

CHAPTER 10

CHANGE OF OCCUPANCY

SECTION 1001 GENERAL

1001.1 Scope. The provisions of this chapter shall apply where a *change of occupancy* occurs, as defined in Section 202.

1001.2 Certificate of occupancy. A change of occupancy or a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *Florida Building Code, Building* shall not be made to any structure without the approval of the *code official*. A certificate of occupancy shall be issued where it has been determined that the requirements for the change of occupancy have been met.

1001.2.1 Change of use. Any work undertaken in connection with a change in use that does not involve a *change of occupancy* classification or a change to another group within an occupancy classification shall conform to the applicable requirements for the work as classified in Chapter 5 and to the requirements of Sections 1002 through 1011.

Exception: As modified in Section 1205 for *historic buildings*.

1001.2.2 Change of occupancy classification or group. Where the occupancy classification of a building changes, the provisions of Sections 1002 through 1012 shall apply. This includes a *change of occupancy* classification and a change to another group within an occupancy classification.

1001.2.2.1 Partial change of occupancy. Where the occupancy classification or group of a portion of an *existing building* is changed, Section 1012 shall apply.

1001.3 Certificate of occupancy required. A certificate of occupancy shall be issued where a *change of occupancy* occurs that results in a different occupancy classification as determined by the *Florida Building Code, Building*.

SECTION 1002 SPECIAL USE AND OCCUPANCY

1002.1 Compliance with the building code. Where the character or use of an *existing building* or part of an *existing building* is changed to one of the following special use or occupancy categories as defined in the *Florida Building Code, Building*, the building shall comply with all of the applicable requirements of the *Florida Building Code, Building*:

1. Covered and open mall buildings.
2. Atriums.
3. Motor vehicle-related occupancies.
4. Aircraft-related occupancies.

5. Motion picture projection rooms.
6. Stages and platforms.
7. Special amusement buildings.
8. Incidental use areas.
9. Hazardous materials.
10. Ambulatory care facilities.
11. Group I-2 occupancies.

1002.2 Underground buildings. An underground building in which there is a change of use shall comply with the requirements of the *Florida Building Code, Building* applicable to underground structures.

SECTION 1003 BUILDING ELEMENTS AND MATERIALS

1003.1 General. Building elements and materials in portions of buildings undergoing a *change of occupancy* classification shall comply with Section 1012.

SECTION 1004 FIRE PROTECTION

1004.1 General. Fire protection requirements of Section 1012 shall apply where a building or portions thereof undergo a *change of occupancy* classification or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *Florida Building Code, Building*.

SECTION 1005 MEANS OF EGRESS

1005.1 General. Means of egress in portions of buildings undergoing a *change of occupancy* classification shall comply with Section 1012.

SECTION 1006 ACCESSIBILITY

1006.1 General. Accessibility in portions of buildings undergoing a *change of occupancy* classification shall comply with the provisions of the *Florida Building Code, Accessibility*.

SECTION 1007 STRUCTURAL

[BS] 1007.1 Gravity loads. Buildings or portions thereof subject to a *change of occupancy* where such change in the nature of occupancy results in higher uniform or concentrated loads based on the *Florida Building Code, Building*, Table

Mechanical, the new occupancy shall comply with the respective *Florida Building Code, Mechanical* provisions.

SECTION 1010 PLUMBING

1010.1 Increased demand. Where the occupancy of an *existing building* or part of an *existing building* is changed such that the new occupancy is subject to increased or different plumbing fixture requirements or to increased water supply requirements in accordance with the *Florida Building Code, Plumbing*, the new occupancy shall comply with the intent of the respective *Florida Building Code, Plumbing* provisions.

1010.2 Food-handling occupancies. If the new occupancy is a food-handling establishment, all existing sanitary waste lines above the food or drink preparation or storage areas shall be panned or otherwise protected to prevent leaking pipes or condensation on pipes from contaminating food or drink. New drainage lines shall not be installed above such areas and shall be protected in accordance with the *Florida Building Code, Plumbing*.

1010.3 Interceptor required. If the new occupancy will produce grease or oil-laden wastes, interceptors shall be provided as required in the *Florida Building Code, Plumbing*.

1010.4 Chemical wastes. If the new occupancy will produce chemical wastes, the following shall apply:

1. If the existing piping is not compatible with the chemical waste, the waste shall be neutralized prior to entering the drainage system, or the piping shall be changed to a compatible material.
2. No chemical waste shall discharge to a public sewer system without the approval of the sewage authority.

1010.5 Group I-2. If the occupancy group is changed to Group I-2, the plumbing system shall comply with the applicable requirements of the *Florida Building Code, Plumbing*.

1010.6 Separate facilities. Where the occupancy or group of an existing building or part of an existing building is changed, single-user facilities that are or will be provided shall be permitted to comply with Section 810.2.

SECTION 1011 OTHER REQUIREMENTS

1011.1 Light and ventilation. Light and ventilation shall comply with the requirements of the *Florida Building Code, Building* for the new occupancy.

SECTION 1012 CHANGE OF OCCUPANCY CLASSIFICATION

1012.1 General. The provisions of this section shall apply to buildings or portions thereof undergoing a change of occupancy classification. This includes a change of occupancy classification within a group as well as a change of occupancy classification from one group to a different group or where there is a change of occupancy within a space where there is a different fire protection system threshold require-

ment in Chapter 9 of the *Florida Building Code, Building*. Such buildings shall also comply with Sections 1002 through 1011. The application of requirements for the change of occupancy shall be as set forth in Sections 1012.1.1 through 1012.1.4. A *change of occupancy*, as defined in Section 202, without a corresponding change of occupancy classification shall comply with Section 1001.2.

1012.1.1 Compliance with Chapter 9. The requirements of Chapter 9 shall be applicable throughout the building for the new occupancy classification based on the separation conditions set forth in Sections 1012.1.1.1 and 1012.1.1.2.

1012.1.1.1 Change of occupancy classification without separation. Where a portion of an *existing building* is changed to a new occupancy classification or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *Florida Building Code, Building*, and that portion is not separated from the remainder of the building with fire barriers having a fire-resistance rating as required in the *Florida Building Code, Building* for the separate occupancy, the entire building shall comply with all of the requirements of Chapter 9 applied throughout the building for the most restrictive occupancy classification in the building and with the requirements of this chapter.

1012.1.1.2 Change of occupancy classification with separation. Where a portion of an *existing building* is changed to a new occupancy classification or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *Florida Building Code, Building*, and that portion is separated from the remainder of the building with fire barriers having a fire-resistance rating as required in the *Florida Building Code, Building* for the separate occupancy, that portion shall comply with all of the requirements of Chapter 9 for the new occupancy classification and with the requirements of this chapter.

1012.1.2 Fire protection and interior finish. The provisions of Sections 1012.2 and 1012.3 for fire protection and interior finish, respectively, shall apply to all buildings undergoing a change of occupancy classification.

1012.1.3 Change of occupancy classification based on hazard category. The relative degree of hazard between different occupancy classifications shall be determined in accordance with the categories specified in Tables 1012.4, 1012.5 and 1012.6. Such a determination shall be the basis for the application of Sections 1012.4 through 1012.7.

1012.1.4 Accessibility. All buildings undergoing a change of occupancy classification shall comply with Section 1012.8.

1012.2 Fire protection systems. Fire protection systems shall be provided in accordance with Sections 1012.2.1 and 1012.2.2.

1012.2.1 Fire sprinkler system. Where a change in occupancy classification occurs or where there is a change of

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occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *Florida Building Code, Building* that requires an automatic fire sprinkler system to be provided based on the new occupancy in accordance with Chapter 9 of the *Florida Building Code, Building*, such system shall be provided throughout the area where the *change of occupancy* occurs.

1012.2.2 Fire alarm and detection system. Where a change in occupancy classification occurs or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *Florida Building Code, Building* that requires a fire alarm and detection system to be provided based on the new occupancy in accordance with Chapter 9 of the *Florida Building Code, Building*, such system shall be provided throughout the area where the *change of occupancy* occurs. Existing alarm notification appliances shall be automatically activated throughout the building. Where the building is not equipped with a fire alarm system, alarm notification appliances shall be provided throughout the area where the *change of occupancy* occurs in accordance with Section 907 of the *Florida Building Code, Building* as required for new construction.

1012.3 Interior finish. In areas of the building undergoing the change of occupancy classification, the interior finish of walls and ceilings shall comply with the requirements of the *Florida Building Code, Building* for the new occupancy classification.

1012.4 Means of egress, general. Hazard categories in regard to life safety and means of egress shall be in accordance with Table 1012.4.

**TABLE 1012.4
MEANS OF EGRESS HAZARD CATEGORIES**

RELATIVE HAZARD	OCCUPANCY CLASSIFICATIONS
1 (Highest Hazard)	H
2	I-2, I-3, I-4
3	A, E, I-1, M, R-1, R-2, R-4
4	B, F-1, R-3, S-1
5 (Lowest Hazard)	F-2, S-2, U

1012.4.1 Means of egress for change to higher hazard category. When a change of occupancy classification is made to a higher hazard category (lower number) as shown in Table 1012.4, the means of egress shall comply with the requirements of Chapter 10 of the *Florida Building Code, Building*.

Exceptions:

1. Stairways shall be enclosed in compliance with the applicable provisions of Section 903.1.
2. Existing stairways including handrails and guards complying with the requirements of Chapter 9 shall be permitted for continued use subject to approval of the *code official*.

3. Any stairway replacing an existing stairway within a space where the pitch or slope cannot be reduced because of existing construction shall not be required to comply with the maximum riser height and minimum tread depth requirements.
4. Existing corridor walls constructed on both sides of wood lath and plaster in good condition or 1/2-inch-thick (12.7 mm) gypsum wallboard shall be permitted. Such walls shall either terminate at the underside of a ceiling of equivalent construction or extend to the underside of the floor or roof next above.
5. Existing corridor doorways, transoms and other corridor openings shall comply with the requirements in Sections 805.5.1, 805.5.2 and 805.5.3.
6. Existing dead-end corridors shall comply with the requirements in Section 805.6.
7. An existing operable window with clear opening area no less than 4 square feet (0.38 m²) and minimum opening height and width of 22 inches (559 mm) and 20 inches (508 mm), respectively, shall be accepted as an emergency escape and rescue opening.

1012.4.2 Means of egress for change of use to equal or lower hazard category. When a change of occupancy classification is made to an equal or lesser hazard category (higher number) as shown in Table 1012.4, existing elements of the means of egress shall comply with the requirements of Section 905 for the new occupancy classification. Newly constructed or configured means of egress shall comply with the requirements of Chapter 10 of the *Florida Building Code, Building*.

Exception: Any stairway replacing an existing stairway within a space where the pitch or slope cannot be reduced because of existing construction shall not be required to comply with the maximum riser height and minimum tread depth requirements.

1012.4.3 Egress capacity. Egress capacity shall meet or exceed the occupant load as specified in the *Florida Building Code, Building* for the new occupancy.

1012.4.4 Handrails. Existing stairways shall comply with the handrail requirements of Section 805.9 in the area of the change of occupancy classification.

1012.4.5 Guards. Existing guards shall comply with the requirements in Section 805.11 in the area of the change of occupancy classification.

1012.5 Heights and areas. Hazard categories in regard to height and area shall be in accordance with Table 1012.5.

**TABLE 1012.5
HEIGHTS AND AREAS HAZARD CATEGORIES**

RELATIVE HAZARD	OCCUPANCY CLASSIFICATIONS
1 (Highest Hazard)	H
2	A-1, A-2, A-3, A-4, I, R-1, R-2, R-4
3	E, F-1, S-1, M
4 (Lowest Hazard)	B, F-2, S-2, A-5, R-3, U

1012.5.1 Height and area for change to higher hazard category. When a change of occupancy classification is made to a higher hazard category as shown in Table 1012.5, heights and areas of buildings and structures shall comply with the requirements of Chapter 5 of the *Florida Building Code, Building* for the new occupancy classification.

Exception: For high-rise buildings constructed in compliance with a previously issued permit, the type of construction reduction specified in Section 403.2.1 of the *Florida Building Code, Building* is permitted. This shall include the reduction for columns. The high-rise building is required to be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 of the *Florida Building Code, Building*.

1012.5.1.1 Fire wall alternative. In other than Groups H, F-1 and S-1, fire barriers and horizontal assemblies constructed in accordance with Sections 707 and 711, respectively, of the *Florida Building Code, Building* shall be permitted to be used in lieu of fire walls to subdivide the building into separate buildings for the purpose of complying with the area limitations required for the new occupancy where all of the following conditions are met:

1. The buildings are protected throughout with an automatic sprinkler system in accordance with the *Florida Fire Prevention Code*.
2. The maximum allowable area between fire barriers, horizontal assemblies, or any combination thereof shall not exceed the maximum allowable area determined in accordance with Chapter 5 of the *Florida Building Code, Building* without an increase allowed for an automatic sprinkler system in accordance with Section 506 of the *Florida Building Code, Building*.
3. The fire-resistance rating of the fire barriers and horizontal assemblies shall be not less than that specified for fire walls in Table 706.4 of the *Florida Building Code, Building*.

Exception: Where horizontal assemblies are used to limit the maximum allowable area, the required fire-resistance rating of the horizontal assemblies shall be permitted to be reduced by 1 hour provided the height and number of stories increases allowed for an automatic sprinkler system by Section 504 of the *Florida Building Code, Building* are not used for the buildings.

1012.5.2 Height and area for change to equal or lesser hazard category. When a change of occupancy classification is made to an equal or lesser hazard category as shown in Table 1012.5, the height and area of the *existing building* shall be deemed acceptable.

1012.5.3 Fire barriers. When a change of occupancy classification is made to a higher hazard category as

shown in Table 1012.5, fire barriers in separated mixed use buildings shall comply with the fire-resistance requirements of the *Florida Building Code, Building*.

Exception: Where the fire barriers are required to have a 1-hour fire-resistance rating, existing wood lath and plaster in good condition or existing 1/2-inch-thick (12.7 mm) gypsum wallboard shall be permitted.

1012.6 Exterior wall fire-resistance ratings. Hazard categories in regard to fire-resistance ratings of exterior walls shall be in accordance with Table 1012.6.

**TABLE 1012.6
EXPOSURE OF EXTERIOR WALLS HAZARD CATEGORIES**

RELATIVE HAZARD	OCCUPANCY CLASSIFICATION
1 (Highest Hazard)	H
2	F-1, M, S-1
3	A, B, E, I, R
4 (Lowest Hazard)	F-2, S-2, U

1012.6.1 Exterior wall rating for change of occupancy classification to a higher hazard category. When a change of occupancy classification is made to a higher hazard category as shown in Table 1012.6, exterior walls shall have fire resistance and exterior opening protectives as required by the *Florida Building Code, Building*.

Exception: A 2-hour fire-resistance rating shall be allowed where the building does not exceed three stories in height and is classified as one of the following groups: A-2 and A-3 with an occupant load of less than 300, B, F, M or S.

1012.6.2 Exterior wall rating for change of occupancy classification to an equal or lesser hazard category. When a change of occupancy classification is made to an equal or lesser hazard category as shown in Table 1012.6, existing exterior walls, including openings, shall be accepted.

1012.6.3 Opening protectives. Openings in exterior walls shall be protected as required by the *Florida Building Code, Building*. Where openings in the exterior walls are required to be protected because of their distance from the lot line, the sum of the area of such openings shall not exceed 50 percent of the total area of the wall in each story.

Exceptions:

1. Where the *Florida Building Code, Building* permits openings in excess of 50 percent.
2. Protected openings shall not be required in buildings of Group R occupancy that do not exceed three stories in height and that are located not less than 3 feet (914 mm) from the lot line.
3. Where exterior opening protectives are required, an automatic sprinkler system throughout may be substituted for opening protection.

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4. Exterior opening protectives are not required when the change of occupancy group is to an equal or lower hazard classification in accordance with Table 1012.6.

1012.7 Enclosure of vertical shafts. Enclosure of vertical shafts shall be in accordance with Sections 1012.7.1 through 1012.7.4.

1012.7.1 Minimum requirements. Vertical shafts shall be designed to meet the *Florida Building Code, Building* requirements for atriums or the requirements of this section.

1012.7.2 Stairways. When a change of occupancy classification is made to a higher hazard category as shown in Table 1012.4, interior stairways shall be enclosed as required by the *Florida Building Code, Building*.

Exceptions:

1. In other than Group I occupancies, an enclosure shall not be required for openings serving only one adjacent floor and that are not connected with corridors or stairways serving other floors.
2. Unenclosed existing stairways need not be enclosed in a continuous vertical shaft if each story is separated from other stories by 1-hour fire-resistance-rated construction or approved wired glass set in steel frames and all exit corridors are sprinklered. The openings between the corridor and the occupant space shall have at least one sprinkler head above the openings on the tenant side. The sprinkler system shall be permitted to be supplied from the domestic water-supply systems, provided the system is of adequate pressure, capacity, and sizing for the combined domestic and sprinkler requirements.
3. Existing penetrations of stairway enclosures shall be accepted if they are protected in accordance with the *Florida Building Code, Building*.

1012.7.3 Other vertical shafts. Interior vertical shafts other than stairways, including but not limited to elevator hoistways and service and utility shafts, shall be enclosed as required by the *Florida Building Code, Building* when there is a change of use to a higher hazard category as specified in Table 1012.4.

Exceptions:

1. Existing 1-hour interior shaft enclosures shall be accepted where a higher rating is required.
2. Vertical openings, other than stairways, in buildings of other than Group I occupancy and connecting less than six stories shall not be required to be enclosed if the entire building is provided with an approved automatic sprinkler system.

1012.7.4 Openings. All openings into existing vertical shaft enclosures shall be protected by fire assemblies having a fire protection rating of not less than 1 hour and shall be maintained self-closing or shall be automatic-closing

by actuation of a smoke detector. All other openings shall be fire protected in an approved manner. Existing fusible link-type automatic door-closing devices shall be permitted in all shafts except stairways if the fusible link rating does not exceed 135°F (57°C).

1012.8 Accessibility. Existing buildings that undergo a change of group or occupancy classification shall comply with the provisions of the *Florida Building Code, Accessibility*.

1012.8.1 Partial change in occupancy. Reserved.

1012.8.2 Complete change of occupancy. Reserved.

SECTION 1013 ENERGY CONSERVATION

See the *Florida Building Code, Energy Conservation*.