

CHAPTER 10

CHANGE OF OCCUPANCY

User note:

About this chapter: The purpose of this chapter is to provide regulations for the circumstances where an existing building is subject to a change of occupancy or a change of occupancy classification. A change of occupancy is not to be confused with a change of occupancy classification. The International Building Code® defines different occupancy classifications in Chapter 3 and special occupancy requirements in Chapter 4. Within specific occupancy classifications there can be many different types of actual activities that can take place. For instance, a Group A-3 occupancy classification deals with a wide variation of different types of activities, including bowling alleys and courtrooms, indoor tennis courts and dance halls. When a facility changes use from, for example, a bowling alley to a dance hall, the occupancy classification remains A-3, but the different uses could lead to drastically different code requirements. Therefore, this chapter deals with the special circumstances that are associated with a change in the use of a building within the same occupancy classification as well as a change of occupancy classification.

SECTION 1001 GENERAL

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

Note: The following illustrate how change of occupancy is interpreted:

- Change of occupancy classification is a change in the letter designation. An example is a change from B occupancy to R occupancy.
- Change in occupancy group is change in the number designation within an occupancy classification. An example is a change from group R-1 occupancy to R-2 occupancy.
- Change of use is a change in the subcategory within the occupancy group. An example is a change from R-2 apartment to R-2 boarding house.

When “change of occupancy” is italicized in this chapter, it is a global term meant to describe the act of changing the classification, group or use of a building or portion thereof. The terms “change in occupancy group,” “change in occupancy classification” or “change in use” where the phrase “change in occupancy” is not italicized have the meanings described above.

Note: *Changes of occupancy* that are substantial alterations as determined by Section 307.1.1 are required to comply with Section 307.

[S] **1001.2 ((Certificate)) Change 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 *International Building Code* 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.))~~

[S] **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 6 and to the requirements of Sections 1002 through 1010.

Exception: As modified in Section ((1204)) 310 for ~~((historic buildings))~~ landmarks.

[S] **1001.2.2 Change of occupancy classification or group.** Where the occupancy classification or group of a building changes, the provisions of Sections 1002 through 1011 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 1011 shall apply.

[S] **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 or group as determined by the *International Building Code*.

SECTION 1002 SPECIAL USE AND OCCUPANCY

[S] 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 *International Building Code*, the building shall comply with all of the applicable requirements of the *International Building Code*:

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.

[W] 12. Group I-1, Condition 2, for licensure as an assisted living facility under chapter 388-78A WAC or residential treatment facility under chapter 246-337 WAC.

1002.2 Underground buildings. An underground building in which there is a change of use shall comply with the requirements of the *International Building Code* 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 1011.

SECTION 1004 FIRE PROTECTION

1004.1 General. Fire protection requirements of Section 1011 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 *International Building Code*.

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 1011.

SECTION 1006 STRUCTURAL

[S] 1006.1 Structural. Buildings or portions thereof subject to a *change of occupancy* shall comply with Section 303.2.

[S] ~~(([S] 1006.1 Live loads.~~ Structural elements carrying tributary live loads from an area with a *change of occupancy* shall satisfy the requirements of Section 1607 of the *International Building Code*. Design live loads for areas of new occupancy shall be based on Section 1607 of the *International Building Code*. Design live loads for other areas shall be permitted to use previously *approved* design live loads.

Exception: Structural elements whose demand-capacity ratio considering the *change of occupancy* is not more than 5 percent greater than the demand-capacity ratio based on previously *approved* live loads.))

[S] ~~(([S] 1006.2 Snow and wind loads.~~ Where a *change of occupancy* results in a structure being assigned to a higher *risk category*, the structure shall satisfy the requirements of Sections 1608 and 1609 of the *International Building Code* for the new risk category.

Exception: Where the area of the new occupancy is less than 10 percent of the building area. The cumulative effect of occupancy changes over time shall be considered.))

~~[S] (([BS]) 1006.4 Access to Risk Category IV. Any structure that provides operational access to an adjacent structure assigned to Risk Category IV as the result of a change of occupancy shall itself satisfy the requirements of Sections 1608, 1609 and 1613 of the International Building Code. For compliance with Section 1613, the full seismic forces shall be used. Where operational access to Risk Category IV is less than 10 feet (3048 mm) from either an interior lot line or from another structure, access protection from potential falling debris shall be provided.))~~

~~[S] ((SECTION 1007 ELECTRICAL~~

~~1007.1 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 NFPA 70, the electrical wiring and equipment of the building or portion thereof that contains the proposed occupancy shall comply with the applicable requirements of NFPA 70 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.~~
- ~~12. Agricultural buildings.~~

~~1007.2 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 comply with NFPA 70.~~

~~1007.3 Service upgrade. Where the occupancy of an existing building or part of an existing building is changed, electrical service shall be upgraded to meet the requirements of NFPA 70 for the new occupancy.~~

~~1007.4 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 NFPA 70 for the new occupancy.))~~

SECTION 1008 MECHANICAL

~~[S] 1008.1 Mechanical requirements. Mechanical equipment and systems shall comply with the International Mechanical Code. ((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 International Mechanical Code, the new occupancy shall comply with the respective International Mechanical Code provisions.))~~

SECTION 1009 PLUMBING

~~[S] 1009.1 Increased demand. Where ((the)) a change of occupancy ((of)) in an existing building or part of an existing building ((is changed such that the)) results in a new occupancy that is subject to increased or different plumbing fixture requirements or to increased water supply requirements in accordance with the International Building Code and ((International)) Uniform Plumbing Code, the new occupancy shall comply with the ((intent of the)) respective International Building Code and ((International)) Uniform Plumbing Code provisions.~~

~~[S] 1009.2 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 ((International)) Uniform Plumbing Code.~~

~~[S] 1009.3 Interceptor required. If the new occupancy will produce grease or oil-laden wastes, interceptors shall be provided as required in the ((International)) Uniform Plumbing Code.~~

1009.4 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. Chemical waste shall not discharge to a public sewer system without the approval of the sewage authority.

[S] 1009.5 Group I-2. If the occupancy group is changed to Group I-2, the plumbing system shall comply with the applicable requirements of the (~~International~~) Uniform Plumbing Code.

SECTION 1010 OTHER REQUIREMENTS

[S] 1010.1 Light and ventilation. Light and ventilation shall comply with the requirements of the *International Building Code* and *International Mechanical Code* for the new occupancy.

SECTION 1011 CHANGE OF OCCUPANCY ((CLASSIFICATION))

1011.1 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 requirement in Chapter 9 of the *International Building Code*. Such buildings shall also comply with Sections 1002 through 1010 of this code. The application of requirements for the *change of occupancy* shall be as set forth in Sections 1011.1.1 through 1011.1.3. A *change of occupancy*, as defined in Section 202, without a corresponding change of occupancy classification shall comply with Section 1001.2.

[S] 1011.1.1 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 1011.1.1.1 and 1011.1.1.2. All existing buildings with a change of occupancy classification shall comply with the seismic provisions of Section 303.2.

1011.1.1.1 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 *International Building Code*, and that portion is not separated from the remainder of the building with fire barriers having a fire-resistance rating as required in the *International Building Code* for the separate occupancy, the entire building shall comply with all of the requirements of Chapter 9 of this code applied throughout the building for the most restrictive occupancy classification in the building and with the requirements of this chapter.

1011.1.1.2 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 *International Building Code*, and that portion is separated from the remainder of the building with fire barriers having a fire-resistance rating as required in the *International Building Code* for the separate occupancy, that portion shall comply with all of the requirements of Chapter 9 of this code for the new occupancy classification and with the requirements of this chapter.

1011.1.2 Fire protection and interior finish. The provisions of Sections 1011.2 and 1011.3 for fire protection and interior finish, respectively, shall apply to all buildings undergoing a change of occupancy classification.

1011.1.3 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 1011.4, 1011.5 and 1011.6. Such a determination shall be the basis for the application of Sections 1011.4 through 1011.7.

1011.2 Fire protection systems. Fire protection systems shall be provided in accordance with Sections 1011.2.1 and 1011.2.2.

[S] 1011.2.1 Fire sprinkler 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 *International Building Code* that requires an automatic fire sprinkler system to be provided based on the new occupancy in accordance with Chapter 9 of the *International Building Code*, such system shall be provided throughout the area where the *change of occupancy* occurs.

Exception: Subject to the approval of the code official, an automatic fire sprinkler system is not required in dwelling units according to Items 1 through 6 below. This exception is permitted to be used for the *change of occupancy* for one dwelling unit after October 29, 1990.

1. The occupancy of one unit is permitted to be changed to a dwelling unit without an automatic sprinkler system unless sprinklers are otherwise required by this chapter. If more than one unit is changed, the new units shall be equipped with a sprinkler system.

2. In buildings that do not comply with the provisions of this code for number of stories, allowable area, height or type of construction before the occupancy of the unit is changed, an automatic sprinkler system shall be provided in the new unit. The change of occupancy shall not be allowed if it increases the nonconformity.
3. In buildings undergoing *substantial alteration*, an automatic sprinkler system shall be installed where required by this code for new construction.
4. The occupancy of one unit is permitted to be changed to a dwelling unit in an existing duplex without an automatic sprinkler system where both of the following conditions are met:
 - 4.1. The project is considered a *substantial alteration* only because of the change in occupancy; and
 - 4.2. The building complies with the requirements for building height and number of stories for a Group R-2 occupancy.
5. Where the occupancy of one unit is changed to a dwelling unit in an existing duplex, sprinklers are required in the new unit and not in the existing units where all of the following conditions are met:
 - 5.1. The existing duplex does not comply with the requirements for building height and story count for a Group R-2 occupancy;
 - 5.2. The project is considered a *substantial alteration* only because of the change in occupancy;
 - 5.3. The new unit is constructed as an addition to the duplex;
 - 5.4. The new unit is separated from the existing duplex by a fire wall; and
 - 5.5. The addition by itself complies with the requirements for a Group R-2 occupancy.
6. A sprinkler system is not required when a Group U occupancy that is accessory to a Group R-3 occupancy is converted to a dwelling unit.

1011.2.2 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 *International Building Code* that requires a fire alarm and detection system to be provided based on the new occupancy in accordance with Chapter 9 of the *International Building Code*, 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 *International Building Code* as required for new construction.

1011.3 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 *International Building Code* for the new occupancy classification.

1011.4 Means of egress, general. Hazard categories in regard to life safety and means of egress shall be in accordance with Table 1011.4.

**TABLE 1011.4
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, Condition 2
4	B; F-1; R-3; R-4, Condition 1; S-1
5 (Lowest Hazard)	F-2; S-2; U

1011.4.1 Means of egress for change to a higher-hazard category. Where a change of occupancy classification is made to a higher-hazard category (lower number) as shown in Table 1011.4, the means of egress shall comply with the requirements of Chapter 10 of the *International Building Code*.

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 not 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.

1011.4.2 Means of egress for change of use to an equal or lower-hazard category. Where a change of occupancy classification is made to an equal or lesser-hazard category (higher number) as shown in Table 1011.4, 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 *International Building Code*.

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.

1011.4.3 Egress capacity. Egress capacity shall meet or exceed the occupant load as specified in the *International Building Code* for the new occupancy.

1011.4.4 Handrails. Existing stairways shall comply with the handrail requirements of Section 805.9 in the area of the change of occupancy classification.

1011.4.5 Guards. Existing guards shall comply with the requirements in Section 805.11 in the area of the change of occupancy classification.

1011.5 Heights and areas. Hazard categories in regard to height and area shall be in accordance with Table 1011.5.

**TABLE 1011.5
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, Condition 2
3	E; F-1; S-1; M
4 (Lowest Hazard)	B; F-2; S-2; A-5; R-3; R-4, Condition 1; U

[S] 1011.5.1 Height and area for change to a higher-hazard category. Where a change of occupancy classification is made to a higher-hazard category as shown in Table 1011.5, heights and areas of buildings and structures shall comply with the requirements of Chapter 5 of the *International Building Code* 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 *International Building Code* 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 *International Building Code*.

1011.5.1.1 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 *International Building Code* 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 Section 903.3.1.1 of the *International Fire 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 *International Building Code* without an increase allowed for an automatic sprinkler system in accordance with Section 506 of the *International Building Code*.
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 *International Building Code*.

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 that the height and

number of stories increases allowed for an automatic sprinkler system by Section 504 of the *International Building Code* are not used for the buildings.

1011.5.2 Height and area for change to an equal or lesser-hazard category. Where a change of occupancy classification is made to an equal or lesser-hazard category as shown in Table 1011.5, the height and area of the *existing building* shall be deemed acceptable.

1011.5.3 Fire barriers. Where a change of occupancy classification is made to a higher-hazard category as shown in Table 1011.5, fire barriers in separated mixed use buildings shall comply with the fire-resistance requirements of the *International Building Code*.

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.

1011.6 Exterior wall fire-resistance ratings. Hazard categories in regard to fire-resistance ratings of exterior walls shall be in accordance with Table 1011.6.

TABLE 1011.6
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

1011.6.1 Exterior wall rating for change of occupancy classification to a higher-hazard category. Where a change of occupancy classification is made to a higher-hazard category as shown in Table 1011.6, exterior walls shall have fire resistance and exterior opening protectives as required by the *International Building Code*.

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.

1011.6.2 Exterior wall rating for change of occupancy classification to an equal or lesser-hazard category. Where a change of occupancy classification is made to an equal or lesser-hazard category as shown in Table 1011.6, existing exterior walls, including openings, shall be accepted.

1011.6.3 Opening protectives. Openings in exterior walls shall be protected as required by the *International Building Code*. 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 *International Building Code* 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. Exterior opening protectives are not required where an automatic sprinkler system has been installed throughout.
4. Exterior opening protectives are not required where the *change of occupancy* group is to an equal or lower hazard classification in accordance with Table 1011.6.

1011.7 Enclosure of vertical shafts. Enclosure of vertical shafts shall be in accordance with Sections 1011.7.1 through 1011.7.4.

1011.7.1 Minimum requirements. Vertical shafts shall be designed to meet the *International Building Code* requirements for atriums or the requirements of this section.

1011.7.2 Stairways. Where a change of occupancy classification is made to a higher-hazard category as shown in Table 1011.4, interior stairways shall be enclosed as required by the *International Building Code*.

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 not fewer than 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 that 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 *International Building Code*.

1011.7.3 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 *International Building Code* where there is a change of use to a higher-hazard category as specified in Table 1011.4.

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.

1011.7.4 Openings. 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. 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).