

# CHAPTER 9

## CHANGE OF OCCUPANCY

### SECTION 901 GENERAL

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

1. Where the occupancy classification is not changed, or
2. Where there is a change in occupancy classification or the occupancy group designation changes.

**901.2 Change in occupancy with no change of occupancy classification.** A change in occupancy, as defined in Section 202, with no change of occupancy classification shall not be made to any structure that will subject the structure to any special provisions of the applicable *International Codes*, including the provisions of Sections 902 through 911, 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 in occupancy have been met.

**901.2.1 Repair and alteration with no change of occupancy classification.** Any repair or alteration work undertaken in connection with a change of occupancy that does not involve a change of occupancy classification shall conform to the applicable requirements for the work as classified in Chapter 4 and to the requirements of Sections 902 through 911.

**901.3 Change of occupancy classification.** Where the occupancy classification of a building changes, the provisions of Sections 902 through 912 shall apply. 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.

**901.3.1 Partial change of occupancy classification.** Where a portion of an existing building is changed to a new occupancy classification, Section 912 shall apply.

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

### SECTION 902 SPECIAL USE AND OCCUPANCY

**902.1 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* occupancy categories as defined in Chapter 4 of the *Florida Building Code, Building*, the building shall comply with all of the applicable requirements of the *Florida Building Code, Building*.

1. Covered 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.

**902.2 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 903 BUILDING ELEMENTS AND MATERIALS

**903.1 General.** Building elements and materials in portions of buildings undergoing a change of occupancy classification shall comply with Section 912.

### SECTION 904 FIRE PROTECTION

**904.1 General.** Fire protection requirements of Section 912 shall apply where a building or portions thereof undergo a change of occupancy classification.

### SECTION 905 MEANS OF EGRESS

**905.1 General.** Means of egress in portions of buildings undergoing a change of occupancy classification shall comply with Section 912.

### SECTION 906 ACCESSIBILITY

**906.1 General.** Accessibility in portions of buildings undergoing a change of occupancy classification shall comply with Chapter 11 of the *Florida Building Code, Building*.

### SECTION 907 STRUCTURAL

**907.1 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* Tables 1607.1 and 1607.6 (high-velocity hurricane zones shall comply with Table

1615.2) shall comply with the gravity load provisions of the *Florida Building Code, Building*.

**Exception:** Structural elements whose stress is not increased by more than 5 percent.

**907.2 Wind loads.** Buildings and structures subject to a change of occupancy where such change in the nature of occupancy results in higher wind importance factors based on the *Florida Building Code, Building* Table 1604.5, (high -velocity hurricane zones shall comply with Table 1615.2) shall be analyzed and shall comply with the applicable wind load provisions of the *Florida Building Code, Building*.

**Exception:** Where the new occupancy with a higher importance factor is less than or equal to 10 percent of the total building floor area. The cumulative effect of the area of occupancy changes shall be considered for the purposes of this exception.

**907.3 Seismic loads.** Reserved.

## SECTION 908 ELECTRICAL

**908.1 Special occupancies.** Where the occupancy of an existing building or part of an existing building is changed to one of the following special occupancies as described in Chapter 27 of the *Florida Building Code, Building*, the electrical wiring and equipment of the building or portion thereof that contains the proposed occupancy shall comply with the applicable requirements of Chapter 27 of the *Florida Building Code, Building* whether or not a change of occupancy group is involved:

1. Hazardous locations.
2. Commercial garages, repair, and storage.
3. Aircraft hangars.
4. Gasoline dispensing and service stations.
5. Bulk storage plants.
6. Spray application, dipping, and coating processes.
7. Health care facilities.
8. Places of assembly.
9. Theaters, audience areas of motion picture and television studios, and similar locations.
10. Motion picture and television studios and similar locations.
11. Motion picture projectors.

**908.2 Unsafe conditions.** Where the occupancy of an existing building or part of an existing building is changed, all unsafe conditions shall be corrected without requiring that all parts of the electrical system be brought up to the current edition of Chapter 27 of the *Florida Building Code, Building*.

**908.3 Service upgrade.** Where the occupancy of an existing building or part of an existing building is changed, the electrical service shall be upgraded to meet the requirements of Chapter 27 of the *Florida Building Code, Building*, for the new occupancy.

**908.4 Number of electrical outlets.** Where the occupancy of an existing building or part of an existing building is changed, the number of electrical outlets shall comply with Chapter 27 of the *Florida Building Code, Building* for the new occupancy.

## SECTION 909 MECHANICAL

**909.1 Mechanical requirements.** Where the occupancy of an existing building or part of an existing building is changed such that the new occupancy is subject to different kitchen exhaust requirements or to increased mechanical ventilation requirements in accordance with the *Florida Building Code, Mechanical*, the intent of the respective *Florida Building Code, Mechanical* provisions shall be complied with for the new occupancy.

## SECTION 910 PLUMBING

**910.1 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 intent of the respective *Florida Building Code, Plumbing* provisions shall be complied with for the new occupancy.

**910.2 Food handling occupancies.** Reserved.

**910.3 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*.

**910.4 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.

**910.5 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*.

## SECTION 911 OTHER REQUIREMENTS

**911.1 Light and ventilation.** Reserved.

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

## SECTION 912 CHANGE OF OCCUPANCY CLASSIFICATION

**912.1 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. Such buildings shall also comply with Sections 902 through 911. The application of requirements for the change of occupancy shall be as set forth in Sections 912.1.1 through 912.1.4. A change of occupancy, as defined in Section 202, without a corresponding change of occupancy classification shall comply with Section 901.2.

**912.1.1 Compliance with Chapter 8.** The requirements of Chapter 8 shall be applicable throughout the building for the new occupancy classification based on the separation conditions set forth in Sections 912.1.1.1 and 912.1.1.2.

**912.1.1.1 Change of occupancy classification without separation.** Where a portion of an existing building is changed to a new occupancy classification and that portion is not separated from the remainder of the building with a fire-rated wall/ceiling having a fire-resistance rating as required in the *Florida Building Code* for the separate occupancy, the entire building shall comply with all of the requirements of Chapter 8 applied throughout the building for the most restrictive occupancy classification in the building and with the requirements of this chapter.

**912.1.1.2 Change of occupancy classification with separation.** Where a portion of an existing building that is changed to a new occupancy classification 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* for the separate occupancy, that portion shall comply with all the requirements of Chapter 8 for the new occupancy classification and with the requirements of this chapter.

**912.1.2 Fire protection and interior finish.** The provisions of Sections 912.2 and 912.3 for fire protection and interior finish, respectively, shall apply to all buildings undergoing a change of occupancy classification.

**912.1.3 Change of occupancy classification based on hazard category.** The relative degree of hazard between different occupancy classifications shall be determined in accordance with the category specified in Tables 912.4, 912.5 and 912.6. Such a determination shall be the basis for the application of Sections 912.4 through 912.7.

**912.1.4 Accessibility.** All buildings undergoing a change of occupancy classification shall comply with Section 912.8.

**912.2 Fire protection systems.** Fire protection systems shall be provided in accordance with Sections 912.2.1 and 912.2.2.

**912.2.1 Fire sprinkler system.** Where a change in occupancy classification occurs 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.

**912.2.2 Fire alarm and detection system.** Where a change in occupancy classification occurs 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 and shall be automatically activated.

**912.3 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.

**912.4 Means of egress, general.** Hazard categories in regard to life safety and means of egress shall be in accordance with Table 912.4.

TABLE 912.4  
MEANS OF EGRESS HAZARD CATEGORIES

RELATIVE HAZARD	OCCUPANCY CLASSIFICATIONS
1 (Highest Hazard)	H
2	A, I-2, I-3,
3	D, 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

**912.4.1 Means of egress for change to higher hazard category.** When a change of occupancy group is made to a higher hazard category (lower number) as shown in Table 912.4, 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 803.1.
2. Existing stairways including handrails and guards complying with the requirements of Chapter 8 shall be permitted for continued use subject to approval of the code official.
3. Any stairway replacing an existing stairway within a space where, because of existing construction, the pitch or slope cannot be reduced, shall be permitted for continued use subject to approval of the building code official.
4. Where an existing corridor is required to be fire rated, equivalency can be achieved by either sprinklering the building or using equivalency as per NFPA 914 or Chapter 7 of the *Florida Building Code, Building* for fire resistance. Also, see Section 1001.2 of the *Florida Building Code, Building*.
5. Existing corridor doorways, transoms, and other corridor openings shall comply with the requirements in Sections 705.5.1, 705.5.2, and 705.5.3.

6. Existing dead-end corridors shall comply with the requirements in Section 705.6.
7. **Where emergency escape and rescue openings are required**, an existing operable window with clear opening area no less than 4 square feet (0.38 m<sup>2</sup>) and with minimum opening height and width of 22 inches (559 mm) and 20 inches (508 mm), respectively, **with maximum sill height at 44 inches (1118 mm) above the floor or approved permanent elevated area**, shall be accepted as an emergency escape and rescue opening.

**912.4.2 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 912.4, existing elements of the means of egress shall comply with the requirements of Section 805 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 be permitted for continued use subject to approval of the building code official. Also, see Section 1001.4 of the *Florida Building Code, Building*.

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

**912.4.4 Handrails.** Existing stairways shall comply with the handrail requirements of Section 705.9 in the area of the change of occupancy classification.

**912.4.5 Guards.** Existing guards shall comply with the requirements in Section 705.10 in the area of the change of occupancy classification.

**912.5 Heights and areas.** Hazard categories in regard to height and area shall be in accordance with Table 912.5.

**TABLE 912.5  
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, D
4 (Lowest Hazard)	B, F-2, S-2, A-5, R-3, U

**912.5.1 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 912.5, heights and areas of buildings and structures shall comply with the requirements of Chapter 5 of the *Florida Building Code* for the new occupancy classification.

**912.5.2 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 912.5, the height and area of the existing building shall be deemed acceptable.

**912.5.3 Fire-rated wall/ceiling.** When a change of occupancy group is made to a higher hazard category as shown in Table 912.5, a **fire-rated wall/ceiling** in separated mixed-use buildings shall comply with the fire-resistance requirements of the *Florida Building Code, Building*.

**Exception:** Where the **fire-rated wall/ceiling** is 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.

**912.6 Exterior wall fire-resistance ratings.** Hazard categories in regard to fire-resistance ratings of exterior walls shall be in accordance with Table 912.6.

**TABLE 912.6  
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, D
4 (Lowest Hazard)	F-2, S-2, U

**912.6.1 Exterior wall rating for change of occupancy classification to a higher hazard category.** When a change of occupancy group is made to a higher hazard category as shown in Table 912.6, exterior walls shall have fire resistance and exterior opening protectives as required by the *Florida Building Code, Building*. This provision shall not apply to walls at right angles to the property line.

**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.

**912.6.2 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 912.6, existing exterior walls, including openings, shall be accepted.

**912.6.3 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 property 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 property line.
3. Where exterior opening protectives are required, an automatic sprinkler system throughout may be substituted for opening protection.

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 912.6

**912.7 Enclosure of vertical shafts.** Enclosure of vertical shafts shall be in accordance with Sections 912.7.1 through 912.7.4.

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

**912.7.2 Stairways.** When a change of occupancy classification is made to a higher hazard category as shown in Table 912.4, 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. An opening 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*.

**912.7.3 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 912.4.

**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 shall comply with the appropriate sections of the *Florida Fire Prevention Code*.

**912.7.4 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).

**912.8 Accessibility.** Existing buildings or portions thereof that undergo a change of group or occupancy classification shall comply with Chapter 11 of the *Florida Building Code, Building*.