



# City of San Dimas

## Building and Safety Division

Phone: (909) 394-6260 E-Mail: [building@sandimasca.gov](mailto:building@sandimasca.gov)

### **CHANGE OF OCCUPANCY**

Change of use or occupancy of a building or portion thereof involves many considerations. Every building and portions of the same building are given an occupancy classification when the building was originally built. Each classification has different building code requirements, which relate to the type of hazard or uses in the building or a portion of that building. A change of occupancy is a change in the use of a building or portion of that building that places the building or portion of that building in a different group of occupancies.

It is important to keep in mind that the legal use or occupancy classification of the building or portion of that building may not be consistent with its most recent actual use. That means that a permit is required to document the change of the use or occupancy even if no changes were planned to be made to the building or how the building is being used. Previous Unpermitted work and alterations will be required to comply with the latest edition of the California Building Codes. Permits will be required to be obtained for the unpermitted work, including unpermitted change of occupancy or use.

Prior to considering a change of use or occupancy, you should contact the Planning Division and discuss the location of the proposed business, the type of business and have the Planning Division determine if that specific type of business is approved for that specific location. In some cases, the Planning Division will require a Conditional Use Permit to allow a business to operate at a specific location. In others cases, the Planning Division may not allow that type of business in that location at all.

Once you have obtained an approval from the Planning Division for the proposed business at a specific location, you will be required to submit three full sets of plans to Building and Safety for plan check and review. The plans are required to be drawn by or under direct supervision of a California Licensed Design Professional. The Licensed Designer will be required to stamp and provide a signature on the plans.

Other regulatory agencies, such as LA County Fire, LA County Health, and Industrial Waste, may be required to review and approve the proposed plans based on the occupancy type and use. You should check with each agency that may regulate the business type and obtain any specific requirements or restrictions they may have.

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The plans are to show the existing conditions and any proposed alterations necessary to bring the building into full code compliance for the proposed change of use or occupancy. The plan is to include a code summary of the building or space. Once they have been drawn up, they are to be submitted to Building and Safety for review and comment. Plan review can take up to 20 business days to complete. The plans may come back with corrections if the designer did not take all code considerations into account or if elements do not meet the minimum requirements of the codes.

### Consideration for a Change of Use or Occupancy

Change of use or occupancy	<ul style="list-style-type: none"><li>• Current code requirements must be met, including:</li><li>• Type of construction;</li><li>• Occupant load;</li><li>• Occupancy type;</li><li>• Fire resistance of exterior walls and wall opening protection based on proximity to property lines;</li><li>• Allowable floor area, allowable maximum height, and number of stories;</li><li>• Conformity with required exiting;</li><li>• When a change of occupancy results in a structure being reclassified to a higher risk category, the structure must conform to the seismic requirements for a new structure of the higher risk category;</li><li>• Compliance with the minimum number of plumbing fixtures;</li><li>• Compliance with the minimum quantities of outdoor air;</li><li>• Compliance with thermal envelope requirements;</li><li>• Compliance with accessibility for alterations (change of use or occupancy) and any areas of new work;</li><li>• Other.</li></ul>
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### Examples of Change of Occupancy

*Q: I run a small personal training business and I want to move into a location in an industrial park that has a small office in front and a warehouse area in back that I think would be perfect for my business. All I was planning on doing was to add some foam and artificial turf to the rear area floor and open for business, are there any City code issues.*

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**A:** Yes, although this may seem straightforward, there are a number of possible issues that need to be addressed as the rear area was never designed as habitable. Specifically:

- The “warehouse area” likely has insufficient ventilation and heating for a habitable use.
- Most small spaces like this only have a single restroom that is likely insufficient for the increased amount of people.
- Floor coverings need to be verified they comply with fire restrictions of flame spread and development of smoke.
- Any change in elevation of a commercial floor greater than ¼” must utilize a ramp to allow access for wheelchairs.
- Change of occupancies can sometimes increase the parking requirements above what was originally approved.

**Q:** I want to open a restaurant in a space that was originally used as a retail store, what kind of requirements might be needed?

**A:** Restaurants need to meet standards set forth in the LA County Health department handout

<http://publichealth.lacounty.gov/eh/inspection/construction-requirements-retail-food-facilities.htm>

**B:** An analysis of the space is required and based on numerous factors:

- A grease interceptor may be required to be installed.
- A Type 1 hood may be required to be installed along with a fire extinguishing system for the cook appliance.
- Additional make up air may be needed when a kitchen exhaust system has been installed.