work unit is limited to 3,000 square feet. Therefore, the total area of the work unit would be a maximum of 1,500 square feet. Since a nonresidential use is being located in a dwelling unit or sleeping unit, the nonresidential area is limited to the first or main floor. Therefore, those coming to the place of business do not need to enter the residential portion of the building. Finally, in keeping with the intent that these are small occupancies and that such occupancies could not create unnecessary life safety concerns, the number of nonresidential workers (employees) is limited to five. This limit of five is not the limit on the number of occupants that can be located within the work area, but simply the number of workers from outside the household that can be there on a regular basis. The 1,500 square-foot limit on area would limit the number of occupants based upon the occupant load factors.*

#### 419.2 Occupancies.

Live/work units shall be classified as a Group R-2 occupancy. Separation requirements found in Sections 420 and 508 shall not apply within the live/work unit where the live/work unit is in compliance with Section 419. Nonresidential uses that would otherwise be classified as either a Group H or S occupancy shall not be permitted in a live/work unit. Exception: Storage shall be permitted in the live/work unit provided the aggregate area of storage in the nonresidential portion of the live/work unit shall be limited to 10 percent of the space dedicated to nonresidential activities.

*The entire live/work unit is to be classified as Group R-2 regardless of the types of business being conducted. This exempts such units from the requirements for separation in Sections 420 and 508 within the unit, but would still require the separation between each live/work unit. The provisions that prohibit uses that would otherwise be classified as either Group H or S occupancies intend to avoid the accumulation of excessive and dangerous fire loads in residential related occupancies. This section would not prohibit the occupancy from containing the maximum allowable quantities of hazardous materials per control area within a building. Storage is a potential fire load in any business. To ensure that it does not become a large fire hazard, it is limited to 10 percent of the nonresidential portion of the live/work unit. That would be a maximum of 150 square feet; about the size of a large closet.*

#### 419.5 Fire protection.

The live/work unit shall be provided with a monitored fire alarm system where required by Section 907.2.9 and an automatic sprinkler system in accordance with Section 903.2.8.

*Since the unit is considered as Group R-2, the entire building would be required to be sprinklered in accordance with Section 903.3.1.1 (NFPA 13) or 903.3.1.2 (NFPA 13R). This section requires the installation of a fire alarm system as required for a Group R-2 occupancy. Section 907.2.9 would only require a fire alarm system in certain cases. The requirements for a manual fire alarm are based on the location of the Group R-2 dwelling unit and the number of units (more than 16). If a building has a sprinkler system and*

would require a manual system, the manual aspect is no longer required. Instead, the sprinkler system is required to be tied to the notification appliances and activate the system upon water flow.

#### 419.7 Accessibility.

Accessibility shall be designed in accordance with Chapter 11 for the function served.

*Accessibility to and within the live/work unit must be designed and constructed in compliance with Chapter 11. The business/work area on the first floor must be fully accessible. In accordance with Section 1107.6.2.1, the dwelling unit portion must be evaluated separately. Section 1107.3 requires that rooms and spaces available to the public be accessible. Accessible spaces that may be utilized by the public include other spaces such as kitchens, living and dining areas and any exterior spaces including patios, terraces and balconies that may be on the same level as the entrance to the unit. These may not be “available to the public” unless they are part of the function of the nonresidential activity. Such spaces that are strictly part of the residential function of the live/work unit are only required to be accessible to the degree that such units are required to be made accessible.*

Respectfully

Michael G. “Mike” Roberts MCP  
Building Official  
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