



## DEPARTMENT OF PLANNING AND BUILDING

250 FRANK H. OGAWA PLAZA. SECOND FLOOR. OAKLAND CA. 94612

### JOINT LIVE WORK SLEEPING LOFTS IN EXISTING BUILDINGS

<b>BUILDING SERVICES DIRECTIVE</b>	<b>No.: 21-02</b>
<b>DATE: June 10, 2021</b>	<b>Type: Code</b>
	<b>Category: Interpretation</b>

#### **Background:**

In the 1960s and 1970s, the containerization process for shipping and storage transformed the shipping industry. In Oakland, like many port cities, the result was the decommissioning of many warehouses and industrial buildings that had been used for maritime storage. Among the first user groups to repurpose these buildings were artists, who could adapt these building types with their heavily designed floors, large windows, and open spaces. The potential for these spaces to be used for Live-Work was also compelling given challenges to affordability in both work and studio spaces. With the added feature of zero commute living, many artists moved into these spaces and established their homes and workspaces. In the late 70s the government acknowledged this trend, and the tenants of this new adaptive reuse, including a significant constituency of artists, went before legislators in Sacramento advocating for legislation to legalize joint living and working quarters (JLWQ) in buildings originally designed and constructed for industrial or commercial use.

Nevertheless, there was no established building code for JLWQ. In 1986, the Joint Committee on Artists' Live-Work was formed, consisting of artists, citizens and regulators; however, there were no professional developers. In 1996, after ten years of laboriously studying the existing UBC and how live-work would be treated, Oakland adopted a code for JLWQ, which was used to build thousands of units until it was sunset in 2017, as the building codes had established codified live/work provisions in the section 419 of the California Building Code (CBC).

This directive establishes a much-needed code interpretation to the provisions in CBC 419 allowing the city to enable the adaptive reuse of buildings for affordable and safe conversions and to enable conversion of vacant buildings that show no indication of reverting to their original commercial or industrial uses and are a critical resource in meeting the housing and work needs for a significant segment of the city. A feature commonly associated with live-work units is sleeping lofts, elevated areas in the residential areas of a live-work unit used for sleeping purposes. Because the regular code does not explicitly address such features, this directive provides guidelines for how they may be permitted in live-work units.

## **Interpretative Compliance Under Current Code:**

### **Sleeping Lofts in Live/Work Units:**

One sleeping loft, used for sleeping purposes only, may be permitted in a live/work unit provided it meets the following:

1. The sleeping loft is accessed by ladder only.
2. The sleeping loft has a maximum area of 120 square feet.
3. The sleeping loft has a minimum ceiling height of 5'-8".
4. The sleeping loft has a minimum horizontal dimension of 5'-0"
5. The sleeping loft is open to the main floor on one or more sides.

Commentary: Limiting the area of a sleeping loft to 120 sf effectively categorizes it as a minor architectural feature exempt from a building permit (ref. CBC 105.2 Work Exempt from permit). The openness and headroom requirements are in line with the Tiny Houses provisions of CRC Appendix Q.

### **Emergency Escape and Rescue Openings for Sleeping Lofts**

Emergency escape and rescue openings (EERO), as described in CBC 1030, may be permitted in the residential area of a live/work unit with a sleeping loft, provided that:

1. The units are equipped with automatic sprinklers.
2. The EERO is located at the front entry wall.
3. A fully compliant and direct means of egress exists from the sleeping area to the EERO.
4. The sleeping area is located no more than 30', measured horizontally, from the EERO.

Commentary: The live/work unit, per CBC 419.5, requires a monitored fire alarm where required by CBC 907.2.9 and an automatic sprinkler system per CBC 903.2.8 so item 1 is merely a repeat of this requirement. Requiring the EERO at the front wall is indicative of live/work units in buildings occupying the full width of the lot, thereby, not provided with the requisite yard or court to the public way. In the case where a sleeping area is on an upper level, limiting the distance and requiring a direct path (e.g., stairs entirely visible from the front EERO) from the sleeping area to the EERO will minimize the firefighter's efforts in reaching the sleeping area.

*Tim Low*

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Tim Low  
Acting Building Official  
City of Oakland  
Bureau of Building