

Responses to the Plan Review Question for April

Given:

One story office building that houses four suites. The owner would like flexibility to rent or lease the spaces as Live/Work units. They are proposed to be used as small commercial spaces or apartments or a combination of both (home occupations).

1.) Please check below which items would be required in your jurisdiction.	YES	NO
Most restrictive requirement between a commercial and residential space? (If you answer YES go to the next questions as examples of requirements that should be reviewed)	14	
Occupancy separation between units of one hour	11	
Occupancy separation as described in CBC 310.2.2 for dwelling units	10	
Accessible restrooms	11	
Removable cabinets in 5% of the accessible units	8	
Stair rise and run for commercial projects	11	
Guardrail heights for commercial projects	11	
50# psf floor live load	12	
NFPA 13 sprinklers (if required) - NFPA 13R sprinklers (if required)	12	
Emergency escape and rescue window	10	
STC & IIC Sound Transmission rated wall & floor/ceiling assemblies.	10	
2.) Would you restrict the allowable commercial uses? (Please explain in the comment section)	10	13
Have you ever had a similar proposal in your jurisdiction?	8	7

Comments received from Spokespersons

1. Restrict the allowable commercial uses based on the occupancy separation provided. Cannot be used for H occupancies.

2. Q#1 No stairs or guardrails likely in single story building.

Q#2 Planning Issues

General: The project description is gray. It was not stated whether the building is new or change in use.

1-A: Assumption: The use of the building is primarily office as per the definition. In this case, the building must comply as an office building first, but then be modified to comply as a residential use.

1-B: If the primary use was an apartment building with live/work office units, I would look at them as home/office uses and lean more toward the R1 occupancy type and its related requirements.

3. #1 Accessible Baths & stair rise/run, removable cabinets & sound transmission are more or less maybe(s), depending on what is there now. I would let the sprinklers be the Fire Authority's call #2 For B or M occupancies, is my understanding that the existing building is already a B occupancy. Also depends on Zoning.

4. No type of occupancy would be allowed unless the plans had been reviewed for that type of occupancy. We would encourage the proponent to construct a shell only until he or she had something more specific in mind. Otherwise it would need to comply with all provisions applicable to all occupancies for which approval was sought. Home occupation permits in our jurisdiction do not require commercial code compliance; in fact, they are prohibited in commercial zones.

5. Need more information. It's a mixed occupancy with the major occupancy being a B office. The allowable area, distances to property lines, sprinkler requirements and ECT. Would be based on a B occupancy (Major Use) and all of those requirements would be applicable. The R3/R1 portion of the major occupancy would have to comply with the R3/R1 provisions of the code such as occupancy separations, light & ventilation, egress unit accessibility and etc.

If the applicant wishes to identify/design the R3/R1 as the "major use" and the B occupancy as a "portion", then the reverse logic would apply and so on.

6. I would use the most restrictive requirements because we do not know how big this building is, where it is on the property and how many units are offices and/or residences.

7. a. No H or I occupancies, A3 could be problematic, especially with zoning issues.

b. The emergency egress issue would depend on the specific unit floor plan, but in general, yes.

c. STC floor/ceiling rating would not be applicable in a single story building. Attic separations would be.

d. Title 24 would reflect the actual occupancy.

e. Accessible parking required (based on all commercial).

- f. Stair rise and run (in a single story building?) is assumed to be within a space, such as a mezzanine. In that case, it would depend on the use.
8. Commercial uses limited to those requiring one hour occupancy separation or less.
9. when you get your live work ordinance written send me a copy
10. We have one of these projects in the City and we made the most restrictive requirements apply at all times. This has not stopped other developers from proposing similar developments in our city.
11. I would link the approved commercial uses to those listed in the local zoning ordinance and selected occupancy classifications delineated in CBC chapter 3. Any requested commercial use not listed in the pre-approved list would require the approval of the building official and the community development director. The code requires that the restrooms at least be made adaptable. Making them all accessible at the start would cost the applicant more initially, but this would allow residential or commercial occupancy in all units. The choice in tenants would not be restricted by the restroom's accessibility. In the future, the building department's job on a residential to commercial conversion would be easier.
12. A zoning approval is required for this which usually restricts the allowable commercial use. After that proper occupancy classification becomes essential.
13. I think if there are restrictions on the use then trade off's could be made. In addition, starting with 1-hr/sound transmission walls between the suites would allow more flexibility in each unit based on the actual proposed use.

Plan Review Committee Response

The responses that we received clearly indicated that the question was not well worded.

The proponent of the question was looking for help on a proposal where the first floor of a three-story building was to be retail the second to be office space and the third to have several suites that included a kitchen and powder room on the main floor with a mezzanine contain a full bath on the third. The third floor was proposed to be rented for live/work. The planning folks were looking for flexibility for the owner to either lease these spaces as office spaces, studios (artists) or a combination of both. The idea was that an artist or an insurance salesman would use the first floor as their office or studio and the mezzanine area as the sleeping/living area.