

# SUSTAINABLE LAND USE CODE PROJECT

## Capitol Region Council of Governments



### MODEL REGULATIONS: HOUSING DIVERSITY AND AFFORDABILITY LIVE/WORK UNITS June 2013



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## Introduction

Live/work units—structures that combine living quarters with work space—serve several important sustainability goals, including:

- Reducing use of vehicles for commuting, thus reducing burning of fossil fuels and greenhouse gas emissions,
- Providing an affordable housing option for small business owners, and
- Supporting mixed-use and infill development.

Live/work units are distinguished from home occupations allowed in residential zone districts in that they are primarily permitted in commercial, office, and industrial zone districts and are not subject to significant restrictions on hours of operation, types of commercial activities, and number of employees, as is usually the case for home occupations.



Live/work units in Bristol, CT

An increasing number of cities—such as Boston, Chicago, and Cleveland nationally, and Manchester, New Haven, and Bristol in Connecticut—allow and encourage live/work units. This section offers a definition of live/work units and some basic standards that a local government in the Capitol Region might consider to accommodate live/work units in nonresidential areas in a safe, compatible fashion.

## Model Code Provisions for Live/Work Units

### 1.1. LIVE/WORK UNITS--GENERAL

#### 1.1.1. PURPOSES

The purposes of these provisions relating to live/work units are to:

- A. Promote the conservation of energy;
- B. Encourage mixed-use development and reuse of existing buildings; and
- C. Promote affordable, diverse house choices.

### 1.2. DEFINITIONS

#### 1.2.1. LIVE/WORK UNIT DEFINITION

Option 1: Live/work unit means a building or space within a building used jointly for commercial and residential purposes by a person living within the building or space. The residential space is secondary or accessory to the primary use as a place of work.

Option 2: Live/work unit means a building or portion of building: (1) that combines a commercial or manufacturing activity allowed in the zone with a residential living space for the owner of the commercial or manufacturing activity or the owner's employee, and that person's household; (2) where the resident owner or employee is responsible for the commercial or manufacturing activity performed; and (3) where the commercial or

manufacturing activity conducted takes place subject to a valid business license associated with the premises.

### **1.3. LIVE/WORK UNIT LOCATION AND USES**

#### **1.3.1. PERMISSIBLE ZONE DISTRICTS**

Live/work units shall be allowed by right in all (Add appropriate zone districts—for example, commercial, mixed-use, industrial). Live/work units are not allowed in any zone district that is exclusively residential.

#### **1.3.2. USES**

Any non-residential use allowed in the zone district within which a live/work unit is legally located may be conducted on the premises of that live/work unit.<sup>1</sup>

### **1.4. DEVELOPMENT STANDARDS**

#### **1.4.1. GENERAL**

Live/work units shall comply with all of the following standards.

- A. The residential portion of the unit shall not occupy over 50 percent of the gross floor area.
- B. The nonresidential portion of the building shall be located on the ground floor and the residential unit on the second floor. An entry to the second-floor residential unit may be located on the ground floor.
- C. The use shall comply with the parking, landscaping, and other development standards set forth in (include reference to municipal land use regulations).<sup>2</sup>
- D. All nonresidential off-street parking shall be located as far as practicable from existing adjacent residential dwellings.
- E. Drive-through facilities are prohibited.
- F. Employees shall be limited to occupants of the residential portion of the building plus up to three persons not residing in the residential portion.

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<sup>1</sup> Live-work units usually are geared to uses that create or produce something on premises (e.g., an artist studio). However they could allow services such as hair salons depending on local preferences.

<sup>2</sup> If flexibility regarding parking is desired, the local government might allow on-street parking adjacent to a live-work unit count towards any off-street parking requirements.

## Scale-Up Option—Live/Work Units

Some cities have adopted more detailed standards for live/work units in certain commercial areas to preserve the commercial vibrancy and viability of those areas while still allowing for residential development. For example, Seattle has several neighborhood commercial zone districts that place additional limits on single-use residential buildings and residential units on the first floor facing the street. The following standards encourage and allow live/work units, but with the residential portion primarily in the rear of a building or on the upper floors

### LIVE/WORK UNIT ADDITIONAL DEVELOPMENT STANDARDS

- A. Single-use residential buildings without any commercial uses or live/work units are prohibited.
- B. A minimum of 80 percent of a structure's street front façade at street level shall be occupied by nonresidential uses.
- C. A minimum of 51 percent of a structure's street front façade that contains required nonresidential uses shall be at sidewalk grade.
- D. The live/work unit shall have a minimum floor-to-floor height at street level of 13 feet.
- E. Where live/work units occupy a structure's street front façade at street level, off-street parking for live/work units is prohibited in front of the building between the building and adjacent public street.
- F. Within each live/work unit, the residential living area shall not exceed one-third of the total floor area of the unit.