



## **Building Code Analysis *for* Converting Existing Agricultural Buildings to Wine Tasting/Event Centers**

This handout clarifies the building code requirements for converting agricultural buildings to wine tasting and event centers in unincorporated Alameda County. The Public Works Agency is supportive of the preservation, renovation and reuse of existing buildings in Alameda County subject to these buildings being in compliance with California Building Code and suitable/safe for the proposed uses. The California Building Code (CBC) is a non-discretionary code that is mandated by the State. The CBC establishes the **minimum** requirements for the local jurisdiction to enforce, and local jurisdictions may establish **more** restrictive building standards due to local climatic, geological or topographical conditions but not less restrictive.

Due to the Non-discretionary nature of the Code, the Building Division must enforce the CBC without exception in order to safeguard public safety.

Included herewith in are a summary of code requirements for converting existing agricultural buildings to tasting rooms and event centers. It should be noted that making an existing agricultural building come into compliance with California Building Code for the converted use will differ greatly from building to building. Some existing agricultural buildings may need only minor improvements to comply with code in structural, fire-life safety, and disabled access; others might require significant upgrade depending on conditions including:

- A building was not designed to withstand wind or earthquake loadings; major structural upgrades may be required;
- Major site revisions may be required to comply with the American Disability Act;
- A fire-sprinkler system might be required for the conversion but no suitable water supply is available;

In most cases, property owners are required to hire an architect or engineer to conduct a feasibility study prior to commencing any conversion. Our office staff will also be available for consultation regarding the specific code requirements for the conversion.

### **A. BUILDING CODE ANALYSIS for Agricultural Building Conversion (per current CBC)**

#### **1. Section 202 Definitions**

**Agricultural, Building.** A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

*(Building Division Comment: The agricultural building is classified as U occupancy. Any other uses that do not meet above definition will be reclassified as different occupancies – see occupancy list. A Change of Occupancy will require the building to comply with building code regulations for the new use.)*

**Public Accommodation.** Includes, but not limited to, any public use building or facility that may be classified into one or more of the following categories:

1. Places of public lodging.
2. **Establishments serving food or drink open to public use.**

3. **Places of exhibition or entertainment open to public use.**
4. **Places of public gathering.**
5. **Sales or rental establishments open to public use.**
6. Service establishments open to public use.
7. Stations used for public transportation.
8. Places of public display or collection.
9. **Places of public recreation.**
10. Places of public education.
11. Social service center establishments open to public use.
12. Places of exercise or recreation open to public use.

Examples of public accommodations for purposes of this code shall include, but not limited, the following **private** entities:

1. An inn, hotel, motel or other place of public lodging.....
2. **A restaurant, bar or other establishment serving food or drink.**
3. A motion picture....
4. **An auditorium, convention center, lecture hall or other place of public gathering.**
5. A bakery, grocery store, clothing store, hardware store, shopping center, or **other sales or rental establishment.**

*(Building Division Comment: Any uses in an agricultural building that meet above descriptions will need to be considered as public accommodation and subject to building code regulations. An existing agricultural building that has been converted to allow public access but without the benefit of permits will have to be considered as Change of Occupancy and subject to regulation listed below.)*

## 2. **Section 3408. Change of Occupancy**

**3408.1 Conformance.** No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancies or in a different group of occupancies, unless such building is made to comply with the requirements of this code for such division or group of occupancies.

*(Building Division Comment: Conversion of an existing agricultural or storage building to an event center, sales establishment, place of serving food or drink to the public will be considered a Change of Occupancy and the building needs to comply with requirements detailed in this section, such as structural, fire-life safety and disabled access.)*

## 3. **Chapter 3, Use and Occupancy Classification**

**Section 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 ..... A room or space used for assembly purposes with an occupant load of less than 50 persons (or less than 750 square feet) shall be classified as a Group B occupancy....

A-2 Assembly uses intended for food and/or drink consumption including, but not limited to banquet halls, night clubs, restaurants, and taverns and bars.

A-3 Assembly uses intended for worship, recreation or amusement....

**Section 309, Mercantile Group M** Mercantile Group M occupancy includes, among others, the use of a building or structure or a portion thereof, for the display and sale of merchandise and involves stocks of goods, wares, or merchandise incidental to such purposes and accessible to the public....

**Section 310, Storage Group S** Storage Group S occupancy for storage that is not classified as a hazardous occupancy....

*(Building Division Comment: Conversion of an existing agricultural or storage building to an event center, sales establishment, place of serving food or drink to public will be considered as Change of Occupancy. The new occupancy group may include an A - when a dining room or assembly room is more than 750 square feet or 50 or more persons, B, M, S occupancy or combination thereof. Each occupant group has its special requirements related to structural, fire, exit, and disable access regulations throughout the code. The California Business and Professions Code 5536 & 5537 requires non-residential construction plans, specifications, and calculations to be prepared under a California licensed architect or engineer.)*

## **B. REQUIREMENTS FOR CHANGE OF OCCUPANCY (per current CBC)**

The following list outlines code requirements related to Change of Occupancy from an existing agricultural building (U occupancy) to tasting rooms and/or event centers (A, B, or M occupancy).

### **1. Structural Safety Investigation And Evaluation (Section 3408 or 3412)**

The building owner shall cause the existing building to be investigated and evaluated by a qualified engineer to assess the existing structure to determine adequacy of structural systems for the proposed change of occupancy including and not limited to vertical loads, earthquake & wind loads, and framing & foundation system according to CBC Chapter 16. The results of the investigation and evaluation along with compliance calculations shall be submitted to the building official for review and approval. Any identified structural deficiencies and/or proposed mitigations shall be part of the Change of Occupancy.

### **2. Fire-Life Safety Investigation And Evaluation (Section 3408 or 3412)**

The building owner shall cause the existing building to be investigated and evaluated by a qualified architect or engineer to assess the existing building fire-life safety to determine adequacy of the following categories:

- a. **Fire Safety.** Included within the fire safety category are the fire resistance construction, automatic fire detection, alarm and suppression system features of the facility. Automatic fire detection, alarm and suppression system features are also subject to the Alameda County Fire Department review and approval.
- b. **Means of Egress.** Included within the means of egress category are the configuration, characteristics and support features for means of egress in the facility. Such as required number of exit doors, exit corridors, exit door width & hardware, stairway, ramp, travel distance, exit discharge, and etc.
- c. **General Safety.** Included within the general safety category are items such as guardrails, handrails, exit lights, exit signs, electrical, plumbing, and mechanical safety and etc.
- d. **Determination of Compliance.** After reviewing the submitted investigation and evaluation report, the building official shall determine whether the existing building along with proposed mitigations will make the existing building in compliance with code for the proposed Change of Occupancy.

### **3. Accessibility for Disabled (Section 3411 & Chapter 11B)**

The following provisions apply to Change of Occupancy including those identified as historical buildings.

- a. At least one accessible building entrance, such as a main entry door.
- b. At least one accessible route from an accessible building entrance to primary functional areas, including walks, sidewalks, ramps, curb cut,

- c. Signage complying with Chapter 11B.
- d. Accessible parking complying with Chapter 11B.
- e. Accessible toilet room complying with Chapter 11B.
- f. Stairs and handrails complying with Chapter 11B.
- g. Primary functional area shall be accessible, such as doors, dining, banquet and bar facilities, seating, restrooms, platforms and performance areas, sales counters, and etc.

## **C. SUBMITTAL REQUIREMENTS FOR A PERMIT APPLICATION**

### **GENERAL**

1. A minimum of three (3) sets of complete plans shall be submitted; partial submittal will not be accepted for a permit application.
2. Plans shall be drawn to scale on substantial paper (minimum size of 18" x 24") and shall be legible and clearly show the description of the work proposed.
3. Plans shall be fully dimensioned and shall show, in detail, how the proposed work will conform to the requirements of the Building, Electrical, Plumbing, and Mechanical Codes as well as all other applicable laws, ordinances, rules, or regulations.
4. When required by the California Business and Professional Code, plans must be prepared by a licensed architect or engineer as the design professional in responsible charge.
5. Plans shall contain the job address, the name and address of the owner of the property and the name, address, and signature of the person who has prepared the plans.
6. Floor plans, elevations, etc. shall be drawn to a scale of not less than 1/8" (prefer 1/4") = 1'-0".
7. Basic Building Information, applicable building code edition, Occupancy classification, uses, type of construction, fire sprinkler system, and allowable area analysis.
8. Pay plan review fees according to the Building Department Service fee schedule.

### **PLANS**

1. **Site Plan**
  - a. Project address including suite number if appropriate.
  - b. The name, address, and telephone numbers of the owner and the professional in responsible charge.
  - c. The location of easements, driveways, power poles and lines, waterways, septic and drainage fields, storm drains, curbs, gutters, sidewalks, fire hydrants, utility services and lines.
  - d. The location of all existing buildings and structures on the property, their dimensional location from property lines and each other.
  - e. Fully dimensioned parking plan, including tabulation of existing, proposed and required parking spaces including accessible parking spaces.
  - f. Clearly show the accessible path of travel for disabled from the site to building entrances.
  - g. Grade elevations at property line corners, at driveways, and at garage floor.
2. **Floor Plans** shall be drawn to scale of not less than 1/8"=1'-0" and fully dimensioned. Identify every room or space the existing and the proposed use. Provide door and window schedules and dimensions.
3. **Access Compliance for Disabled.** Fully dimensioned details indicating compliance with Disabled access requirements, including Building entrances and paths of travel within the building, accessible restrooms, counters, drinking fountains, and etc.
4. **Exterior elevations** drawn to a scale of not less 1/8" = 1'-0". Elevations to indicate the shape of the roof, roof pitch, and type of roof covering proposed. Elevations to also include ground line for use in determining the overall height of the building.
5. **Cross section(s)** drawn to scale of not less than 1/8"=1'-0" through the building at all significant locations. At least two sections shall be provided in orthogonal directions.

6. **Roof Plan** shall be drawn to a scale of not less than 1/8"= 1'-0" and indicate roof equipment and drain locations and sizes.
7. **Structural Plans** shall be provided for each floor and roof level. Structural, framing, and foundation plans shall identify the size and spacing of all structural elements. Complete details shall be provided for all critical connections, construction assemblies, size & location of anchor bolts, concrete reinforcement details, lateral force-resisting elements, and construction details for steel frame elements, trusses & connection details.
8. **Plumbing Plans** to include Site Utility Plan and Sizing Calculations, Plumbing Fixture and Single Line Schematics, Waste and Vent Plan and Sizing Calculations, Water Piping Sizing Calculations, Kitchen Plan for Commercial Kitchens, Roof Drain Plan and Sizing Calculations, Condensate Drain Plan & Hydronics Piping Plan, Chemical Waste & Piping Plan.
9. **Mechanical Plans** to include HVAC Plan (Location, size, duct layout, Smoke/Fire dampers), Environmental and Product Conveying Duct Plan, Gas Piping and Sizing Calculations, and Kitchen Plan for Commercial Kitchens.
10. **Electrical Plans** to include Load Calculations and Panel Schedule, Outlets, Fixtures, Switches, Service Panels, Subpanels, One Line Diagram to show Wire & Conduit Sizes, and Reflected Ceiling Lighting Plan.

#### **DOCUMENTS AND CALCULATIONS**

1. **Structural Investigation and Evaluation Report** to demonstrate the building is in compliance with structural provisions of the building code. The structural calculations shall address both vertical and lateral forces, and shall be wet stamped and signed by a licensed engineer or architect registered in the state of California.
2. **Fire-Life Safety Investigation and Evaluation Report** to demonstrate the building is in compliance with fire resistance construction, automatic fire detection, alarm and suppression system, means of egress, required number of exit doors, exit corridors, exit door width & hardware, stairway, ramp, travel distance, exit discharge, guardrails, handrails, exit light, exit signs, electrical, plumbing, and mechanical safety.

#### **D. OTHER AGENCY ' S APPROVAL**

Prior to the issuance of any building permits for such conversion, our office will also need clearances from other County agencies; such as:

1. Alameda County Fire Department.
2. Alameda County Environmental Health Department for food services, well, and septic related issues.
3. Alameda County Zoning Administration.
4. Traffic Impact, school impact, Zone 7 fees and etc. (Interpretation of impact fees is pending on responsible agencies and beyond the scope of the Building Division.)
5. Utility connections; such as sanitation sewer, PG&E, and Water.