



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

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May 3, 2016

To: Planning Commissioner

Re: Bone / Conditional Use Permit / DRC2013-00096

The proposed Conditional Use Permit is to allow off-site olives to be processed within the 3,445 sq. ft existing olive processing facility. The project also includes a restaurant, public tasting, and permanent farm stand to be installed within the existing facility and patio area. Site location is 1111 Kiler Canyon Road, Paso Robles. APN 018-271-021 and 022.

Project Permit Summary

Permit PMT2008-01864 for an AG processing building and covered porch was Issued on 8/21/2009 and Finaled on 8/18/2011. The Certificate of Occupancy and approved plans reflect the occupancy classification for the building as an F-1, S-1, and B occupancy. Another permit PMT2011-00262 for the AG processing equipment was issued on 8/17/2011 and Finaled on 10/18/11.

Comment Applicable to DRC2013-0096 Review

While a thorough plan review will be conducted at the time of the building permit application, the following items are noted to assist with the application process and answer the questions that have come about:

- 1) A building permit will be required for this project based on the new use / uses as part of the tenant improvements. The proposed work changes the use of the break room into a commercial kitchen and the conference room into restaurant and tasting area. Pursuant to California Building Code section 105 and County of San Luis Obispo Title 19 section 19.02.020 (b) a building permit will be required for all work (ie. accessibility upgrades, new bar area, kitchen hoods, path of travel, mechanical and plumbing upgrades, electrical, permits from other departments such as Health, etc). The preceding list is not to be considered an all-inclusive list of items requiring a permit. Please refer to the reference codes listed above.
- 2) The current occupancy classification for the building is an F-1, S-1, and B. However, the licensed design professional will need to provide justification on the plans to verify that

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ATTACHMENT 3



the occupant load for the space does not change the occupancy classification for the proposed tasting area for a B occupancy to an A-2 occupancy based on the designed occupant load for the space using CBC Chapter 10.

- 3) Fire sprinklers would not be required for this project if the occupant load for the space is maintained at 49 or less. A licensed design professional will need to provide an occupant load and exiting analysis on the plans per California Building Code Section Chapter 10, including Table 1004.1.2. If the proposed occupant load is 50 or greater, based on the occupant load analysis, fire sprinklers will be required.

Again, this letter is to assist with Condition Use Permit process and a thorough plan review will be conducted at the time of the building permit application. Also, attached is a Building Code Chapter 3 excerpt for the Occupancy Groups listed above for clarification.

If you have any questions, please feel free to call me at the number listed below.

Sincerely,

Michael Stoker
Building Division Supervisor
(805) 781-1543

CHAPTER 3

USE AND OCCUPANCY CLASSIFICATION

SECTION 301
GENERAL

301.1 Scope. The provisions of this chapter shall control the classification of all buildings and structures as to use and occupancy.

SECTION 302
CLASSIFICATION

302.1 General. Structures or portions of structures shall be classified with respect to occupancy in one or more of the groups listed in this section. A room or space that is intended to be occupied at different times for different purposes shall comply with all of the requirements that are applicable to each of the purposes for which the room or space will be occupied. Structures with multiple occupancies or uses shall comply with Section 508. Where a structure is proposed for a purpose that is not specifically provided for in this code, such structure shall be classified in the group that the occupancy most nearly resembles, according to the fire safety and relative hazard involved.

1. Assembly (see Section 303): Groups A-1, A-2, A-3, A-4 and A-5
 2. Business (see Section 304): Group B
 3. Educational (see Section 305): Group E
 4. Factory and Industrial (see Section 306): Groups F-1 and F-2
 5. High Hazard (see Section 307): Groups H-1, H-2, H-3, H-4 and H-5
 6. Institutional (see Section 308): Groups I-1, I-2, I-2.1, I-3 and I-4
 7. *Laboratory (see Section 202): Group B, unless classified as Group L (see Section 443) or Group H (see Section 307).*
 8. Mercantile (see Section 309): Group M
 9. *[SFM] Organized Camps (see Section 440): Group C.*
 10. *[SFM] Research Laboratories (see Section 443): Group L*
 11. *Residential (see Section 310): Groups R-1, R-2, R-3 and R-4*
 12. Storage (see Section 311): Groups S-1 and S-2
 13. Utility and Miscellaneous (see Section 312): Group U
- [SFM] Existing buildings housing existing protective social care homes or facilities established prior to 1972 (see Section 3413).*

302.1.1 Reserved

302.1.2 Reserved

302.1.3 Pharmacies; veterinary facilities; barbering, cosmetology or electrolysis establishments; and acupuncture offices. See Chapter 12.

SECTION 303
ASSEMBLY GROUP A

303.1 Assembly Group A. Assembly Group A occupancy includes, among others, the use of a building or structure, or a portion thereof, for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption or awaiting transportation *or motion picture and television production studio sound stages, approved production facilities and production locations.*

303.1.1 Small buildings and tenant spaces. A building or tenant space used for assembly purposes with an occupant load of less than 50 persons shall be classified as a Group B occupancy.

303.1.2 Small assembly spaces. The following rooms and spaces shall not be classified as Assembly occupancies:

1. A room or space used for assembly purposes with an occupant load of less than 50 persons and accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.
2. A room or space used for assembly purposes that is less than 750 square feet (70 m²) in area and accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.

303.1.3 Associated with Group E occupancies. A room or space used for assembly purposes that is associated with a Group E occupancy is not considered a separate occupancy.

303.1.4 Accessory to places of religious worship. Accessory religious educational rooms and religious auditoriums with occupant loads of less than 100 are not considered separate occupancies.

303.2 Assembly Group A-1. Assembly uses, usually with fixed seating, intended for the production and viewing of the performing arts or motion pictures including, but not limited to:

Motion picture and television production studio sound stages, approved production facilities and production locations. (with live audiences).

Motion picture theaters
Symphony and concert halls
Television and radio studios admitting an audience
Theaters

303.3 Assembly Group A-2. Assembly uses intended for food and/or drink consumption including, but not limited to:

Banquet halls
Casinos (gaming areas)
Nightclubs
Restaurants, cafeterias and similar dining facilities
(including associated commercial kitchens)
Taverns and bars

USE AND OCCUPANCY CLASSIFICATION

303.4 Assembly Group A-3. Assembly uses intended for worship, recreation or amusement and other assembly uses not classified elsewhere in Group A including, but not limited to:

- Amusement arcades
- Art galleries
- Bowling alleys
- Community halls
- Courtrooms
- Dance halls (not including food or drink consumption)
- Exhibition halls
- Funeral parlors
- Gymnasiums (without spectator seating)
- Indoor swimming pools (without spectator seating)
- Indoor tennis courts (without spectator seating)
- Lecture halls
- Libraries
- Museums
- Places of religious worship
- Pool and billiard parlors
- Waiting areas in transportation terminals

303.5 Assembly Group A-4. Assembly uses intended for viewing of indoor sporting events and activities with spectator seating including, but not limited to:

- Arenas
- Skating rinks
- Swimming pools
- Tennis courts

303.6 Assembly Group A-5. Assembly uses intended for participation in or viewing outdoor activities including, but not limited to:

- Amusement park structures
- Bleachers
- Grandstands
- Stadiums

303.7 Fixed guideway transit systems. [SFM] Fixed guideway transit system buildings shall conform to the requirements of this code for their occupancy classification in addition to the provisions set forth in Section 433.

303.8 Subterranean spaces for winery facilities in natural or manmade caves. [SFM] For fire and life safety requirements, see Section 436.

**SECTION 304
BUSINESS GROUP B**

304.1 Business Group B. Business Group B occupancy includes, among others, the use of a building or structure, or a portion thereof, for office, professional or service-type transactions, including storage of records and accounts. Business occupancies shall include, but not be limited to, the following:

- Airport traffic control towers
- Ambulatory care facilities serving five or fewer patients (see Section 308.4.2 for facilities serving more than five patients)
- Animal hospitals, kennels and pounds
- Banks
- Barber and beauty shops

- Car wash
- Civic administration
- Clinic, outpatient [SFM] (not classified as Group I-2.1)
- Dry cleaning and laundries: pick-up and delivery stations and self-service
- Educational occupancies for students above the 12th grade
- Electronic data processing
- Laboratories: testing, research and [SFM] instruction
- Motor vehicle showrooms
- Post offices
- Print shops
- Professional services (architects, attorneys, dentists, physicians, engineers, etc.)
- Radio and television stations
- Telephone exchanges
- Training and skill development not within a school or academic program (this shall include, but not be limited to, tutoring centers, martial arts studios, gymnastics, and similar uses regardless of the ages served, and where not classified as a Group A occupancy)

304.2 Definitions. The following terms are defined in Chapter 2:

**AMBULATORY CARE FACILITY.
CLINIC, OUTPATIENT.**

**SECTION 305
EDUCATIONAL GROUP E**

305.1 Educational Group E. Educational Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by more than six persons at any one time for educational purposes through the 12th grade.

Exception: [SFM] A residence used as a home school for the children who normally reside at the residence. Such residences shall remain classified as Group R-2, or Group R-3 occupancies.

305.1.1 Accessory to places of religious worship. Religious educational rooms and religious auditoriums, which are accessory to places of religious worship in accordance with Section 303.1.4 and have occupant loads of less than 100, shall be classified as Group A-3 occupancies.

305.2 Group E, day care facilities. This group includes buildings and structures or portions thereof occupied by more than six children 2 years of age and older who receive educational, supervision or personal care services for fewer than 24 hours per day.

Exception: [SFM] A Day-care facility not otherwise classified as an R-3 occupancy, where occupants are not capable of responding to an emergency situation without physical assistance from the staff shall be classified as Group I-4.

**SECTION 306
FACTORY GROUP F**

306.1 Factory Industrial Group F. Factory Industrial Group F occupancy includes, among others, the use of a building or structure, or a portion thereof, for assembling, disassembling,

fabricating, finishing, manufacturing, packaging, repair or processing operations that are not classified as a Group H hazardous or Group S storage occupancy.

306.2 Moderate-hazard factory industrial, Group F-1. Factory industrial uses which are not classified as Factory Industrial F-2 Low Hazard shall be classified as F-1 Moderate Hazard and shall include, but not be limited to, the following:

- Aircraft (manufacturing, not to include repair)
- Appliances
- Athletic equipment
- Automobiles and other motor vehicles
- Bakeries
- Beverages: over 16-percent alcohol content
- Bicycles
- Boats
- Brooms or brushes
- Business machines
- Cameras and photo equipment
- Canvas or similar fabric
- Carpets and rugs (includes cleaning)
- Clothing
- Construction and agricultural machinery
- Disinfectants
- Dry cleaning and dyeing
- Electric generation plants
- Electronics
- Engines (including rebuilding)
- Food processing and commercial kitchens not associated with restaurants, cafeterias and similar dining facilities
- Furniture
- Hemp products
- Jute products
- Laundries
- Leather products
- Machinery
- Metals
- Millwork (sash and door)
- [SFM] Motion picture and television production studio
- Sound Stages, Approved Production Facilities and production locations (without live audiences)
- > Musical instruments
- Optical goods
- Paper mills or products
- Photographic film
- Plastic products
- Printing or publishing
- Recreational vehicles
- Refuse incineration
- Shoes
- Soaps and detergents
- Textiles
- Tobacco
- Trailers
- Upholstering
- Wood; distillation
- Woodworking (cabinet)

306.3 Low-hazard factory industrial, Group F-2. Factory industrial uses that involve the fabrication or manufacturing

of noncombustible materials which during finishing, packing or processing do not involve a significant fire hazard shall be classified as F-2 occupancies and shall include, but not be limited to, the following:

- Beverages: up to and including 16-percent alcohol content
- Brick and masonry
- Ceramic products
- Foundries
- Glass products
- Gypsum
- Ice
- Metal products (fabrication and assembly)

**SECTION 307
HIGH-HAZARD GROUP H**

[F] **307.1 High-hazard Group H.** High-hazard Group H occupancy includes, among others, the use of a building or structure, or a portion thereof, that involves the manufacturing, processing, generation or storage of materials that constitute a physical or health hazard in quantities in excess of those allowed in control areas complying with Section 414, based on the maximum allowable quantity limits for control areas set forth in Tables 307.1(1) and 307.1(2). Hazardous occupancies are classified in Groups H-1, H-2, H-3, H-4 and H-5 and shall be in accordance with this section, the requirements of Section 415 and the *California Fire Code*. Hazardous materials stored, or used on top of roofs or canopies shall be classified as outdoor storage or use and shall comply with the *California Fire Code*.

Exceptions: The following shall not be classified as Group H, but shall be classified as the occupancy that they most nearly resemble.

1. Buildings and structures occupied for the application of flammable finishes, provided that such buildings or areas conform to the requirements of Section 416 and the *California Fire Code*.
2. Wholesale and retail sales and storage of flammable and combustible liquids in mercantile occupancies conforming to the *California Fire Code*.
3. Closed piping system containing flammable or combustible liquids or gases utilized for the operation of machinery or equipment.
4. Cleaning establishments that utilize combustible liquid solvents having a flash point of 140°F (60°C) or higher in closed systems employing equipment listed by an approved testing agency, provided that this occupancy is separated from all other areas of the building by 1-hour fire barriers constructed in accordance with Section 707 or 1-hour horizontal assemblies constructed in accordance with Section 711, or both.
5. Cleaning establishments that utilize a liquid solvent having a flash point at or above 200°F (93°C).
6. Liquor stores and distributors without bulk storage.
7. Refrigeration systems.

children two years of age or younger, and which do not have any nonambulatory clients shall not be subject to regulations found in Section 425.

Pursuant to Health and Safety Code Section 13143 with respect to these exempted facilities, no city, county or public district shall adopt or enforce any requirement for the prevention of fire or for the protection of life and property against fire and panic unless the requirement would be applicable to a structure regardless of the special occupancy. Nothing shall restrict the application of state or local housing standards to such facilities if the standards are applicable to residential occupancies and are not based on the use of the structure as a facility for ambulatory children. For the purpose of this exception, ambulatory children does not include relatives of the licensee or the licensee's spouse.

310.6 Residential Group R-4. This occupancy shall include buildings, structures or portions thereof for more than six ambulatory clients, but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive custodial care. The persons receiving care are capable of self-preservation. This group shall include, but not be limited to, the following:

This occupancy classification may include a maximum six nonambulatory or bedridden clients (see Section 425 Special Provisions for Licensed 24-Hour Care Facilities in a Group R-2.1, R-3.1 or R-4 Occupancy). Group R-4 occupancies shall include the following:

*Assisted living facilities such as:
Residential care facilities,
Residential care facilities for the elderly (RCFE),
Adult residential facilities,
Congregate living health facilities,
Group homes.*

*Social rehabilitation facilities such as:
Halfway houses,
Community correctional centers,
Community correction reentry centers,
Community treatment programs,
Work furlough programs,
Alcoholism or drug abuse recovery or treatment facilities.*

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code.

310.7 Large Family Day-Care Homes. See Section 445.

**SECTION 311
STORAGE GROUP S**

311.1 Storage Group S. Storage Group S occupancy includes, among others, the use of a building or structure, or a portion thereof, for storage that is not classified as a hazardous occupancy.

311.2 Moderate-hazard storage, Group S-1. Buildings occupied for storage uses that are not classified as Group S-2, including, but not limited to, storage of the following:

- Aerosols, Levels 2 and 3
- Aircraft hangar (storage and repair)
- Bags: cloth, burlap and paper
- Bamboos and rattan
- Baskets
- Belting: canvas and leather
- Books and paper in rolls or packs
- Boots and shoes
- Buttons, including cloth covered, pearl or bone
- Cardboard and cardboard boxes
- Clothing, woolen wearing apparel
- Cordage
- Dry boat storage (indoor)
- Furniture
- Furs
- Glues, mucilage, pastes and size
- Grains
- Horns and combs, other than celluloid
- Leather
- Linoleum
- Lumber
- Motor vehicle repair garages complying with the maximum allowable quantities of hazardous materials listed in Table 307.1(1) (see Section 406.8)
- Photo engravings
- Resilient flooring
- Silks
- Soaps
- Sugar
- Tires, bulk storage of
- Tobacco, cigars, cigarettes and snuff
- Upholstery and mattresses
- Wax candles

311.3 Low-hazard storage, Group S-2. Includes, among others, buildings used for the storage of noncombustible materials such as products on wood pallets or in paper cartons with or without single thickness divisions; or in paper wrappings. Such products are permitted to have a negligible amount of plastic trim, such as knobs, handles or film wrapping. Group S-2 storage uses shall include, but not be limited to, storage of the following:

- Asbestos
- Beverages up to and including 16-percent alcohol in metal, glass or ceramic containers
- Cement in bags
- Chalk and crayons
- Dairy products in nonwaxed coated paper containers
- Dry cell batteries
- Electrical coils
- Electrical motors
- Empty cans
- Food products
- Foods in noncombustible containers
- Fresh fruits and vegetables in nonplastic trays or containers
- Frozen foods
- Glass
- Glass bottles, empty or filled with noncombustible liquids
- Gypsum board
- Inert pigments

USE AND OCCUPANCY CLASSIFICATION

Ivory
Meats
Metal cabinets
Metal desks with plastic tops and trim
Metal parts
Metals
Mirrors
Oil-filled and other types of distribution transformers
Parking garages, open or enclosed
Porcelain and pottery
Stoves
Talc and soapstones
Washers and dryers

**SECTION 312
UTILITY AND MISCELLANEOUS GROUP U**

312.1 General. Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Group U shall include, but not be limited to, the following:

Agricultural buildings
Aircraft hangars, accessory to a one- or two-family residence (see Section 412.5)
Barns
Carports
Fences more than 6 feet (1829 mm) in height
Grain silos, accessory to a residential occupancy
Greenhouses
Livestock shelters
Private garages
Retaining walls
Sheds
Stables
Tanks
Towers

**SECTION 313
LABORATORIES GROUP L [SFM]**

313.1 Laboratories Group L. [SFM] Group L occupancy includes the use of a building or structure, or a portion thereof, containing one or more laboratory suites as defined in Section 443.