

Safety & Artist Spaces Best Practices May 2018

Over the decades, Artspace has surveyed and facilitated discussions with tens of thousands of artists across the country. At the top of nearly every artist’s wish list, in places as diverse as Los Angeles, CA and Council Bluffs, IA, is the need for quality, affordable space.

Sadly, these two ideals often work in conflict. Quality spaces, which prioritize safety and continual reinvestment, are rarely affordable to low-income users. Conversely, affordable spaces often lack the resources to be fully code-compliant, especially over time. This tension can be especially complex in artist spaces, in which tenants are often using the space in nontraditional ways and owners may be delaying reinvestment until a shift in market conditions creates opportunities to increase rents. Though many artist spaces strike a balance between quality and affordability, the Ghost Ship fire in Oakland in December 2016 was a terrifying reminder of what can happen when safety is compromised.

There are many ad hoc, opportunistically-claimed artist spaces that fill important gaps in a cultural ecosystem: often temporary, often under-regulated, often full of creativity, too often unsafe. The intent of this paper is to advise three key players in any artist space – city partners, property owners, and the artists themselves – on what they can do to promote safety while maintaining affordability and dynamic internal cultures.

1. What city partners can do

Building codes exist for an essential reason – to promote safety and prevent harm. Though they can be frustrating to artists and owners, it is not in anyone’s best interest to turn a blind eye to genuine risks. Though burdensome at times, the alternative can be fatal.

One approach is the Artspace model, which is predicated on well-capitalized, actively managed properties. Through our real estate development work, we have consistently created high quality, safe, ADA-accessible and code-complaint spaces specifically designed for the needs of artists and maintained at rates affordable to low-income residents and users. Each Artspace building is managed by a local professional property management company that provides daily on-site presence with staff trained in code compliance. The work of the property management company is overseen by Artspace asset management staff. All residential and commercial tenants occupy space in accordance with lease agreements that specify what activities are allowed and what activities are prohibited. Artspace buildings are inspected regularly by multiple third parties, including housing finance agencies, tax credit investors, insurance companies and local building code officials to be sure that the building maintains a safe environment. Special events, such as open studios or “art crawls,” require Artspace approval and a security and safety plan.

Thus, when it comes to enforcing codes and prioritizing safety, we encourage Cities to consider the following:

- a. Develop a coordinated, cross-departmental strategy that recognizes the distinct character of artist spaces and commit to a collaborative approach. Code enforcement agencies working without feedback from the arts department are certain to meet resistance; similarly, an arts department working without fire or code enforcement support is likely to be ineffective.
- b. Engage with a diverse representation of the arts community. Many underground art spaces are off the radar. By engaging with individuals who represent a variety of art genres; racial, ethnic or social communities; ages; gender orientations; and physical abilities, a City will be most effective in reaching those who are most vulnerable to unsafe spaces.
- c. Recognize that many property owners will struggle financially to take basic steps. Cities committed to preserving their artist communities may also need to dedicate some pool of resources – financial and potentially in-kind support – for life-safety capital improvements to artist spaces. These funds should be accessible to both for- and non-profit owners.
- d. Protect investments in the arts. If the City financially supports the improvement of artist spaces, make a fundamental demand in return: owners keep those spaces dedicated to arts uses for a set time. Without this essential covenant, the risk is that improved spaces are subsequently converted to more traditional uses with higher rental income potential. When this happens, artists are displaced once again to physically compromised spaces on the margins of our communities.
- e. Strategize ways to support displaced artists -- possibly through new, permanent developments or temporary, transitional shelters. Even with a commitment of financial resources and a covenant to maintain artist uses, Cities that proactively commit to improved safety are likely to generate some artist displacement, either temporarily or long-term. As an example, Artpace was originally created by the City of Minneapolis to address the temporary relocation of artists during the gentrification of its warehouse district.

Below are a few models that emerged following the DIY artist space closures in late 2016 and early 2017:

Baltimore. In response to the sudden shuttering of Bell Foundry artist workspace, the mayor convened a “Safe Art Space Task Force” in 2017 with representatives from both the City and the arts community to discuss impediments to the creation of affordable, safe spaces for artists. The resulting report



proposes a variety of recommendations, including: transforming vacant city buildings, including public schools into affordable housing and studios for artists, amending the zoning code to remove barriers to creating mixed-use art space, such as housing and gallery space. For more information, see:

https://www.baltimorecity.gov/sites/default/files/Final_Report_SASTF_12.18.2017.pdf

Denver. After the DIY venues Rhinocerosopolis and Glob were closed for safety concerns, a coordinated effort was launched in January 2017 between the mayor’s office and the City’s planning, police, fire, and arts and venues departments to change the dialogue from shutting down spaces to creating safer spaces. For more information, see:

<http://artsandvenuesdenver.com/create-denver/creative-space-resources>



Denver Police oversee the artists ousted from Rhinocerosopolis. Source: Lindsey Bartlett for Westword

Seattle. The Seattle Arts Commission submitted a series of recommendations to the mayor in December 2016, specifically addressing City-actions that can support increased safety without further displacement. To view these recommendations, see:

<https://www.seattle.gov/Documents/Departments/Arts/Downloads/SAC/Commissions%20Response%20to%20Oakland%20Fire.pdf>

New York City: In January of 2017 the New York City Artist Coalition sent a letter to the New York City Department of Cultural Affairs outlining recommendations they had for the city in response to the reactions across the country to DIY spaces. Their suggestions included:

- The creation of funding and facilitation of in-kind opportunities for independent cultural spaces to make safety improvements in a reasonable and timely manner.
 - The creation of an independent task force separate from the DOB/FDNY that can assist independent cultural spaces to identify improvements that need to be made.
 - The creation of a liabilities and legalities consultant that can support and help independent cultural spaces understand and implement the nuances and complexities of insurance and liability so that spaces can remain legal, learn how to manage risk, and not be forced to close after liability related events.
- To read the full letter, go to: <http://nycartc.com/nycdca/>

2. What artist space owners can do

Owners of potentially at-risk artist spaces are in a tough position. Many make their spaces available to artists at affordable rates on a temporary basis, with the expectation

that at some point in the future, market conditions will support higher rents. Until that time, there is little incentive to invest in the property. The basic agreement is typically: an owner agrees to keep rent cheap and artists agree not to complain about sub-standard conditions. Even owners who are fully committed to their artist users are often constrained by limited revenue -- keeping rent low generally means not having the resources to make important reinvestments. In addition, there can be disincentives for owners to even explore improvements; once contractors or permitting agents get involved, simple improvements can rapidly escalate, requiring unexpected costs to meet safety codes.

Given these constraints, **we encourage building owners to explore www.saferspac.es, which includes an open-source, ever-evolving list of harm-reduction, safety-enhancing recommendations for property owners.** Recognizing that many artist spaces operate on an extremely thin margin, most recommendations cost less than \$200.

Warehouse Safety

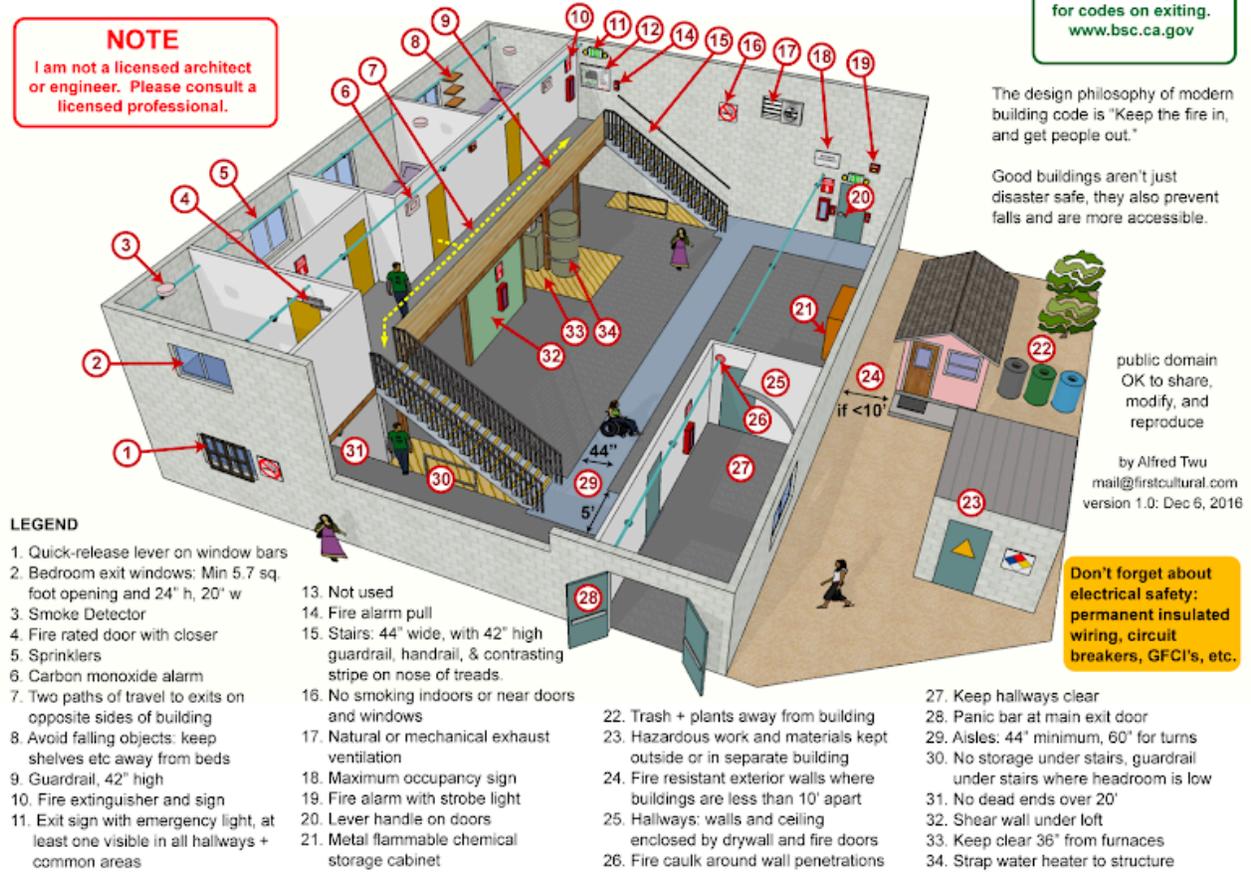
for fires, earthquakes, and general safety

Based on 2016 California Building Code. See Chapter 10 for codes on exiting. www.bsc.ca.gov

NOTE
I am not a licensed architect or engineer. Please consult a licensed professional.

The design philosophy of modern building code is "Keep the fire in, and get people out."

Good buildings aren't just disaster safe, they also prevent falls and are more accessible.



LEGEND

- 1. Quick-release lever on window bars
- 2. Bedroom exit windows: Min 5.7 sq. foot opening and 24" h, 20" w
- 3. Smoke Detector
- 4. Fire rated door with closer
- 5. Sprinklers
- 6. Carbon monoxide alarm
- 7. Two paths of travel to exits on opposite sides of building
- 8. Avoid falling objects: keep shelves etc away from beds
- 9. Guardrail, 42" high
- 10. Fire extinguisher and sign
- 11. Exit sign with emergency light, at least one visible in all hallways + common areas
- 13. Not used
- 14. Fire alarm pull
- 15. Stairs: 44" wide, with 42" high guardrail, handrail, & contrasting stripe on nose of treads.
- 16. No smoking indoors or near doors and windows
- 17. Natural or mechanical exhaust ventilation
- 18. Maximum occupancy sign
- 19. Fire alarm with strobe light
- 20. Lever handle on doors
- 21. Metal flammable chemical storage cabinet
- 22. Trash + plants away from building
- 23. Hazardous work and materials kept outside or in separate building
- 24. Fire resistant exterior walls where buildings are less than 10' apart
- 25. Hallways: walls and ceiling enclosed by drywall and fire doors
- 26. Fire caulk around wall penetrations
- 27. Keep hallways clear
- 28. Panic bar at main exit door
- 29. Aisles: 44" minimum, 60" for turns
- 30. No storage under stairs, guardrail under stairs where headroom is low
- 31. No dead ends over 20'
- 32. Shear wall under loft
- 33. Keep clear 36" from furnaces
- 34. Strap water heater to structure

Don't forget about electrical safety: permanent insulated wiring, circuit breakers, GFCI's, etc.

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by Alfred Twu
mail@firstcultural.com
version 1.0: Dec 6, 2016

Diagram by Alfred Twu, Available for the DIY Venue Harm Reduction Website created by artists in response to the Ghost Ship Fire

Examples Include:

- a. Create and review emergency procedures with staff, residents and volunteers.
- b. Clearly mark all exits, including non-barred windows and fire escapes.
- c. Install battery operated exit signs with integral strobes, as not all visitors can hear a fire alarm.
- d. Purchase escape ladders for upper-story rooms and make sure they are easily usable in emergencies.
- e. Install panic hardware (AKA crash bars) on exit doors where it is possible to replace knobs or latches. These ensure venues can be locked from the outside without sacrificing the ability to open them from the inside in an emergency.
- f. Add emergency releases for window security bars in units.
- g. Ensure all major fire exit path infrastructure is made of fire-safe materials.
- h. Label the circuits on your breaker box, which makes it easy to cut the power to a targeted area without the lights going out.
- i. Create safe and secure areas to store flammable, combustible and hazardous materials properly. Provide appropriate individual containers for storage and/or stand-alone storage cabinets, which are readily available commercially.
- j. Install functional smoke and carbon monoxide detectors in all leased spaces, common areas, and hallways.
- k. Purchase, install and label non-expired fire extinguishers. Have existing fire extinguishers inspected, charged, and replaced as needed.
- l. Secure the property with good functioning door and window hardware. A secured space ensures that only those who should be are in the spaces, reducing risks of vandalism and damage that could lead to fires or other losses.
- m. Install fire stops over stoves.
- n. Replace gas stoves with electric.

While these modestly priced steps can be enacted independently, owners are also responsible for periodic inspections. City inspectors will, and should, move people out of a space that has immediate life-safety risks. However, most are willing to work with owners to try to keep spaces open while dealing with minor code compliance issues. It

is often in the best interest of building owners to proactively engage with the City. Inspectors can be more flexible and cooperative when responding to owner inquiries rather than anonymous tips. Owners can also create a relationship with a code compliance consultant or an architect who can help identify additional concerns and develop a plan toward greater safety.

3. What artists living and working in at-risk spaces can do

Of the three parties, the artist tenants are the most vulnerable. They often choose space because it is affordable and ownership is willing to tolerate their special practices. Should artists make too many demands for improvements, they know they risk eviction or rent increases once upgrades are made. In addition, they generally are not in a position to make significant structural changes that promote safety for themselves.

Regardless of these constraints, there are simple steps artists can do to promote safety in the rental spaces they live and work:

- a. Declutter space, especially public areas, and clear obstacles from doorways and exits. Clutter, such as rags, magazines, and lumber, can present both fire hazards and barriers.
- b. Host a cleaning day to remove hazardous substances and unused supplies. Make sure flammable materials are well marked. A shared dumpster can reduce cost, and discarded items may be of value to other tenants.
- c. Create shared storage or a library to store materials safely and make collective use of space.
- d. Engage with the property owner as a partner in identifying safety concerns and working towards solutions. In many cases, tenants can identify issues that may not otherwise be on the owner's radar.
- e. Connect with other users of the building who may be aware of other concerns, and who, as partners, may be able to help raise awareness and initiate change.
- f. Ensure spaces are well ventilated with fresh air intake, and that exhaust systems (especially in kitchens and baths) are in working order.
- g. Review your electrical bill for usage and get a free energy audit.
- h. Be careful not to overload circuits. Install Ground Faulted Indicators around any water supply.

OTHER RESOURCES

If you are interested in digging deeper into these concerns and possible next steps, here are some additional resources to consider:

- **Safer Spaces** (<http://www.saferpac.es/>) As noted above, this site has many important resources, including cost-conscious recommendations to enhance basic building safety. This site also has a terrific set of additional resources to explore.
- **Do DIY (DoDIY.org)** is a site that supports DIY spaces, organizers, musicians, performers, writers, activists, and other like-minded folks. The site hosts resources for anyone interested in the DIY ethos, and maintains a catalog of event spaces and organizers around the world.
- **1+** (<http://www.theoneplus.org>) is a clearing house of architects, engineers and allied professionals committed to providing pro-bono design services, and who may be able to advise on safety issues.
- **Safer DIY Spaces** (<https://diysafetygroup.org/>) is an Oakland-based, fiscally sponsored coalition of activists, architects, contractors, and artists that emerged in the wake of the Ghost Ship fire, offering guidance, financial assistance, and labor to members of the Bay Area's communities who live and/or work in non-traditional DIY spaces.
- **We The Artists of the Bay Area (WABA)** (<http://artistsofthebay.org/resources/>) is a grassroots coalition of artists and arts organizations formed in the aftermath of the Ghost Ship fire to address immediate crises and advocate for long-term solutions. Their website includes a list of resources for Bay Area artists and organizations.
- **Community Arts Stabilization Trust (CAST)** (cast-sf.org) is a 501(c)3 formed through a partnership between the Kenneth Rainin Foundation, the Northern California Community Load Fund, and the San Francisco Office of Economic and Workforce Development. CAST is focused on creating stable physical spaces for arts and cultural organizations; its program **Keeping Space – Oakland** serves Oakland arts and cultural organizations seeking real estate assistance, through direct financial grants, one-on-one technical assistance, and real estate readiness training.
- **Vital Arts** (<https://www.vitalarts.org/>) is a group formed after the Ghost Ship Fire, focused on providing “affordable, safe housing, work, and performance space for artists and musicians.”

- **Safer DIY Spaces** (<https://saferdiyspaces.org/>) is an Oakland based group that provides confidential assistance for live/work and DIY spaces to ensure that they are safe. Their work includes a variety of consulting and walk throughs, labor, and financial assistance to help prevent the displacement of these communities.

Artspace is grateful to all the organizations identified above, whose content has helped inform this paper. We have drawn on several sources and acknowledge that there are many other entities creatively responding to this challenge – including, but not limited to, www.saferpac.es, Americans for the Arts, the Seattle Arts Commission, and the Denver Department of Arts & Venues. We encourage interested parties to explore the links included in this paper to stay on top of developments.